



An
Bord
Pleanála

Inspector's Report ABP311731-21

Development

Construction of an additional 16 guest bedrooms (690m²) at third floor level located above the leisure centre of the existing hotel including 2 x lift shafts and 2 x stairwells to serve the proposed new third floor and all associated works.

Location

Glenroyal Hotel, Straffan Road, Maynooth, Co. Kildare.

Planning Authority

Kildare County Council.

Planning Authority Reg. Ref.

201146.

Applicant(s)

Authorized Property Company Ltd.

Type of Application

Permission.

Planning Authority Decision

Grant.

Type of Appeal

Third Party.

Appellant(s)

Leinster Park Residents Association.

Observer(s)

N/A.

Date of Site Inspection

12.07.2022.

Inspector

Mary Mac Mahon.

1.0 Site Location and Description

- 1.1. The site is located in the Glenroyal Hotel, which is part of a mixed development complex located on the R406, Straffan Road, the approach road to Main Street in Maynooth from the M6. The bus layby for Dublin Bus and Bus Eireann is opposite the site. The train station is circa 250metres from the site. The Royal Canal is to the south of the site.
- 1.2. Leinster Park is located to the rear of the site. The first section of Leinster Park road has double yellow lines to deter car parking. The houses close to the hotel are single storey.
- 1.3. The complex where the site is located is served by dedicated traffic signals. The hotel is a large building, with a maximum height of 15.1metres to the front (northeast) of the site. There is an apartment block facing the Straffan Road. A café restaurant also opens up onto this frontage. There is a leisure centre operating in the rear of hotel. Supervalu and a series of shops and services are located in a second building with associated parking. A public car park is also accessed off the main entrance. The site area is stated as 1.43 ha.
- 1.4. I visited the site on a Tuesday in July around 11.30. The car park was busy at this time with limited car parking spaces available.

2.0 Proposed Development

- 2.1. The proposed development is the provision of an additional storey to the rear of the central block, providing for 16 additional bedrooms, served by two cores. This would increase this part of the building to four storeys. No additional car parking is proposed.
- 2.2. At Further Information stage, a parking schedule for the complex and a 12 hour, seven day week car parking survey was requested. The applicant was invited to comment on the observation submitted by the third party. In response to the request, the information was provided and a window in the core to the rear was removed. The parking schedule found that there was 427 carparking (402 car parking spaces were shown on the existing site plan). Of these, excluding the Kildare County Council car park and the apartments, 330 spaces are available to the public. The Further Information Response suggested that 428 car parking spaces were available and that

with a revised parking layout, an additional 22 car parking spaces could be made available. (I note that the total of car parking spaces in the complex have been inconsistent.)

3.0 Planning Authority Decision

3.1. Decision

Grant subject to 21 no. conditions. These conditions are generally standard. Condition 3 requires that a revised and realigned car parking arrangement with a one way system to the rear of the hotel, to provide for 22 no. additional car parking spaces. Condition 4 seeks that the car parking be monitored and if a shortfall is found, that extra car parking will be provided as specified by the planning authority at an approved location adjacent or within the site.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report notes that the site is zoned A1-Town Centre. The concerns contained within third party submissions are noted. The plot ratio is stated as 1.04, which is in accordance with development plan standards. The design is acceptable. The distance between the block to be increased in height and the dwellings on Leinster Road is circa 26 metres. These dwellings are well screened by existing landscaping. The impact from overshadowing, daylight and sunlight will be limited, due to the distance from the properties and orientation of the proposed extension. Issues in relation to noise and light pollution can be dealt with by enforcement of the planning conditions already pertaining to the operation of the hotel (under 15/947). No significant impact is expected on the apartments on site, to the southwest.

The car parking requirements for hotel bedrooms is 1 space per room and these are maximum standards. No additional car parking is proposed. There is stated to be 402 parking spaces on site, of which 152 spaces are associated with the current hotel bedrooms. There are 96 spaces associated with the ground floor restaurant.

Further information was requested by the Transportation Department regarding a schedule of car parking and a survey of parking use. Comments were also requested on third party submissions.

The Further Information Response noted that the car park was actively managed and clamping was in operation. There are 428 no. car parking spaces in total – 191 spaces associated with hotel and leisure centre visitors. There are 150 bedrooms at present. Furthermore, it is proposed to rationalise the car park to provide for an additional 22 spaces with a one-way system.

The Further Information response was considered satisfactory. No windows will face onto Leinster Road, so no overlooking arises.

3.2.2. Other Technical Reports

Transportation Department – Further Information recommended. A car parking schedule is required for the existing and proposed development. A 12 hour parking survey for a 7 day week is also required.

Following Further Information, the Transportation Department recommended planning conditions to be attached to a grant of permission.

4.0 Planning History

4.1. There is an extensive planning history associated with the site. The two most relevant permissions are summarised below:

19/1417 – Retention permission for three additional bedrooms and store at second floor (total additional floor area of 70m², minor revisions to elevations granted 16.04.2020 to Authorized Property Company Ltd.

15/947 – Permission for change of use of existing ground floor function room to restaurant (433m²), change of use of first floor restaurant to 9 no. guest bedrooms (406m²), construction of 26 guest bedrooms (899m²) at first and second floor granted 19.05.2016 to Authorized Property Company Ltd.

5.0 Policy and Context

5.1. Project Ireland 2040 - The National Planning Framework 2018

5.2. The National Strategic Objective 1 is compact growth.

5.3. *National Policy Objective 6 is to regenerate and rejuvenate cities, towns and villages of all types and scale as environmental assets, that can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality, in order to sustainably influence and support their surrounding area.*

5.4. *National Policy Objective 11 is that there will be a presumption in favour of development in urban locations that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.*

In particular, general restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general location, e.g. city/town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village etc. A more dynamic performance-based approach appropriate to urban location type will also enable the level of public transport service to improve as more development occurs and vice-versa. There should also generally be no car parking requirement for new development in or near the centres of the five cities, and a significantly reduced requirement in the inner suburbs of all five.

