



An
Bord
Pleanála

Inspector's Report ABP-304973-19

Development	Demolition of rear projections and construction of a four-storey rear extension and an additional fifth-floor, providing for 61 hotel guestrooms and ancillary facilities
Location	McGettigan's Hotel, High Road, Letterkenny, County Donegal
Planning Authority	Donegal County Council
Planning Authority Reg. Ref.	18/51502
Applicant(s)	Denis McGettigan
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third-Party
Appellant(s)	Laura Crawford & Others
Observer(s)	None
Date of Site Inspection	23 rd October 2019
Inspector	Colm McLoughlin

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1.0 Site Location and Description

- 1.1.** The appeal site has a stated area of 0.37ha and is located in the centre of Letterkenny in County Donegal, fronting onto the court house and High Road at the junction of Upper Main Street, Ramelton Road and Judge Walsh Road. Access to the rear of the site is available along the southern side via Speer's Lane, a narrow one-way street.
- 1.2.** It contains a hotel with a distinct Art Deco-inspired frontage featuring extensive glazing and chrome elements. The hotel currently comprises 83 guestrooms, bars and dining areas, meeting and function rooms, open seating areas and staff and service areas with a stated gross floor area (GFA) of approximately 5,665sq.m. The building is primarily three to four storeys in height while also featuring two storey and five-storey elements. A stepped increase in the hotel building height moving into the site from High Road, follows a 10m increase in ground levels from the front street to the rear car park. The five-storey element with a height of c.17m, is centrally positioned within the site and set away from the side roof parapets. The external finishes to the hotel elevations off High Road comprise render and pvc windows.
- 1.3.** High Road and the surrounding commercial streets are dominated by terraced buildings primarily ranging in height from two to four storeys. Along Speer's Lane to the south of the site is a stepped terrace of five two-storey houses, Nos.1 to 5, with small front gardens, which are included within the National Inventory of Architectural Heritage (NIAH) (Refs. 40502022, 40502023 and 40502025). Two-storey terraced houses on Ard O'Donnell Road back onto the west of the site, while two-storey terraced houses back onto the northern boundary of the site, which is formed by a 4m-high retaining wall structure.

2.0 Proposed Development

- 2.1.** The proposed development comprises the following:

 - demolition of ancillary service area structures at first-floor level to the rear;
 - construction of extensions and additional floor to hotel providing for an additional stated GFA of c.2,407sq.m, including;
 - extensions to the rear and south side from first to fourth-floor levels;

- additional floor at fifth-floor level to be finished in a mansard roof style with zinc cladding, parapets and rainwater goods and a render to match the existing materials on the northern side elevation and with an additional emergency access service core at roof level (height of 17.8m);
- in total accommodating 61 no. hotel guestrooms, each with en-suite washroom facilities and circulation areas on each floor, extended dining area at first-floor level, revisions to existing internal layout at fourth-floor level and a spa treatment facility, including six treatment rooms, reception and waiting areas, changing and washroom facilities and an external terrace onto Speer's Lane, at fourth-floor level.

2.2. In addition to the standard details, the planning application was accompanied by a Planning Report, a Parking Report, a Design Statement and Sun/Shadow Study video files. As part of the applicant's further information response, an Outline Construction, Demolition and Traffic Management Plan and a Draft Car Park Lease Agreement were submitted.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The planning authority decided to grant permission for the proposed development, subject to ten conditions, including conditions relating to the following:

C.2 evidence of a legal agreement to use or rent 95 spaces in the adjoining car park shall be submitted;

C.3 provision of additional public lighting to Speer's Lane.

3.2. Planning Authority Reports

3.2.1. Planning Report

The initial report of the Planning Officer (November 2018) noted the following:

- temporary construction noise would be expected to have some impact on neighbouring amenities, and no overlooking concerns would arise;

- a financial contribution of €230,000 in lieu of the parking shortfall of 90 spaces would not be reasonable or appropriate. However, an agreement in principle to use a neighbouring car park facility would be necessary considering the extent of the shortfall and this should be addressed via further information;
- further information is required regarding construction and demolition management, including traffic management and servicing proposals.

