



An
Bord
Pleanála

Inspector's Report ABP307909-20

Development	Demolition of Existing Warehouse and the construction of 30 Apartments and all associated works.
Location	Nos. 9-11 Wellington Street Lower, Dublin 1.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	2574/20.
Applicant	Barry Staunton.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party.
Appellant	Barry Staunton.
Observer	Victoria Fitzgerald.
Date of Site Inspection	24 th November, 2020.
Inspector	Paul Caprani.

Contents

1.0 Introduction

ABP307909-20 relates to a first party appeal against the decision of Dublin City Council to issue notification to refuse planning permission for the demolition of existing warehouses and the construction of 30 apartments at 9-11 Wellington Street Lower, Dublin 1. Dublin City Council in its decision dated 15th July, 2020 refused permission for three reasons relating firstly to the incompatibility of the proposal with the established layout and design of the area, secondly its impact on protected structures along Blessington Street and thirdly the decision states that the proposal represents an unsatisfactory standard of residential amenity for future occupants which is contrary to the provisions set out in the guidelines for new apartments.

2.0 Site Location and Description

2.1. The appeal site is located in the inner city of North Dublin at the corner of Wellington Street Lower and Graham's Row. Blessington Street is located to the immediate north and runs parallel to Wellington Street Lower. Wellington Street Lower links up Mountjoy Street and Dorset Street Upper. The subject site is located less than 1 kilometre from the GPO in O'Connell Street. The site is located on the northern side of Wellington Street and is rectangular in shape. It has a stated area of 689 sq. metres and currently accommodates a single storey warehouse/ car repairs building over its entire footprint. Two smaller warehouse buildings are located to the immediate west of the subject site. Graham's Row runs along the eastern boundary of the site. Wellington Street Lower is characterised by a mixture of two storey suburban type infill residential development interspersed with newer apartment blocks ranging from 4 to 6 storeys in height. Blessington Street to the immediate north of the subject site accommodates three storey over basement Georgian dwellings which back onto the northern boundary of the site. All the buildings backing onto the site are protected structures.

3.0 Proposed Development

- 3.1. The original application to Dublin City Council sought for the demolition of the existing warehouse and the construction of 30 apartments within a two to six-storey block. The total number of units proposed in the application to the Planning Authority comprised of four studio units, 16 one-bed and 10 two-bed units is proposed to step the building down towards the northern boundary of the site and the fourth and fifth floors are restricted to the southern portion of the site facing onto Wellington Street Lower. The building rises to a parapet level of 18.28 metres and incorporates a mixture of brown and cream brick finishes with a gold metal cladding on the upper floor level. A series of recessed balconies are proposed along the northern, southern, and eastern elevation. A small area of private open space is located at the north-western corner of the site. Additional open space is provided at roof level above the second and fourth floors at the northern end of the block. Some alterations were incorporated into the scheme on foot of the first party appeal submitted. These are described further in my report below.

4.0 Planning Authority's Decision

4.1. Decision

- 4.1.1. Dublin City Council issued notification to refuse planning permission for three reasons which are set out in full below.

- 1. The proposed development due to its height, depth and scale of the building is considered overdevelopment of the subject site. The proposal would be incompatible with the established layout and design in that the proposed development fails to have any regard to the scale and form of adjoining or nearby properties and does not adequately respond to the prevailing heights of neighbouring/adjoining buildings along Wellington Street Lower, or the prevailing heights of buildings along Blessington Street. The development dominates and exceeds the height of the Georgian buildings along Blessington Street (Protected Structures). Any development at this location must respect the hierarchical relationship of the site to the main Georgian houses and must provide adequate distances between properties. The*

proposal would, therefore, be contrary to Chapter 16 of the Dublin City Development Plan 2016 – 2022, would be seriously injurious to the amenity of existing neighbouring residents, would depreciate the value of property in the vicinity and would set a precedent for development which would be incompatible with the established character of the area. The proposal would be contrary to the provisions of the Dublin City Development Plan 2016 – 2022 and the proper planning and sustainable development of the area.

2. *The proposed scheme does not have sufficient regard to the existing protected structures along Blessington Street. The development would significantly undermine the south facing amenity of the protected structures and devalue their viability as residences. The separation distances are such that that the proposed development would detract from the amenity that these protected structures currently enjoy; would result in undue overlooking and overshadowing and would detract from the character of the protected structures. The proposed development would set an unwanted precedent for similar type development and would be contrary to the provisions of the Dublin City Development Plan 2016- 2022 and the proper planning and sustainable development of the area.*
3. *The quantity of two-bed (3-person) units proposed throughout the scheme is not in accordance with the Design Standards for New Apartments, Guidelines for Planning Authorities (March 2018). The proposed development would, therefore, provide an unsatisfactory standard of residential amenity for future occupants and would set a precedent for substandard residential accommodation. The proposal would therefore be contrary to the provisions of the Dublin City Development Plan 2016 – 2022 and the proper planning and sustainable development of the area.*

4.2. Documentation Submitted with Planning Application

4.2.1. The application was accompanied by the following documentation.

- **A Design Statement.** This report sets out details of the existing site and its surroundings. It also notes the zoning objective and the planning history pertaining to the site. The report sets out details of the proposal and the

rationale behind the design, scale and materiality of the building. The report also incorporates a number of 3D visualisations of the proposed development and a schedule of the area of each of the residential units.

