



An
Bord
Pleanála

Inspector's Report ABP308047-20

Development	Demolish existing house and shed and adjust site boundaries and construction of a new house, new garage and new entrance with associated site works.
Location	Garryduff Park, Snugborough, Castlebar, County Mayo.
Planning Authority	Mayo County Council.
Planning Authority Reg. Ref.	20/91.
Applicant	Darren McGuinness.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party.
Appellant	Darren McGuinness.
Observer	Thomas Cusack.
Date of Site Inspection	18 th November, 2020.
Inspector	Paul Caprani.

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1.0 Introduction

ABP308047-20 relates to a first party appeal against the decision of Mayo County Council to issue notification to refuse planning permission for an application to demolish an existing house and shed, to alter site boundaries and to construct a new dwellinghouse and domestic garage on the western environs of Castlebar Town. Planning permission was refused for the new dwellinghouse on the basis of its design, height and relationship with other residential properties in the area which it is argued, would seriously injure the residential amenities and depreciate the value of property in the vicinity.

2.0 Site Location and Description

- 2.1. Garryduff Park is a suburban residential area on the western outskirts of Castlebar in the townland of Snugborough. The subject site is located approximately a kilometre west of Castlebar town centre. The site is located on the western side of Garryduff Park approximately 170 metres north-west of its junction with Pound Road to the south-east. Garryduff Park is characterised by detached single-storey and two-storey dwellings of different designs fronting directly onto the road along its alignment. I would estimate based on the architectural styles that many of the dwellinghouses were built in the late 1960's, 1970s and early 1980s. There is no uniformity of design amongst the dwellinghouses fronting onto the road in the vicinity of the site.
- 2.2. The site itself is rectangular in shape. The entire site is under the ownership of the applicant but the site which is the subject of the current application only relates to the northern portion of the site. The southern part of the site adjacent to a laneway which separates the appeal site from the adjoining house to the south does not form part of the current application. The site currently accommodates a relatively small bungalow which was currently vacant and in a semi-derelict condition. An outdoor shed is located to the immediate rear of the bungalow. A two-storey dwellinghouse is located to the immediate south of the site while a single-storey dwelling is located on lands to the immediate north. It is proposed to demolish the existing house and outbuilding on the subject site. The Board will note that while the entire site is under the

ownership of the applicant the red line boundary which relates to the current application traverses through the existing dwellinghouse and shed located on site. The southern portion of the plot which is outside the red-line boundary and but is under the ownership of the application and includes the adjoining laneway, is to accommodate a new access road to serve a proposed residential development to the rear.

3.0 Proposed Development

- 3.1. Planning permission is sought to demolish the existing structures on site and to replace these structures with a new two-storey dwellinghouse. The proposed replacement dwelling incorporates a narrower width and an elongated depth (7.6 metres and 17.6 metres respectively). The proposed structure incorporates a pitched roof rising to a height of just less than 8 metres. It is to incorporate a plaster finish on its external elevation. The dwelling is to accommodate living accommodation at ground floor level (103 square metres) and four bedrooms including a master bedroom and en-suite at first floor level (92 square metres). The gross floor area of the dwellinghouse is 195 square metres. In terms of fenestration arrangements at ground floor level the windows are primarily restricted to the front and rear elevations. A large window is proposed on the south-eastern elevation at ground floor level to serve the kitchen area which is centrally located within the layout. At first floor level the master bedroom to the rear and en-suite incorporate windows onto the rear elevations. Bedroom No. 4 incorporates a window on the front elevation. The two other bedrooms together with a bathroom also incorporate windows on the south-eastern elevation. A new boundary wall is proposed to traverse the site.
- 3.2. A single-storey domestic garage is to be located to the rear. One off-street car parking space to the front of the dwelling is also proposed.

4.0 Planning Authority's Decision

4.1. Decision

- 4.1.1. Mayo County Council issued notification to refuse planning permission for a single reason which is set out in full below.

Having regard to the location of the site, it is considered that the proposed development by reason of its design, height and relationship to adjoining residential properties would, be visually obtrusive, would seriously injure the amenities and depreciate the value of property in the vicinity and therefore would be contrary to the proper planning and sustainable development of the area.

4.2. Objections

- 4.2.1. An objection was submitted on behalf of the Garryduff Residents Association expressing concerns that the proposed development could adversely impact on the character of the existing area.