The second report of the Planning Officer (May 2019) noted the following:

- the engineer from the Roads & Urban Spaces section of the planning authority does not object to the parking and servicing arrangements for the development, subject to conditions;
- the applicant consulted with local residents regarding concerns raised;
- revised notices are required as the further information response is significant;

The final report of the Planning Officer (June 2019) reflects the decision of the planning authority and noted the following:

- contributions are required for public lighting to Speer's Lane and additional works along the front and side roads and footpaths;
- a bond and general development contributions are required;
- additional details regarding materials, parking agreement and road sweeping can be addressed via conditions.

3.2.2. Other Technical Reports

- Roads & Urban Spaces – further information initially requested and financial contributions and public realm upgrade works subsequently outlined;
- Road Design – no comments;
- Environmental Health Officer (HSE) – refer to Irish Water / Sanitary Services;
- Chief Fire Officer – no objection;
- Building Control – comments provided.

3.3. Prescribed Bodies

- Irish Water – no response.

3.4. Third-Party Submission

- 3.4.1. During consideration of the application by the planning authority, in total three submissions were received from neighbouring residents of the appeal site. The issues raised are summarised in the grounds of appeal below.

4.0 Planning History

4.1. Appeal Site

- 4.1.1. Pre-planning discussions regarding the proposed development are stated to have taken place in January 2018 between representatives of the applicant and the planning authority. There is an extensive history associated with the appeal site, including the following recent application:

- Donegal County Council [DCC] Ref. 16/50259 – permission granted (July 2016) for new shopfront and signage to hotel.

4.2. Surrounding Sites

- 4.2.1. There is an extensive recent planning history associated with neighbouring sites, none of which appear to be of particular relevance to the subject appeal.

5.0 Policy & Context

5.1. Donegal County Development Plan

- 5.1.1. Statutory planning policies and objectives for Letterkenny are contained within the Donegal County Development Plan 2018-2024. It is understood that a Local Area Plan is to be prepared for the town. The appeal site has a land-use zoning 'town centre', where it is a stated objective 'to sustain and strengthen the core of Letterkenny as a centre of commercial, retail, cultural and community life.' Planning policies and objectives for the 'town centre' area are set out under Section 12.3 within Part C of the Development Plan and these aim to develop a consolidated, vibrant, accessible, multifunctional and high-quality urban environment in the town centre. Relevant planning policies include:

- LK-ED-P-5: Tourism-related Development;

- LK-TC-P-1: Town Centre Strategy;
- LK-TC-P-2: Urban Design Framework;
- LK-TC-P-5: Design Criteria in the Town Centre;
- LK-TC-P-6: Town Centre Streetscape;
- LK-BH-P-3: Management of Long Established Residential Areas.

5.1.2. The expanding tourism function of Letterkenny is recognised in the Plan and the land-use zoning map for the town identifies two adjoining 'long-established residential areas' on Speer's Lane and McClure's Terrace, adjoining the southern and northern sides of the site respectively.

5.1.3. Appendix 3 to the Development Plan outlines specific 'Development Guidelines and Technical Standards' for commercial development, including parking standards.

5.2. National Guidelines

5.2.1. The following national guidelines are relevant in consideration of the appeal:

- Project Ireland 2040 - National Planning Framework (2018);
- Urban and Building Heights - Guidelines for Planning Authorities (2018);
- Architectural Heritage Protection Guidelines for Planning Authorities (2011);
- Urban Design Manual: A Best Practice Guide (2009).