- A separate report by **GSP Fire Limited** sets out details of the fire safety and access strategy relating to the proposal.
- A separate **Architectural Heritage Impact Assessment** was also submitted. It states that the existing building on site is of no architectural merit and the proposed development will result in no loss of important or historic fabric and that the site redevelopment will result in a direct positive impact on the streetscape. In terms of the impact on protected structures in the environs, it is stated that the proposed building, notwithstanding the fact that it is six storeys in height, is more in keeping with the scale of the historic Georgian buildings on Blessington Street and other 18th and 19th buildings in the vicinity. It is stated that the setting of protected structures in the immediate vicinity of the proposed development will be unaffected as a result of the proposed development.
- Also submitted was an **Engineering Drainage Report** setting out details of the surface water drainage system, the foul drainage system and the water supply to serve the development. It also contains a flood risk assessment. It notes that consultation with the OPW Flood Hazard Map shows that there has been no recorded flooding at or in the immediate vicinity of the site. In relation to the ground floor apartments, it is stated that all existing building ground finished floor levels are above the footpath at the access points ensuring that during unforeseen events surface water will follow the natural watershed falling away from the building.

4.3. **Planning Authority Assessment**

- 4.3.1. A report from Transport Infrastructure Ireland notes that the proposed development falls within an area for an adopted Section 49 Supplementary Development Contribution Scheme. In the case of a grant of planning permission the Planning Authority were requested to apply a supplementary contribution in accordance with S49 of the Act if applicable.

- 4.3.2. A report from the City Archaeologist recommends that a condition be attached requiring the developer to retain a suitably licensed archaeologist to advise on the archaeological implications of a site clearance. Subsequent to any clearance, the archaeologist shall provide an archaeological impact assessment of the proposed development due to the site's close proximity to a zone of archaeological constraint.
- 4.3.3. A report from the Engineering Department Drainage Division stated that there is no objection to the proposed development subject to standard conditions.
- 4.3.4. A report from the Waste Management Division states that in the event that planning permission is granted, the applicant is required to comply with various waste protocols set out in the report.
- 4.3.5. A report from the Transportation Planning Division recommended further information in relation to issues concerning the provision of an appropriate footpath width around the building, further details on the number and layout of bicycle parking spaces to be provided and further details of a servicing and operations plan and a preliminary construction management plan.
- 4.3.6. The planner's report notes that the proposal complies with the zoning objective relating to the site and notes that the existing building is of little architectural merit. In terms of density it is noted that the development plan sets no actual upper limit for any zoned land. However, the density of the proposal should respect the existing character, context and urban form of the area. Concerns are expressed in relation to the height, scale and massing of the proposal particularly in the context of Blessington Street and the surrounding streets. It is stated that the development as proposed would impact negatively on the residential amenity afforded to residents in close proximity. There are concerns that the two-bedroom units throughout the scheme are intended to maximise development without resulting in high quality residential accommodation. The applicant should be requested to redesign the internal configuration of the units to provide two-bed four-person units. 33% of new apartment should achieve dual aspect according to the guidelines. In this instance 10 of the units are dual aspect and 20 are single aspect. It should be noted that the single aspect units include four duplex units. With regard to communal open space it is stated that while these requirements are being met, the configuration of the space will have adverse impacts on the amenity of the existing residents at Blessington

Street in terms of overlooking and potential noise nuisance. Having regard to the central location of the site and the proximity to public transport it is considered that the provision of zero car parking is appropriate on the subject site. The dedicated bicycle store is considered generally satisfactory in terms of location, accessibility and security. The comments of the Transportation Planning Division requiring an increase in the minimum distance to provide for adequate access to the bicycle parking area is noted. It is also noted that the application is not accompanied by an appropriate assessment screening and it is stated that the Natura Impact Screening Report should therefore be prepared.

- 4.3.7. Arising from the assessment the planner's report recommends that permission be refused for the proposed development for the three reasons set out above.

5.0 Planning History

- 5.1. No appeal files are attached. Reference is made in the local authority's planner's report to one application Reg. Ref. 6242/04. Permission was sought for the construction of one three-storey penthouse building and one four-storey building consisting of student accommodation providing a total of 50 bedspaces together with ancillary facilities. Additional information was sought from the Planning Authority in February, 2005 and no response was received from the applicant.

6.0 Grounds of Appeal

- 6.1. The decision of Dublin City Council to issue notification to refuse planning permission was appealed by CDP Architecture. The grounds of appeal are outlined below.
- 6.1.1. In relation to the height and scale of the proposed development, reference is made to an image contained in the grounds of appeal which illustrates the heights of buildings in the surrounding area. On the basis of the variation of building heights in the immediate area it is suggested that a six-storey building on the subject site is generally acceptable. However, as part of the revised proposal for An Bord Pleanála it is proposed to incorporate a greater setback from the rear boundary wall of No. 71 Blessington Street with the proposal now being between six and nine metres from the northern boundary of the site. Furthermore, the overall bulk and massing of the

building has been reduced with the setback of the building line along both Wellington Street Lower and Graham's Row. This allows for an increased footpath width in order to comply with the requirements of the Road Transportation Department. In terms of form, reference is made to Section 7.3 of the Architecture Design Statement which accompanied the original planning submission.