4.3. Additional Information Request

- 4.3.1. The Planning Authority requested additional information in respect of the following matters.
- A revised site layout plan showing requisite access visibility.
 - A site-specific flood risk assessment.
 - A site layout plan indicating a minimum of two car parking spaces to be provided on site
 - Justification as to why the applicant wishes to significantly reduce the site boundary.

4.4. Further Information Submission

- 4.4.1. Further information was submitted on 9th July, 2020.
- 4.4.2. A map is submitted (L99005) which indicates the available site distances at the proposed entrance. The drawing indicates that there are no issues or constraints to the development as proposed.
- 4.4.3. A flood risk assessment was also submitted. The assessment concludes that there are no issues or constraints to the development as proposed.
- 4.4.4. In terms of the justification for subdividing the site, it is stated that the reduction in the overall area is not significant at 38% and is not in contravention of any planning policy. On the contrary the reduced area results in more efficient development which is in accordance with national policy. The residual site area to accommodate the proposed development at 557 square metres remains compatible with many of the long-established dwellings in the vicinity. The site area proposed is a multiple of the size of many estate properties and provides significantly in excess of development plan standards in respect of private open space.
- 4.4.5. With regard to the proposed dwellings height and character, it is stated that the general street context is extremely varied both in terms of house styles and ground levels. Many single-storey dwellings are contiguous to two-storey structures. It is therefore argued that the house is entirely in keeping with neighbouring dwellings.
- 4.4.6. It is also noted that an adjoining (partially overlapping planning application for a housing scheme) has been lodged by the applicant. For the avoidance of doubt, it is stated that the current application before the Board and the application under Reg. Ref. 20/364 both proposed the demolition of the existing dwelling and the reconfiguration of the associated remaining residential plot. Should both applications be permitted, those overlapping works will be carried out under one or other of the permissions. Both applications differ insofar as this application proposes new development only inside the reduced residential plot whilst Reg. Ref. 20/364 proposes new development only outside the reduced residential plot.

4.5. Further Assessment by Planning Authority

- 4.5.1. The planning report notes the issues that were raised at further information stage and notes that the applicant was advised that the proposed dwelling was not in keeping with its surroundings. It is further noted that a subsequent application was submitted by the applicant for the development of 26 houses to the rear of the subject site. The proposed site overlaps with the current site boundary. The proposed development is for a two-storey dwelling which is much larger than the existing dwelling on a reduced site boundary. The proposed dwelling given its height, character, depth and orientation is not keeping with the general street context as the dwellings in the immediate vicinity are single-storey. Therefore, the design is not considered appropriate to the site or its immediate surroundings. On this basis it is recommended that planning permission be refused for the proposed development for the reasons set out above.

5.0 Planning History

- 5.1. There are no details of any planning history pertaining to the subject site.
- 5.2. The Board will note from the additional information request that there is currently an application before Mayo County Council for the construction of 26 dwellinghouses on lands to the rear of the subject site under Reg. Ref. 20/364. The access road to the lands to the rear incorporates part of the southern portion of the plot. A decision on this application is due on the 15th December, 2020.

6.0 Grounds of Appeal

- 6.1. The decision of Mayo County Council to issue notification to refuse planning permission was the subject of a first party appeal on behalf of the applicant Darren McGuinness by the Planning Partnership. The grounds of appeal are outlined below.
- The proposed development is wholly consistent with the development plan and national policy and in line with other recent decisions of both the Planning Authority and An Bord Pleanála to grant planning permission for new infill residential development.