5.3. Environmental Impact Assessment - Preliminary Examination

5.3.1. Having regard to the existing development on site, the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The principal grounds of the third-party appeal, which was submitted on behalf of a group of local residents from the adjoining streets to the site and was accompanied by a set of photographs and shadow cast images, can be summarised as follows:

Planning Policy

- an excessive level of development is proposed, which would set precedent for further similar developments;
- the proposed development would be contrary to planning policy and would fail to meet the urban design standards required in the Development Plan for the town centre streetscape;
- precedent for refusal of planning permission for the subject development is provided for by Board decisions, including a recent decision to refuse a restaurant and related development at Port Road in Letterkenny (ABP Ref. 303476-19);

Traffic, Servicing & Parking

- the existing hotel is unable to cater for current parking demand and service requirements with limited capacity along Speer's Lane to service the extended hotel and set down to the front prohibited by double-yellow line markings;
- increased traffic congestion would arise during construction and operation phases, raising concerns for road safety, including local school children;
- construction traffic concerns would result in significant nuisance for local residents, based on the traffic flows and restrictions outlined within the traffic management plan submitted with the application, which can also be subsequently altered by the contractor;
- additional and alternative car parking proposals are required, as those set out within the application are impractical and unworkable;

- the proposed lease of spaces within a neighbouring car park was not included in the description of the proposed development advertised on the planning notices;
- the shortfall in parking would lead to further parking and traffic congestion on neighbouring residential streets;
- the application does not include details of service bays, turning areas, set down areas and parking for disabled persons or cyclists;

Impact on Residential Amenities

- the development would lead to increased noise and anti-social behaviour, which would have a negative impact on the lives of local residents;
- the proposed development would result in further loss of light and overshadowing to residential properties, particularly those on McClure's Terrace;
- overlooking of residential properties would arise;

Visual Amenity

- the proposed building height would be incongruous and out-of-character with the surrounding building heights and streetscape, including NIAH buildings and protected structures;
- a poor quality of design is proposed with respect to the existing glass façade and the failure to enhance the public realm;
- signage and materials details are omitted from the application;

Other Matters

- the application should have been invalidated for reasons relating to ownership, the omission of development details, the absence of particular drawing dimensions and inconsistencies when referring to the GFA of the development.

6.2. Applicant's Response

- 6.2.1. In response to the grounds of appeal, the applicant submitted additional architectural drawings, a sunlight and daylight report, correspondence from the hotel

management relating to parking and deliveries, a draft car park lease agreement for 95 spaces and correspondence from a neighbouring car park owner relating to the draft lease agreement. The applicant's submission can be summarised as follows:

- proposals would enable the achievement of strategic planning objectives to develop the northwest region and Letterkenny, while also complying with local zoning, town centre and urban design planning policies;
- concerns regarding parking and design have been fully addressed in the application and in the conditions of the permission;
- only a marginal increase in the scale and height of the hotel building would be apparent;
- the architectural rationale for the proposed development has been set out within the Design Statement submitted and this provides justification for the approach taken, including the modest change in appearance relative to the existing development, the set back provided for from the front street area and the limited increased in overshadowing that would arise;
- the proposed development would not result in significant change in the sunlight and daylight environment, nor would it result in further overlooking of residential properties, given level differences and the separation distances between properties;
- the additional car parking, as required based on Development Plan standards and a parking survey, would be provided for within the town centre, subject to a lease agreement, which is standard practise;
- a customer set-down area for guests checking into the hotel would be provided to the rear of the hotel, as per drawings submitted with the response;
- the main deliveries to the existing hotel are for linen and food/beverages, which would remain unchanged as a result of the proposed development;
- a shuttle bus service operates from a sister hotel in Letterkenny to the subject hotel, which serves hotel guests arriving by bus or coach.

6.3. Planning Authority Response

6.3.1. In response to the grounds of appeal and the applicant's response submission, the planning authority refers to their previous planning reports assessing the proposed development.