- 6.1.2. Also submitted is a shadow analysis (under Appendix G). It is stated that the revised drawings submitted to An Bord Pleanála further reduces the potential impact of the proposal on surrounding buildings in terms of overshadowing.
- 6.1.3. In relation to noise, it is stated that the proposal will be managed by a management company and can be addressed by way of conditions attached to any grant of planning permission. As such, noise is not deemed to be a concern.
- 6.1.4. In relation to impact on privacy, the Board are requested to note that the subject site is located within the city centre and therefore typical privacy distance requirements are reduced and should be assessed on a site by site basis. The Board are also requested to note the modified separation distances which have been submitted as part of the appeal. Windows on the upper floor have also been removed along the northern elevation as has the removal of public open space above the second and fourth floor to the rear of the building adjacent to the northern boundary.
- 6.1.5. The grounds of appeal also make reference to the current housing crisis and the need to increase the supply of housing units to meet housing demand and alleviate the crisis. It is stated that the city does not have the landstock to continue to develop in the format of lower densities that are currently being granted by local authorities. It is suggested that the Housing Minister has put on record that the optimum building height for apartments in Ireland is six storeys. It is bad planning to continue to develop the city and its suburbs in a lower density sprawl fashion.
- 6.1.6. With regard to the potential scenario for the depreciation of neighbouring property, it is argued that this concern is unfounded and must be assessed in the context of the current housing climate. It is also argued that the depreciation of neighbouring protected structures is unfounded.
- 6.1.7. In relation to the final reason for refusal, the Board are requested to note that the quantum of two-bed three-person units has been revised under the amended proposal submitted to the Board. Under the current proposal the overall number of

units has been reduced to 28 with no 'two-bed three-person units' and only two-bed four-person units are proposed. The revised site development statistics are indicated in Appendix L.

6.2. Finally, the Board are requested to note the following in respect of the proposed development:

- Dublin City Council Drainage Division and Waste Management Section had no objection to the proposal subject to conditions.
- Dublin City Council Transportation Planning Division recommended additional information which it is argued has been addressed in the grounds of appeal.
- The Local Authority Planner's Report welcomed the redevelopment of the existing light industrial building for residential use.
- It is a requirement to build residential developments within existing urban areas at higher densities. It is national policy to build at higher densities in urban areas on limited land parcels. This inevitably results in buildings of bigger scale.
- The development of a residential scheme at this location will generate positive activity in the area and will be compatible with existing neighbourhood uses.
- The proposal has been amended to create a greater setback from the northern boundary wall at No. 71 Blessington Street.
- Windows along the northern elevation have been removed while remaining windows on the northern elevation are deemed to be of a sufficient distance to ensure that overlooking is minimised.
- Reference is made to the Housing Quality Assessment prepared on behalf of the applicant and enclosed in Appendix H of the submission.
- The proposal now incorporates two-bed four-person units as opposed to two-bed three-person units which has addressed the Planning Authority's concerns in this regard.
- It should be noted that the Planning Department suggests that the non-provision of public open space at this location can be considered in this

instance and the quantum of open space although marginally below development plan standards, is nevertheless deemed to be sufficient.

- Footpath widths have been revised and increased to 2 metres along both Wellington Street Lower and Graham's Row in line with the requirement of the Transportation Department.
- Under the revised drawings, there is no provision of 44 cycle parking spaces and a distance of 1.8 metres is now being provided to the rear of the cycle parking area in line with the request of the Transportation Section.
- Any requirements for a construction management plan and servicing and operations management plan can be dealt with by way of condition.
- In relation to an AA Screening Report An Bord Pleanála can request such a report should they deem it necessary in this instance.
- Finally, it is argued that the proposal fully accords with Policy QH8 to promote the sustainable development of vacant or underutilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding environment.

7.0 Appeal Responses

Dublin City Council have not submitted a response to the grounds of appeal.

8.0 Observations

- 8.1. One observation was submitted. It was submitted by Victoria Fitzgerald of 8A Wellington Street Lower. The issues raised in the observation are summarised below.
- 8.2. It is stated that the observer is not against the development of the adjoining site for residential use. But it is considered that the development is a gross overdevelopment of the subject site. It is argued that the development will directly overlook the observer's rear garden and while it is accepted that overlooking cannot be totally avoided in the city, the Board are requested to note that most of the properties along Wellington Street Lower are two-storey residential properties. And the scale and

massing of the proposal is totally out of character with the adjoining street and will have an overbearing and negative impact on residential property in the area. The apartments will have balconies that will directly overlook the rear gardens of dwellings to the east of the subject site.

- 8.3. It is understandable that the developer would want to maximise development on the subject site, but it will be to the detriment of people living in the area. The proposed development will be a mere 7 metres away from the observer's house but will tower 12 metres above the ridgeline of the house.
- 8.4. The proposed plot ratio is 3.94 and this is significantly higher than that allowed in the development plan. Likewise, site coverage at 88% is higher than that permitted in the development plan.
- 8.5. With regard to parking it is stated that there are already parking issues along the street and the development will exacerbate the demand for parking in the area. It is on this basis that An Bord Pleanála are requested to uphold the decision of the Planning Authority and grant planning permission for the proposed development.

9.0 Planning Policy Context

9.1. National Planning Framework

9.1.1. One of the key overarching goals set out in the National Planning Framework is to achieve compact growth. This is sought by carefully managing the sustainable growth of compact cities, towns and villages. It is noted that the physical format of urban development in Ireland is one of the greatest national development challenges. Presently the fastest growing areas are the edges and outside our cities and towns meaning:

- A constant process of infrastructure and services catch up in building new roads, new schools, services and amenities and a struggle to bring jobs and homes together meaning that there were remarkably high levels of car dependents and that it is difficult to provide good quality transport.
- A gradual process of rundown of the city and town centre.

- Development which takes places in the form of greenfield sprawl extends the physical footprint of the urban area and works against the creation of attractive liveable high quality urban spaces in which people are increasingly wishing to live, work and invest.