- 6.1.1. Reference is made to the zoning provisions and the development management standards set out in the Castlebar and Environs Development Plan 2008 – 2014 (as extended). Reference is also made to various policy statements contained in the Sustainable Residential Guidelines for Urban Areas which seek to encourage high density residential development in urban areas. Finally, in relation to national policy, reference is made to various policy statements contained in the National Planning Framework and in particular reference is made to National Policy Objective 11 and 13 both of which seek to ensure more sustainable densities in urban areas, particularly in relation to brownfield or infill development.
- 6.2. The grounds of appeal go to highlight various decisions made by Mayo County Council where planning permission was granted for similar type infill residential development. Reference is made to cases where Mayo County Council issued notification to refuse planning permission for infill residential development and these decisions were overturned on appeal by An Bord Pleanála under (ABP305672-19 and ABP305682-19).
- 6.3. Section 4 of the submission sets out the actual details of the grounds of appeal. In terms of the site location and context, it is stated that Garryduff Park has no uniform pattern, scale or style but is rather a mixture of house types built over a number of generations. These include a number of single-storey buildings immediately adjoining two-storey dwellings.
- 6.4. It is also argued that the two-storey nature of the proposed development will be less discernible on the basis that it is located on lower ground than the adjoining single-storey building to the immediate north. This it is argued, ensures that the scale and massing of the proposed two-storey infill development is entirely appropriate for the subject site.
- 6.5. In relation to design issues, it is argued that there is a wide variety of architectural styles including two-storey buildings on Garryduff Park. While the proposal might represent a significant departure in terms of scale to what currently exists on site, the proposal is nevertheless entirely keeping with planning policies and standards in relation to infill sites. It is argued that the proposal would not look out of place in the surrounding suburban context. The proposed design responds well to the site context which does not have uniform building line or building height. While the ridge

height of the proposed development will be higher than the adjoining dwelling it will not result in any significant or material difference. Photographs are included in the grounds of appeal showing the variation of architectural styles and building heights.

- 6.6. In terms of impact on adjoining residential properties, it is stated that the proposed development is not closer to the dwelling to the north-west than the existing dwelling on site and there are no active windows facing the dwelling along the northern elevation. The proposed development will have no impact on dwellings on the opposite side of the street. Windows on the south-eastern elevation will overlook the access road leading to the proposed development to the rear of the subject site.
- 6.7. In terms of visual impact, it is argued that the proposed development would most appropriately be considered imperceptible and would be 'minor negative' to 'neutral' to 'minor positive' in terms of its range of impact. The proposal will replace one vacant dwelling with another dwelling albeit of a different design. It is argued that the issue of visual impact is not strictly relevant to the determination of the appeal.
- 6.8. In terms of impact on residential amenities, it is stated that the proposed dwelling is entirely compatible with the surrounding area replacing one existing dwelling with another. As the proposed development would be in keeping with the proper planning and sustainable development of the area it is not reasonable to argue that the proposal will depreciate the value of property in the vicinity.
- 6.9. For the purposes of clarity it stated that should both applications pertaining to lands under the applicant's ownership be successful (the current application and appeal and the application currently with Mayo County Council for 26 dwellinghouses) any overlapping works relating to the demolition of the building would be carried out under one or other of the permissions.

7.0 Appeal Responses

Mayo County Council have not submitted a response to the grounds of appeal.

8.0 Observations

- 8.1. One observation was submitted from Thomas Cusack. It is stated that the applicant has allowed his family home to remain vacant over a period of years during a

national housing crisis. The National Planning Framework promotes infill development and maximises the use of service sites but does not set out to promote dereliction of existing homes nor to penalise existing communities. The proposed house does not consider adjoining sites and incorporates a deep plan which blocks light to the adjoining property. The existing property does not include correct information of the adjoining properties as there is an existing sunroom to the rear of the adjoining property to the north and the applicant did not provide sections indicating the extent of overshadowing of the existing properties by the proposed development.

- 8.2. The community do not share the opinion that the proposed development is one of high quality nor is it considered to be appropriate for the site. The local authority's decision to refuse this application may help deter developers from purchasing habitable homes with a view to demolish and densifying areas without due concern for existing communities.
- 8.3. A separate letter states that the sunroom to the north of the appeal site has a right to light and it is argued that the amount of daylight reaching the window will be reduced to such an extent by this development so as to cause nuisance. Reference is made to case law where it was held that there is an entitlement to a higher degree of light in structures which were proposed to maximise light. The shadow caused by the proposed development will dramatically reduce a suitable area on the adjoining property to retrofit photovoltaic panels to provide for green energy and reduce carbon emissions in accordance with the government's planning policy for climate change. Photographs are attached indicating the sunroom and indicating sun paths around the observer's dwelling and the proposed dwelling for April, September and December.

9.0 Development Plan Provision

- 9.1. The site is governed by the policies and provisions contained in the Castlebar Town and Environs Development Plan 2008 – 2014 (as extended). The subject site is governed by the land use zoning Objective A "existing residential infill". It is the objective to protect, preserve, improve and develop existing residential areas to provide appropriate infill residential development, to provide new and improved

ancillary services and provide for facilities and amenities incidental to those residential areas. This zoning relates to lands which have been granted permission or are fully or partially built on. The purpose of the zoning is to protect and preserve the amenities of existing residents while allowing for infill development at a density that reflects existing density in the area”.