6.4. Observations

6.4.1. None received.

6.5. Further Submissions

6.5.1. The response from the appellants in response to applicant's submission largely reaffirms matters raised within their grounds of appeal and also raises the following:

- recent works to the hotel have impacted on traffic safety and convenience;
- the draft agreement is only a temporary solution to the parking issue;
- a significant increase in activity would arise from the development;
- additional shadow cast images are submitted to show the impact of the development on houses along Ard O'Donnell Road and McClure's Terrace;
- overlooking remains a concern considering the medium to long-term manner in which hotel guestrooms can be occupied.

6.5.2. Following consultation, the Department of Culture, Heritage and the Gaeltacht, the Heritage Council, An Taisce, Fáilte Ireland and The Arts Council did not respond to the grounds of appeal.

7.0 Assessment

7.1. Introduction

7.1.1. I consider the substantive planning issues arising from the grounds of appeal and in assessing the proposed development are as follows:

- Design & Architectural Heritage;
- Traffic, Parking & Servicing;

- Impacts on Residential Amenities.

7.2. Design & Architectural Heritage

- 7.2.1. The grounds of appeal assert that the proposed development would not complement or enhance the existing Art Deco façade to the host building and would be out-of-character with the prevailing surrounding building heights and the town centre streetscape, including buildings of historical merit along Speer's Lane that are included in the NIAH records. In response, the applicant asserts that detailed rationale for the proposed development has been provided as part of the planning application, including within the Design Statement, which outlines that the proposed development has designed cognisant of the town centre context and the host building features.
- 7.2.2. Policies LK-TC-P-5 and LK-TC-P-6 of the Donegal County Development Plan 2018-2024, seek to promote quality design in developments in order to protect and enhance the appearance of the town centre. The Architectural Heritage Guidelines require development proposals to take account of the impact of development on protected structures, whether or not these are located inside or outside the development site. The Court House opposite the site to the east is included within the Record of Protected Structures (RPS Ref. 40502279), while the site and the surrounding area does not have conservation status. As noted above there is a terrace of five houses along Speer's Lane adjacent to the south of the site, which are included in the NIAH. Policy LK-BH-P-3 of the Development Plan seeks to ensure that the character, setting and design of long-established residential areas within the town is protected, including the NIAH-listed housing along Speer's Lane and housing identified in the land-use zoning map (12.1B) along McClure's Terrace.
- 7.2.3. The extensions to the hotel from first to fourth-floor level would primarily be to the rear of the hotel and for the most part would not be visible from the public realm. The extension at fourth-floor level to accommodate the spa treatment facility would be most visible along Speer's Lane and its junction with Upper Main Street. The existing buildings, including the host hotel, would largely screen views of the proposed additional fifth-floor level from street level to High Road, Upper Main Street, Judge Walsh Road and McClure's Terrace. The proposed fourth-floor spa

facility extension and the additional fifth floor would be set back approximately 8m and 24m respectively from High Road and as a result would not be highly visible from the front street area.

- 7.2.4. The prevailing character of the area to the south along Speer's Lane, is of two-storey terraced houses. I am satisfied that the stepped building approach, which would result in the extended hotel reading as a three to four-storey building along Speer's Lane, would ensure that the extensions would not represent an abrupt transition in building height within this town centre environment and that they would not be overly dominant or overbearing when viewed from the south along Speer's Lane. While the proposed extensions would largely follow the proportions and design of the floors below, the proposed use of a mansard style and contrasting zinc finishes to the upper level of the hotel would differentiate the proposed extensions from the main building. With limited visibility from the immediate public realm, the extensions would not dominate the streetscape and would not undermine the quality of the distinct glazed frontage to the hotel.
- 7.2.5. In conclusion, the setting and character of houses on Speer's Lane and the architectural quality of the front streetscape would not be substantially impacted by the proposed development. I am satisfied that the proposed development would be acceptable in terms of scale, form, height and design, would not be contrary to planning policies LK-TC-P-5 and LK-TC-P-6 of the Development Plan, which seek to promote quality design in developments and, accordingly, would not have a detrimental impact on the visual amenities of the area. Permission for the proposed development should not be withheld for this reason.