9.1.2. A preferred approach would be the compact development that focuses on reusing previously developed brownfield land building up infill sites which may not have been built on before and reusing and redeveloping existing sites and buildings. National Policy Objective 3B seeks to deliver at least half of all new homes that are targeted in the five cities and suburbs of Dublin, Cork, Limerick and Galway within their existing built up footprints. National Policy Objective 13 seeks that in urban areas planning and related standards including in particular building height and car parking will be based on performance criteria that seek to achieve well designed high-quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes provided public safety is not compromised and the environment is suitably protected.

9.1.3. National Policy Objective 35 seeks to increase residential density in settlements, to a range of measures including reductions in vacancy, reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

9.2. **Rebuilding Ireland Action Plan for Housing and Homelessness**

9.2.1. Pillar 3 of this national strategy seeks to build more homes by increasing the output of private housing to meet demand at affordable prices. In terms of housing supply requirements, it is noted that current completion levels must double in the next four years. It is also noted that there is a significant requirement to expand the build to rent sector which is not being catered for in the current construction levels. There is also a need to increase the level of social housing. The Rebuilding Ireland Policy emphasises the need to supply and build more homes with delivery of housing across the four Dublin Local Authorities.

9.3. Sustainable Urban Housing Design Standards for New Apartments

9.3.1. These guidelines note that in the short term to 2020 the Housing Agency has identified a need for at least 45,000 new homes in Ireland's five major cities more than 30,000 of which are required in Dublin City and suburbs. This does not include the additional pent up demand arising from undersupply of new housing in recent years. In broader terms there is a need for an absolute minimum of 275,000 new homes in Ireland's cities up to 2040 with half of these located within built up areas. This necessitates a significant and sustained increase in housing output and apartment type development in particular. Specifically, there is a need:

- To enable a mix of apartment types that better reflects contemporary household formation and housing demand patterns and trends, particularly in urban areas.
- Make better provision for building refurbishment and small-scale urban infill schemes.
- Address the emerging build to rent and shared accommodation sectors.
- Remove requirements for car parking in certain circumstances where there are better mobility solutions to reduce costs.

9.3.2. In terms of identifying the types of locations within cities that may be suitable for apartment development the guidelines note the following:

- In central and/or accessible urban locations such locations are generally suitable for small to large scale higher density development that may wholly comprise of apartments. These include
 - sites within walking distance of the principle city centres or significant employment locations that may include hospitals and third level institutions,
 - sites within reasonable walking distance (i.e. up to 10 minutes or 800 metres to 1,000 metres) to or from high capacity urban public transport stops such as Dart or Luas, and
 - sites within easy walking distance i.e. up to five minutes to and from high frequency urban bus services.

9.4. Urban Development and Building Heights - Guidelines for Planning Authorities

- 9.4.1. These Guidelines again highlight the need for a development plan to place more focus in terms of planning policy and implementation on reusing previously developed brownfield land building up urban infill sites. It notes that increasing building height is a significant component in making the optimum use of the capacity of sites in urban locations where transport employment, services and retail development can achieve a requisite level of intensity for sustainability. Accordingly, the development plan must include the positive disposition towards appropriate assessment criteria that will enable the proper consideration of development proposals for increased building height linked with the achievement of greater density of development.
- 9.4.2. It is acknowledged that taller buildings will bring much needed additional housing and economic development to well-located urban areas and that they can also assist in reinforcing and contributing to a sense of place within the city or town centre.
- 9.4.3. The Guidelines note that statutory development plans have tended to be overtly restrictive in terms of maximum building heights in certain locations and crucially without the proper consideration of the wider planning potential of development sites. Such displacement presents a lost opportunity in key urban areas of high demand for new accommodation whether it is for living, working, leisure or other requirements in the built environment.
- 9.4.4. Planning policy must therefore become more proactive and more flexible in securing compact urban growth through a combination of facilitating increased densities and building heights while also being mindful of the quality of development and balancing amenity and environmental considerations. Appropriate identification and siting of areas suitable for increased densities and height will need to consider environmental sensitivities of the receiving environment as appropriate throughout the planning hierarchy.
- 9.4.5. Paragraph 2.8 notes that historic environments can be sensitive to largescale tall buildings. In that context Planning Authorities must determine if increased height buildings are appropriate in these particular settings.
- 9.4.6. Taking into account the foregoing, the specific planning policy requirement of the above guidelines under SPPR1 is

- *In accordance with government policy to support increased building height and density in locations with good public transport accessibility, particularly town/city cores, Planning Authorities shall explicitly identify through the statutory plans, areas where increased building heights will be actively pursued for both redevelopment, regeneration and infill development to secure the objectives of the National Planning Framework and Regional Spatial and Economic Strategies and shall not provide for blanket numerical limitations on building height.*

9.4.7. Special planning policy requirement SPPR2 states that in driving general increases in building heights, Planning Authorities shall also ensure appropriate mixtures of uses, such as housing, commercial and employment development, are provided for in the statutory plan context.

9.5. **Development Plan Provision**

9.6. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016-2022. The subject site is zoned Z1 '*to protect, provide and improve residential amenities*'. Residential use is a permissible use under this zoning.

9.7. Chapter 5 of the development plan relates to Quality Housing.

9.8. Policy QH5 seeks to promote residential development addressing any shortfall in housing provision through active land management and co-ordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and underutilised sites.

9.9. Policy QH6 seeks to encourage and foster the creation of attractive mixed use, sustainable neighbourhoods which contain a variety of housing types tenures with supporting community facilities, public realm and residential amenities which are socially mixed in order to achieve a socially inclusive city.