- 9.2. In any infill development proposals careful consideration must be given to issues such as design, overlooking, daylight/sunlight etc. On individual sites the prevalent density will be deciding factor in what is permissible.

10.0 EIAR Screening Assessment

- 10.1. On the basis of the information contained on file, which I consider adequate in order to issue a screening determination, it is reasonable to conclude that there is no real likelihood of significant effects on the environment arising from the redevelopment of an existing urban infill site and therefore an environmental impact assessment is not required.

11.0 Planning Assessment

I have read the entire contents of the file, visited the subject site and its surroundings and I consider the critical issues in determining the current application and appeal are as follows:

- Principle of Proposed Development
- Impact on Character and Visual Amenities of the Area
- Impact on Residential Amenities

11.1. Principle of Proposed development

- 11.1.1. The existing single storey dwelling on site is modest in size and may not be suitable to cater for present day family requirements. It would be reasonable in this regard that a replacement dwelling or an extension to the existing dwelling would be permitted to render it more suitable for such modern-day needs. Furthermore, the existing dwelling on site is of no architectural merit and therefore its demolition and replacement with a dwelling of a suitable design would also be acceptable in

principle. The subdivision of the site in order to provide an appropriate access to lands to the rear would also in my view be appropriate and acceptable in principle. The lands to the rear are zoned for residential development and therefore it is an objective of the development plan to develop the said lands for an appropriate development. The utilisation of an existing access onto Garryduff Park along the southern boundary of the site is in my view an appropriate way of accessing the said lands. That it is not to prejudge the decision of Mayo County Council in respect of the application currently before it under Reg. Ref. 20/364. This is merely acknowledging that the lands in question are zoned for development and that it is therefore likely that the lands at some point in the future, may be developed for residential development and that a suitable access is required for same.

- 11.1.2. Having regard to the zoning objective for the site it is considered that the principle of subdividing the subject site in order to provide an appropriately sized access to serve zoned lands to the rear is acceptable in principle. Furthermore, subject to qualitative safeguards it is considered that the development of the residual lands to the north of the proposed access road which are zoned for residential development is likewise acceptable in principle. The issue of qualitative and amenity safeguards is accessed in more detail below.

11.2. Impact on Character and Visual Amenities of the Area

- 11.2.1. The sole reason for refusal issued by the Planning Authority makes reference to the design and height of the proposed development and argues that the proposal would be visually obtrusive and would seriously injure the amenities and depreciate the value of property in the vicinity. I would agree with the applicant in the grounds of appeal that there is no uniformity of design or building height along the roadway in question. There are a large variety of architectural styles including gable fronted buildings both single and two-storey fronting onto Garryduff Park in the vicinity of the subject site. It appears that the various plots along Garryduff Park were developed incrementally over a period of time and incorporated various styles and heights. The lack of uniformity along the streetscape creates in my view a greater flexibility in terms of permitting infill development of various styles in respect of new housing. The fact that the street incorporates a slope along its alignment also assists in providing greater flexibility with regard to the scale of building to be accommodated. While the ridge height of the proposed development protrudes above the ridge height

of the extant single-storey dwelling, the proposed ridge height of 7.7 metres cannot be considered excessive in the case of a suburban two-storey house. Furthermore, it appears to be less than 2 metres above the ridge height of the existing dwelling.

- 11.2.2. The proposed design in this instance constitutes a conventional type suburban two-storey dwelling which would not look incongruous within an existing suburban area where no uniformity of design prevails. Furthermore, the proposal which incorporates a gable end fronting onto the road is reflective of many of the buildings along this section of Garryduff Park which incorporate similar gable fronted dwellings as indicated in the various photos contained in the first party appeal. On this basis, I do not consider it reasonable that planning permission would be refused on the basis that the proposal would have a significant or material impact on the character of the area.