7.3. Traffic, Parking & Servicing

- 7.3.1. The grounds of appeal assert that the existing hotel is not sufficiently served by on-site car parking or servicing, and that this has led to car parking and servicing along the streets adjoining the site. It is also asserted that the proposed development would not provide the necessary car parking for the extended hotel, as the usability of an alternative car park in the town centre would be unrealistic, and as a consequence this would exacerbate traffic and parking congestion problems already experienced in the area. In response to the grounds of appeal, the applicant asserts that the proposed arrangement to lease 95 spaces from a car park facility within the

town centre would be standard practise and would be appropriate based on a car park survey undertaken, the results of which were submitted with the planning application. The applicant has also responded to the grounds of appeal by outlining the present and proposed servicing and parking arrangements, including check-in and shuttle-bus services.

7.3.2. Policy T-P-13 of the Development Plan requires development proposals to provide adequate provision for car parking and associated servicing arrangements. Standards outlined within table 6 to Appendix 3 of the Development Plan require one car space per bedroom and one car space for every ten bedrooms to serve staff. Consequently, the additional 61 guestrooms would attract in the region of 67 additional car parking spaces. Policy T-P-13 also sets out that a reduced number of car parking spaces may be acceptable in highly accessible locations that are well served by public transport or where the development would benefit from spare capacity available in nearby car parks.

7.3.3. The Roads & Urban Spaces of the planning authority reported on the subject application, and did not object to the development, subject to the attachment of conditions. The proposed parking and servicing arrangements, including the use of a neighbouring privately-owned car park and a bus-shuttle service, would not be uncommon in an inner-urban context, such as this. Considering the planning policy provisions as outlined above, the nature of the use and the town centre location of the hotel within 500m of a bus station, I am satisfied that adequate provision for car parking spaces to serve the extended hotel has been set out within the application. Furthermore, as the proposed development would not provide additional on-site parking and would primarily provide for increased accommodation and additional facilities within the hotel, including a spa treatment facility, substantial additional servicing of the premises would be unlikely and the development would not be likely to result in a significant increase in traffic to and from the site during the operational phase. Impacts for traffic, parking and servicing would arise during the construction phase and I am satisfied that the measures proposed within the Outline Construction, Demolition and Traffic Management Plan submitted by the applicant, would suitably alleviate and address the temporary impacts arising.

7.3.4. In conclusion, I am satisfied that due consideration for traffic, parking and servicing has been addressed in the application and the proposed parking and service

provision would be adequate to serve the development. Accordingly, I am satisfied that the proposed development should not be refused for reasons relating to traffic and road safety, service arrangements or parking provision.

7.4. Impacts on Residential Amenities

- 7.4.1. The grounds of appeal assert that the proposed development would impact negatively on neighbouring amenities as a result of overlooking, increased noise and anti-social behaviour, overshadowing, loss of light and construction activity. In response to the grounds of appeal, the applicant stated that the development was designed with respect to neighbouring amenities and that the separation distances and level differences between the development and neighbouring properties would ensure that overlooking and excessive loss of light or overshadowing would not arise. In permitting the proposed development the planning authority highlighted that any additional noise impacts would be for a temporary period during the construction phase.
- 7.4.2. The closest residential properties that could be reasonably expected to be impacted by the proposed extensions are those located on Speer's Lane, 8m to the south, on Ard O'Donnell Road, 38m to the west, and on McClure's Terrace, 9m to the north.
- 7.4.3. The proposed development would not exacerbate the existing situation with regards to overlooking or loss of privacy, as the additional floors would not be any closer to any of the neighbouring residential properties. The separation distance between properties on Ard O'Donnell Road and the positioning of the hotel to the north of housing along Speer's Lane, would ensure that the proposed development would not impact on lighting levels to houses on these streets. With regard to housing along McClure's Terrace backing onto the north of the site, these houses would experience some negative impacts at present by virtue of their proximity and relationship with the hotel and the retaining wall structure marking the appeal site northern boundary. A shadow casting study was submitted as part of the application to illustrate and calculate the impact of the proposed development on lighting to surrounding properties. The appellants also submitted their own set of shadow cast images with the grounds of appeal. Both parties contest the accuracy of the respective party's studies. No calculations regarding the extent of lighting to internal areas or overshadowing to external amenity areas are provided.