9.10. Policy QH7 seeks to promote residential development at sustainable urban densities throughout the city in accordance with the core strategy having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

- 9.11. Policy QH8 seeks to promote the sustainable development of vacant or underutilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and character of the area.
- 9.12. Policy QH18 seeks to promote the provision of high quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and with each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with standards for residential accommodation.
- 9.13. Policy QH19 seeks to promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive sustainable mixed income, mixed use neighbourhoods supported by appropriate social and other infrastructure.
- 9.14. Section 16.7 relates to building height in a sustainable city. Dublin City Council acknowledges the intrinsic quality of Dublin as a low-rise city and its policy is that it should predominantly remain so. There was a recognised need to protect conservation areas and the architectural character of existing buildings, streets and spaces of artistic civic or historic importance. In particular, any new proposal must be sensitive to the historic city centre, the River Liffey and Quays, Trinity College, Dublin Castle, the historic squares and the canals.
- 9.15. It is important to protect and enhance the skyline of the inner city and to ensure that any proposals for high buildings make a positive contribution to the urban character of the city and create opportunities for place making and identity. In the case of low-rise areas (which the subject site is located) a maximum height of 28 metres may be permissible.
- 9.16. In terms of aspect natural lighting and sunlight penetration the development plan notes that daylight animates the interior and makes it attractive and interesting as well as providing light to work or read by. Good daylight and sunlight contribute to making a building energy efficient, it reduces the need for electronic lighting while winter solar gain and reduce heating requirements.
- 9.17. The indicative plot ratio for Z1 zonings in the inner city is 0.5 to 2.0 and the indicative site coverage for sites governed by the Z1 zoning objective is 45 to 60%.

10.0 EIAR Screening Determination

On the issue of environmental impact assessment screening I note that the relevant classes for consideration are Class 10(b)(i) “construction of more than 500 dwelling units” and Class 10(b)(iv) “urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere”. Having regard to the modest size of the site at 0.0689 hectares and the number of units to be provided at 28¹, which is considerably below the 500 dwelling threshold, it is considered that, having regard to the nature and scale of the proposed development, the location of the development on an urban brownfield site together with the characteristics and likely duration of potential impacts, that the proposal is not likely to have significant effects on the environment and that the submission of an environmental impact assessment report is not required. The need for an environmental impact assessment can therefore be excluded by way of preliminary examination. An EIAR preliminary examination form has been completed and a screening determination is not required.

11.0 Planning Assessment

I have read the entire contents of the file, visited the subject site and its surroundings, have had particular regard to the Planning Authority’s reasons for refusal and the grounds of appeal challenging these reasons. I have also in my assessment below have had regard to the observations contained on file and the policies and provisions contained in national and local guidelines. I consider the following issues to be critical in determining the current appeal and application before the Board.

- Principle of Development in the Context of Strategic Housing Delivery Considerations
- Height, Scale and Overbearing Impacts Arising from the Proposal
- Overshadowing and Overlooking Concerns

¹ Or 30 units if the Board decide to grant the development as originally proposed and submitted to Dublin City Council.

- The Nature and Size of Units to be provided within the Scheme
- Impact on the Context and Setting of Blessington Street
- Parking Considerations
- Other Issues

11.1. Principle of Development in the Context of Strategic Housing Delivery Considerations

11.1.1. A fundamental consideration in adjudicating on the current application is the zoning provisions pertaining to the site. The site is zoned for residential development. The nature of the proposed development is therefore wholly compatible with the zoning provisions relating to the site. There are numerous national planning guidelines which have been adopted in recent years and with the exception of Rebuilding Ireland, were adopted subsequent to the adoption of the Dublin City Development Plan. The Board will be cognisant of the fact that many of the policy statements contained in the National Planning Guidelines referred to above would supersede policy statements contained in the Dublin City Development Plan. It is clear from these guidelines that there is an increased emphasis on maximising the development potential of sites particularly in relation to housing developments within existing urban footprints. A major thrust of the National Planning Framework seeks a preferred approach for more compact development that focuses on reusing previously developed brownfield land and building on infill sites within existing built-up areas. The National Planning Framework seeks to encourage more people, jobs and activity to be located within existing urban areas. It seeks to provide well-designed high-quality development that can encourage more people to live and work in close proximity. The plan seeks to deliver at least half of all new homes to be located in the five main cities, particularly Dublin. The strategy concludes that “it is clear that we need to build inwards and upwards rather than outwards. This means that apartments will need to become the more prevalent form of housing particularly in Ireland’s cities. National Policy Objective 35 seeks to increase residential density in settlements, through a range of measures including reductions in vacancy, the reuse of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.

11.1.2. The Apartment Guidelines referred to above also highlight the need to provide higher density development in central or accessible urban locations and also identify the need to provide more than 30,000 units within Dublin City and its suburbs. The need to provide more housing is also reflected in the Rebuilding Ireland Action Plan and the recently published Urban Development and Building Heights that highlight the need for Planning Authority's to become more proactive and more flexible in securing compact urban growth through a combination of both facilitating increased densities and building heights although it is acknowledged that such development need to be cognisant of surrounding sensitive environments including historic environments. It is noted that the subject site is located to the immediate south of Blessington Street which accommodates rows of Georgian terraced houses which are protected structures. Any assessment of the proposed development therefore must have regard to qualitative safeguards in respect of protecting historic environments.