11.3. Impact on Residential Amenities

- 11.3.1. I have argued above in my assessment that the principle of redeveloping the residual site for residential development is entirely appropriate in principle. Leaving the residual lands to the north of the access road undeveloped would in my view be inappropriate and contrary to the zoning objective pertaining to the site which allows for infill development at an appropriate site and scale which does not conflict with the character of the area. Leaving the site undeveloped also would conflict with wider national policy objectives which seek to develop infill/brownfield sites where possible to ensure more compact higher density development occurs within built-up areas subject to qualitative safeguards.
- 11.3.2. While the development of the subject site would be fully in accordance with national and local policies in respect of utilising serviced sites, there is no doubt in my mind that the proposed development would impact to some degree on the amenity of the dwelling to the north through overshadowing. The observer's submission is correct in stating that the drawings submitted with the application have not included a sunroom to the rear of the dwelling to the north of the site. This sunroom will be affected undoubtedly to some extent as a result of the increase in depth of the proposed dwelling. The two-storey element of the proposed dwelling will extend almost 5 metres beyond the rear building line of the development to the north. This will have a material impact on the level of sunlight enjoyed within the sunroom during the mid-

morning period and into perhaps early afternoon. The amount of sunlight penetration during the later afternoon and evening time will on the whole remain unchanged. During the summer months when the azimuth of the sun above the horizon is higher and the sunroom is likely to be most in use, there may be little or no impact on the sunroom in terms of sunlight penetration. The fact that the design of single-storey element to the rear which is setback further away from the common boundary will mitigate against the impact to some degree. Nevertheless, the impact in my view will be material to the observer's dwelling particularly during the morning time.

- 11.3.3. However, any impact on adjoining residential amenity must be balanced against the benefits which accrue from utilising a serviced site for residential development while providing an appropriately sized access to lands to the rear for the purposes of developing zoned land.
- 11.3.4. On balance, I consider that a more significant planning gain would arise from developing the site in question and therefore utilising a serviced site within an urban area. The redevelopment of the subject site within an urban area is likely to have some consequences in terms of changes to the overshadowing regime particularly when higher density development occurs.
- 11.3.5. More recent policy guidance is clear and unambiguous. The National Planning Framework emphasises the need to enable brownfield development that planning policies and standards need to be flexible focussing on design led performance spaced outcomes rather than specifying absolute requirements in all cases. It is my considered opinion that the proposed development constitutes a well-designed high quality residential dwelling suitable for the subject site while at the same time catering for the needs of a modern family. I acknowledge that the proposal will give rise to some additional levels of overshadowing during the morning period and this is an inevitable consequence of developing the subject site to cater for modern accommodation needs.
- 11.3.6. If the Board reach a different conclusion in this regard it is of course open to it to refuse planning permission on the basis that the proposed depth of the dwelling would have an unacceptable impact on the adjoining sunroom by reason of overshadowing. The applicant then could consider providing a smaller house on the subject site of more modest depth in order to maintain existing levels of sunlight

penetration to the sunroom in question. This change in my view would be so material that it could not be addressed by way of condition.

11.3.7. In terms of overlooking I consider that the fenestration arrangements on the proposed development have been arranged to ensure that no overlooking of adjoining property takes place particularly the observer's property to the north. In relation to right to daylight issues, it is not considered that the proposed development is located in such proximity to the sunroom that it will result in a significant diminuation of daylight to the extent that the applicant's right to light would be seriously diminished. The separation distance between the proposed dwellinghouse and the sunroom is estimated to be in the region of 7 metres and this would in my view ensure that adequate daylight penetration to the sunroom is maintained.

12.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

13.0 Decision

Grant planning permission for the proposed development based on the reasons and considerations set out below.

14.0 Reasons and Considerations

Having regard to the zoning objective relating to the site and the nature and scale of the proposed development together with the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would respect the character of the existing development in the area and would be acceptable in terms of visual impact and would not seriously injure the residential amenities of the area or property in the vicinity and would provide a suitable level of amenity for future occupants 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.

15.0 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 plans and particulars submitted on 9th day of July, 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 house 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. A comprehensive boundary treatment and landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall including the following:
 - (a) details of all proposed hard surface finishes within the development;
 - (b) proposed locations of trees and other landscaping planting in the development, including details of proposed species and settings;
 - (c) details of tree protection measures;
 - (d) details of proposed boundary treatments, including heights, materials, finishes and a permanent screen boundary along the southern and eastern boundaries of the site with a minimum height of 1.8 metres above the finished floor level of the proposed house.

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual and residential amenity.

4. (a) The developer shall enter into water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.
- (b) 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.

5. 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 residential amenity.

6. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

7. 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.

8. 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. 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.

9. 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 plan 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.

10th December, 2020.