- 7.4.4. Section E-E on drawing No.L1804/PL.21 illustrates the relationship of the proposed development with housing along McClure's Terrace. The impact of the proposed development on housing to McClure's Terrace would be reduced by virtue of the stepped siting of the additional floor from the northern side boundary. The proximity and scale of the proposed development relative to these neighbouring properties would be quite typical for an inner-urban context such as this and would not be substantially overbearing when compared with the existing situation. Furthermore, I am satisfied that the proposed development would not have a significant impact on the levels of natural light available to the rear of houses along McClure's Terrace.
- 7.4.5. In conclusion, the proposed development would not result in excessive overshadowing or overlooking of neighbouring properties and would not have an overbearing impact when viewed from neighbouring properties, including housing along McClure's Terrace. Accordingly, the proposed development should not be refused for reasons relating to the impacts on neighbouring residential amenities.

8.0 Appropriate Assessment

- 8.1. Having regard to the existing development on site, the nature of the proposed development, the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

- 9.1. I recommend that permission be granted, subject to conditions, for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. Having regard to the zoning objectives for the site, the provisions of the Donegal County Development Plan 2018-2024, to the pattern of development in the area and to the town centre location of the site, it is considered that, subject to compliance with the conditions set out below, the proposed

development would constitute an appropriate development at this location, would be acceptable in terms of scale, form, height and design, would not adversely impact on the character or setting of the town centre, including the hotel on site and properties along Speer's Lane included within the National Inventory of Architectural Heritage, would be acceptable in terms of visual amenity, would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 7th day of May 2019 and the 11th day of June 2019 and the further plans and particulars submitted to An Bord Pleanála on the 9th day of August 2019, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Details of materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Public lighting shall be provided in accordance with a scheme, which shall include lighting along Speer's Lane, details of which shall be submitted to,

and agreed in writing with, the planning authority prior to commencement of development. Such lighting shall be provided prior to the commercial occupation of the proposed extensions to the hotel.

Reason: In the interests of amenity and public safety.

4. Prior to the commercial occupation of the proposed extensions to the hotel, a Parking & Service Management Plan shall be prepared for the hotel facility and shall be submitted to and agreed in writing with the planning authority. This plan shall provide for details of the designated parking spaces to serve hotel guests and staff, and shall indicate how these and other spaces within the development shall be assigned, segregated by use and how the car park and servicing for the hotel shall be continually managed.

Reason: To ensure that adequate parking and servicing facilities are permanently available to serve the proposed development.

5. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the amenities of property in the vicinity and the visual amenities of the area.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This Plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, traffic management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and local amenities.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity.

8. Prior to commencement of development, the developer shall lodge with the planning authority a bond of an insurance company, a cash deposit, or other security to secure the provision and satisfactory completion of roads, sewers, watermains, drains, car parks, open spaces and other services required in connection with the development, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of any part of the development. The security to be lodged shall be as follows -

(a) an approved insurance company bond in the sum of €35,000 (thirty-five thousand euro), or

(b) a cash sum of €35,000 (thirty-five thousand euro) to be applied by the planning authority at its absolute discretion if such services are not provided to its satisfaction, or

(c) such other security as may be accepted in writing by the planning authority.

Reason: To ensure the satisfactory completion of the development.

9. The developer shall pay to the planning authority a financial contribution of €17,643 (seventeen thousand, six hundred and forty-three euro) in respect of public infrastructure and facilities benefiting development in the area of

the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Colm McLoughlin
Planning Inspector

5th November 2019