11.1.3. It is nonetheless clear and unequivocal that government policy seeks to support increased building height and density in locations with good public transport and within city cores. From a sustainable land use point of view, secure and compact growth in urban areas as espoused in the various policy documents would significantly reduce adverse impacts on the environment by:

- Reducing the landtake and preserving agricultural land and habitats outside the urban area and creating a more distinctive urban rural divide.
- Enabling the utilisation of existing infrastructure which are available to serve sites in terms of existing foul drainage, water supply, roads, footpaths, lighting and other such infrastructure.
- Incorporating residential development in close proximity to existing centres of employment which will reduce the need to travel long distances particularly by private car and therefore will reduce energy consumption and carbon emissions.
- The provision of high-density residential development within urban areas improves the viability of public transport services and enables and facilitates the provision of more frequent services.

- Finally, higher density developments in and proximate to city centres enhance public health by encouraging and facilitating more active lifestyles by creating a more walkable and cycle friendly urban environment.
- Strategically the subject site has many of the attributes to accommodate the higher density development as espoused in the guidelines.

11.1.4. On the basis of the above, I consider the principle of higher density development which would depart from the prevailing density along Wellington Street Lower to be appropriate. Strategic considerations set out above dictate that the provision of a higher quantum of development is necessary and appropriate on the subject site. The site offers a good opportunity to provide a scale of development which is more reflective of the policies, provisions and objectives set out in National Planning Guidelines. The wider strategic considerations are in my view of critical importance for the Board in determining the current application. It is acknowledged however that any wider strategic considerations must be balanced against impacts on surrounding residential amenity. A reasonable balance must be struck between wider strategic objectives and the need to protect qualitative safeguards on the historic and residential environment in the surrounding area. The qualitative impacts arising from the proposal are assessed in more detail below.

11.2. **Height, Scale and Overbearing Impacts Arising from the Proposal**

11.2.1. What is proposed in this instance is a six-storey residential development fronting onto Wellington Street Lower. The building steps progressively downwards as one moves from south to north (front to rear) across the site. Thus, a two-storey element is located in the northern portion of the site proximate to the rear of the protected structures to the north facing onto Blessington Street. While development in the immediate vicinity is predominantly two-storey there are a number of more recent interventions in the immediate area where residential blocks have been constructed ranging from four to six storeys in height. A four-storey block of apartments are located opposite the site on the southern side of Wellington Street Lower at the corner of its interception with Paradise Place (indicated on the site location map as Dorset Point, Block C). I would also refer the Board to Wellington Court which is located approximately 70 metres to the west of the site at the corner of Mountjoy

Street and Wellington Street Lower. This building is six storeys in height. The applicant also provides in the grounds of appeal details of buildings heights in the wider area many of which range from four to six storeys in height. The fact that the building is stepped down in the vicinity of Blessington Street will also reduce the potential for being overbearing in terms of size and scale. The six storey element of the building in my view appropriately faces onto Wellington Street Lower and the fact that public thoroughfares (Wellington Street Lower and Graham's Row) separate the subject site from adjacent residential dwellings reduces the potential for being overbearing. The provision of a six storey building facing directly onto a public thoroughfare on the periphery of the city centre is an appropriate intervention in terms of scale and mass having regard to the strategic objectives of increasing residential densities on suitable sites within urban areas.

11.2.2. It is also my view that the applicant in this instance has endeavoured to place the tallest elements of the structure away from the most sensitive receptors namely the protected structures on Blessington Street. The applicant has also revised the layout of the development to ensure that greater separation distances are achieved by moving the northern elevation of the building 3.8 metres from the northern boundary of the site. The separation distances between the proposed building and Nos. 70 and 71 Blessington Street range from 6 to 9.7 metres. This will greatly assist in reducing the overbearing impact arising from the proposal. A balance must be struck between the developing sites at appropriate densities and ensuring that impacts on surrounding amenity is minimised to the greatest extent possible. The revised drawings submitted to the Board incorporating more generous setbacks and separation distances in my view achieves this appropriate balance.

11.2.3. In terms of overbearance it is acknowledged that the proposed development will have a material impact on the adjoining two-storey dwellinghouses both to the south and to the east of the appeal site. However, in my view the impact would be acceptable having regard to the separation distances to be imposed between the proposed apartment block and the dwellings in the vicinity and also the fact that the apartment block is stepped down to the north so as to ensure that the context and setting of the protected structures on Blessington Street are not compromised to an unacceptable extent.

11.2.4. It is not a reasonable expectation in my view that there would be no material change in the overall height and scale of any redevelopment of the subject site having regard to national guidelines and the site's city centre location. I note that the National Planning Framework states in relation to performance based design standards that "to enable brownfield development, planning policies and standards need to be flexible, focussing on design led performance based outcomes rather than specifying absolute requirements in all cases. Although sometimes necessary to safeguard against poor quality design, planning standards should be flexibly applied in response to well-designed development proposals that can achieve urban infill and brownfield development objectives in settlements of all sizes. This is in recognition of the fact that many of the current urban planning standards were devised for application to greenfield development sites and cannot account for the evolved layers of complexity in existing built up areas".

11.3. **Overshadowing and Overlooking Concerns**

11.3.1. In terms of overshadowing, the proposed development will have a very marginal impact on the rear façade of buildings facing onto Blessington Street. This is due to the fact that there is an existing building on site which covers the footprint of the entire site and that this building is in very close proximity to the existing rear façades of the buildings to the north. The rear yards and façades of the buildings in question already experience significant levels of overshadowing. Likewise, the impact arising from the proposed redevelopment of the site on the adjoining industrial sheds to the west will be minimal and is in my view a less important planning consideration having regard to the commercial use of these structures.

11.3.2. The greatest potential in terms of impact arising from overshadowing relates to the rear yards associated with the two-storey dwellinghouses to the immediate east of the site at Wellington Quay. The proposed six storey element will give rise to increased levels of overshadowing of the rear yards during the summer evening time particularly in respect of the two dwellings closest to the site on this terraced block. These rear yards will experience some increased levels of overshadowing during the evening period during the summer months. However, the provision of a larger structure on site in order to achieve more sustainable densities will inevitably lead to increases in the level of overshadowing on surrounding properties. In my view the increased level of overshadowing arising from the proposal is marginal than that

currently experienced and must be balanced against these wider strategic objectives.

- 11.3.3. In terms of overlooking I consider that the revised drawings submitted to the Board successfully address the potential for overlooking of the rear elevations of the buildings to the immediate north of the site fronting onto Blessington Street. The apartments to the rear of the site closest to Nos. 70 and 71 Blessington Street have been reconfigured on an east-west orientation to ensure that no windows occur along the northern elevation. The apartments to the rear adjacent to the western boundary of the site are between 18 and 20 metres from the rear elevation of the buildings on Blessington Street and I consider this separation distance to be acceptable particularly in a tightly grained urban area in which the site is situated.
- 11.3.4. The observations submitted expresses concerns that the apartments along the eastern elevation facing onto Graham's Row incorporate balconies which have the potential to overlook the rear yards of Nos. 2 to 10 Wellington Street Lower to the east of the subject site. This point is acknowledged particularly in the area of Apartments Nos. 14 and 20. I would point out however that the balconies in this instance are recessed and this will to some extent mitigate against the potential for overlooking. The Board will also note that there are precedent decisions in the area where planning permission was granted for the Sackville Court Apartments on the corner of Dorset Street and Blessington Street which incorporate balconies on the rear elevation c.25 metres from the rear yards of the two-storey dwellinghouses in question. Having regard for the need to develop infill sites at more appropriate densities, together with the need to provide adequate private open space to serve the apartments in question and precedent decisions which have permitted balconies on apartment blocks in the vicinity, it would in my view be disproportionate to refuse planning permission for the scheme in question purely on the basis that the balconies in question would give rise to overlooking of the adjoining rear garden/yards associated with the two-storey dwellings on Wellington Street Lower to the east of the site.
- 11.3.5. I consider the design of the proposed development as indicated in the photomontages submitted will result in a development which will enhance the visual amenities of the area over and above that associated with the existing structure on site. It will also consolidate residential development along the street and will result in

the elimination of an industrial/car repair service which is less compatible with the prevailing residential character of the area. I have argued above that the proposed development fully accords with wider land use strategic objectives in relation to providing residential development within existing urban footprints. I also consider that the proposed development would have an acceptable impact on adjoining residential amenities in terms of not being excessively overbearing. I further note that the character of the wider area is evolving and as indicated on the documentation submitted with the application that there has been in the recent past, many instances where sites have been redeveloped to accommodate mixed use and residential developments of higher density in the area. In this regard I would make reference to the Dorset Point development to the immediate south-east of the subject site, the Sackville Court Apartments to the immediate east of the subject site and the Wellington Court Apartments c.70 metres to the west of the subject site. It is clear that the surrounding area is an area which is experiencing change and the current application before the Board is reflective of this change. In this regard I do not consider that the proposed development is in anyway incongruous or incompatible with the character of the area but rather represents a continuing change in terms of regenerating brownfield sites which is already evolving in the area.

11.4. The Nature and Size of Units to be provided within the Scheme

11.4.1. The Planning Authority's final reason for refusal argues that the proposed development is not in accordance with the design standards for new apartments on the basis of the quantity of two-bedroom/three-person units to be provided on site. In this regard the reason for refusal argued that the proposal would set a precedent for substandard residential accommodation within the scheme. Revised drawings have been submitted to the Board which have eliminated the two-bed three-person units with the overall number of units reduced by 2 to 28 units. 25% of the units comprise of two-bedroomed apartments or two-bedroomed duplex units. All these units are of an appropriate size to accommodate four persons. This issue therefore has been successfully resolved in my opinion.

11.5. Impact on the Context and Setting of Blessington Street

11.5.1. The row of buildings facing onto Blessington Street to the immediate north of the site are all protected structures. I have argued previously in my assessment that the proposed development being setback and being stepped back shows sufficient reverence to the setting of the protected structures in question. The proposed development will not in my view have any significant impact on the context or setting of the protected structures on Blessington Street. The proposed site is located to the rear of these buildings and it is not anticipated that the building will be readily visible from any vantage points along the street. While the height of the building will extend approximately 3 metres above the ridge height of No. 71 Blessington Street, the tallest element of the building is sufficiently setback (c.18 metres) from the roof level of No. 71 and as a result it is not anticipated that the building will be visible from any vantage points looking southwards along Blessington Street towards the site. There have already been a number of interventions on Blessington Street with regard to the provision of new apartment blocks. These interventions will have had in my opinion, a greater impact on the settings of Blessington Street than the proposed development in this instance.

11.6. Parking Considerations

11.6.1. Concerns are expressed in the observations submitted that the proposed development in the absence of any car parking provision will exacerbate car parking demand on the streets in the vicinity of the subject site. On-street car parking is controlled by the incorporation of double yellow lines or pay and display parking. While the Transport Planning Division of Dublin City Council had a number of concerns in relation to the proposed development, none of these concerns specifically related to the lack of car parking provided. The Design Standards for New Apartments are clear and unambiguous in stating that in larger scale higher density developments comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The National Planning Framework (page 67) notes that “there should also generally be no parking requirements for new developments in or near the centre of the five cities and a significantly reduced requirement in the inner suburbs of all five”. The subject site being located between the canals and in close proximity to the city

centre and high transit bus corridors such as O'Connell Street and Dorset Street is appropriate in location terms to justify the provision of no car parking.

- 11.6.2. Furthermore, having regard to the control of parking in the wider vicinity there is little opportunity to facilitate or indeed exacerbate on-street car parking problems which could be directly attributed to the proposed development. Any future occupiers/purchasers of the apartment units will be aware that no parking is available. The proposed development is therefore likely to attract increasing numbers of residents within the city that do not own or have access to a private car. There is a growing and substantial proportion of city centre residents that do not have access to, or indeed have any desire to own a car. The proposal in question will facilitate their needs.

11.7. Other Issues

Transportation Division Requirements

- 11.7.1. I note that the Traffic Planning Division expressed some concerns in relation to the width of the footpath to be provided around the site and the confined nature of the cycle parking facilities proposed as part of the development. The issues raised have been successfully addressed in the revised drawings submitted to the Board where two-metre-wide footpaths have been provided along the entire road frontage of the development at Wellington Street Lower and Graham's Row. Furthermore, a total of 44 cycle parking double tier spaces have been provided at ground floor level with a 1.8 metre separation distance between the racks and the rear wall of the cycle room to allow easier manoeuvrability of bicycles into the parking spaces. This issue therefore has been successfully addressed in my view.

Part V Requirements

The application is exempt from the provisions of Part V on the basis that the area of the site is below the 0.1 hectare threshold, being 689 sq. m in size (0.0698ha). As such the provisions of Part V of the Planning and Development Act cannot be applied in this instance.

12.0 **Appropriate Assessment**

The nearest designated Natura 2000 site is at its closest point 2.6 kilometres to the east. That is the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024). The nearest SACs are located further away at 5.9 kilometres and 4.4 kilometres to the east and south-east. They are the North Dublin Bay SAC (Site Code: 000206) and South Dublin Bay SAC (Site Code: 000210). I note the urban location of the site and the lack of direct connections with regard to the source-pathway-receptor model and have had particular regard to the modest scale of the proposed development which relates to a relatively small site at 0.0689 hectares. On this basis it is reasonable to conclude based on the information available, which I consider adequate in order to issue a screening determination, that the development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European sites in the wider area in view of those sites conservation objectives and therefore a Stage 2 Appropriate Assessment (and the submission of an NIS) is therefore not required.

13.0 **Conclusions and Recommendation**

Arising from my assessment above, I consider the proposed development to be in accordance with the proper planning and sustainable development of the area and in accordance with the wider strategic objectives set out in various policy documents referred to above. It is acknowledged that the proposed development will give rise to some diminution in amenity for residents living in close proximity to the site. Any diminution in amenity will not in my view be significant and will be on the whole acceptable. I further consider that on balance, the proposed development will not have any significant adverse impact on the amenities of the area in relation to overlooking, overshadowing and being overbearing and therefore having regard to the wider strategic necessity to provide additional residential units within the city centre at higher and more sustainable densities, the proposed development is deemed to be appropriate for the subject site. On this basis I recommend that the decision of Dublin City Council be overturned and that planning permission be granted for the proposed development subject to the alterations proposed by way of the plans and particulars lodged with the appeal.

14.0 Reasons and Considerations

Having regard to the Z1 zoning objective pertaining to the site and the policies and provisions contained in the National Planning Framework, the Sustainable Urban Housing Design Standards for New Apartments – Guidelines for Planning Authorities (March 2018) which seek to provide urban development including residential development at more compact and sustainable densities to enable people to live nearer to where jobs and services are located, it is considered that the proposed development, subject to compliance with conditions set out below would not seriously injure the amenities of the area or property in the vicinity, would not be prejudicial to public health and would generally 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.

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 plans and particulars received by An Bord Pleanála on the 11th day of August, 2020, 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 the 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 the materials, colours and textures of all the external finishes to the proposed apartment block 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. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. The applicant or developer shall enter into water and/or wastewater connection agreement(s) with Irish Water prior to the commencement of this development.

Reason: In the interest of orderly development.

5. The development shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further

archaeological requirements (including, if necessary archaeological excavation) prior to commencement of construction works. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

7. 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 and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

8. Forty-four (44) bicycle parking spaces shall be provided within the scheme. Details of the layout and demarcation of these space shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To ensure that adequate bicycle parking provision is available to serve the proposed development in the interest of sustainable transportation.

9. Public lighting shall be provided in accordance with a scheme, which shall include lighting along pedestrian routes through open spaces 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 making available for occupation of any house.

Reason: In the interests of amenity and public safety.

10. All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. All existing overground cables shall be relocated underground as part of the site development works.

Reason: In the interests of visual and residential amenity.

11. Site development and building works shall be carried out only between the hours of 0700 to 1800 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 residential amenities of property in the vicinity.

12. The site development and construction works shall be carried out in such a manner so as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe conditions during construction works in the interest of orderly development.

13. The naming and numbering of the scheme shall be agreed in writing with the planning authority prior to the occupation of the units.

Reason: In the interest of orderly street numbering.

14. Details of the proposed footpath along the boundary of the site on Wellington Street Lower and Graham's Row shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of pedestrian and traffic safety.

15. The developer shall pay to the planning authority a financial contribution 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. The application of any indexation required by this condition 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 for determination.

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.

16. The developer shall pay to the planning authority a financial contribution in respect the Luas Cross City Line in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

Paul Caprani,
Senior Planning Inspector.

11th December, 2020.