5.5. *National Policy Objective 13: 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.*

5.6. Development Plan

5.7. The *Kildare County Development Plan 2017-2023* applies. The car parking standards are maximum standards. Page 408 states:

“Other than ‘Residential’, parking standards are maximum standards, having regard to the need to balance demand for parking against the need to promote more sustainable forms of transport, to limit traffic congestion and to protect the quality of the public realm from the physical impact of parking. Therefore the number of spaces provided should not exceed the maximum provision set out below.

Additionally, the maximum provision of parking should not be viewed as a target. Lower rates of parking may be appropriate at certain sites. In determining this, the Council will have regard to

- The proximity of the site to public transport.*
- The proximity of the site to the town centre and services that fulfil day-to-day needs;*
- The potential for linked trips (where multiple needs are fulfilled in one journey);*
- The nature of the uses of the site and likely durations of stays;*
- The nature of surrounding uses and potential for dual use of parking spaces depending on peak hours of demand;*
- Proximity to public car-parking areas;*
- The need to protect the vibrancy of town centres and regenerate vacant / underused buildings;*
- Any modal shift demonstrated through a Traffic and Mobility Assessment; and –*
The suitability of a contribution in lieu of parking in accordance with the Development Contribution Scheme, as part of a grant of planning permission.

5.8. *In relation to hotels, 1 car parking space per guest room. A Restaurant / Café has a car parking requirement of 1 per 10sqm gross floor area. A Function Room, Club has the same parking requirement. These standards are maximum standards. Lower rates may be considered appropriate on certain sites, having regard to public transport facilities, linked trips and the timing and duration of stays. Large complexes may be assessed separately.*

- 5.9. Cycle parking is Hotel / Guesthouse 1 space per 10 bedrooms + 1 space per 5 staff and Lounge / Bar / Restaurant / Café / Function Room 1 space per 30 sqm dining / public floorspace.
- 5.10. The plot ratio and site coverage for town centre zoning is 1.0-2.0 and 80% respectively.
- 5.11. The plan supports the strengthening and consolidation of towns and mixed use development. Section 17.2.1 concerns Building heights. There is a general recognition to respect the local streetscapes. In towns, varied building heights are supported across residential, mixed use and town centre areas to support consolidation and to create a sense of place, urban legibility and visual diversity. Tall buildings, defined here as buildings that exceed five storeys and/or 15 metres, will only be considered at areas of strategic planning importance identified in a Local Area Plan.

Maynooth Local Area Plan 2013-2019

- 5.12. The site is zoned 'A1 – Town Centre'. The objective of the land use zoning to 'To provide for the development and improvement of appropriate town centre uses including retail, commercial, office, residential, amenity and civic use'. A hotel is permitted in principle.

"The purpose of this zone is to protect and enhance the special character of Maynooth town centre and to provide for and improve retailing, residential, commercial, office, cultural and other uses appropriate to the centre of a developing town. It will be an objective of the Council to encourage the full use of buildings, backlands and especially upper floors. Warehousing and other industrial uses will not be permitted in the town centre."

6.0 Natural Heritage Designations

- 6.1. I note that The Royal Canal is a proposed Natural Heritage Area.
- 6.2. In relation to Appropriate Assessment, I am satisfied that having regard to minor scale and the foreseeable emissions from the proposed development 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.

6.3. EIA Screening

- 6.4. Having regard to the minor scale of the proposed development, its location on a developed in a built-up urban area where public water supply and public sewerage are available and in light of the foreseeable emissions therefrom it is possible to exclude the requirement for submission of an EIAR at a preliminary stage.

7.0 The Appeal

7.1. Grounds of Appeal

The Leinster Park Residents Association submitted this Third Party appeal, the grounds of which are summarised below.

- Further development of the site will result in overdevelopment and intensification of a site that is already at over capacity.
- There are two folios for the property, which consists of the hotel buildings in one folio and the car park in the second. The site layout plan indicates that there is control over both but this should be clarified;
- No new car parking is provided. The car parking is not 402 spaces but only 380. Of these, 59 are Kildare County Council's public car park and 40 are for the private use Harbour View Apartment Complex and are behind locked gates. 138 car parking spaces are for the sole use of patrons of Glenroyal Shopping Centre. Therefore, only 143 car parking spaces are available for the hotel. The report accompanying the application states that 264 car parking spaces are required. There is a deficit then, of 121 car parking spaces. The existing hotel is already short of car parking spaces.
- The absence of car parking is a material contravention of the current development plan. Car parking standards are minimum requirements
- There are commercial car parking restrictions in the area, which requires commercial vehicles to use the county council car park.

- Impact on daylight and sunlight of residences.
- The drawings of the proposed height of the building seems less than expected, as experienced in reality.
- Existing light overspill causes difficulties.
- Devaluation of property due to the provision of a four storey building.
- The boundary trees are not in the control of the applicant and could be removed, leaving dwellings exposed and overlooked, with a poor aspect. The hedge may have to be removed due to disease.
- The condition on noise is satisfactory.
- Car parking has a negative impact on air pollution.

7.2. Applicant Response

The first party's agent, Duignan Dooley Architects responded and includes drawings and a shadow survey.

- The plot ratio is low at 1.03 on this town centre site and so no overdevelopment or overintensity arises.
- The applicants have the right to use the shared car park.
- Additional car parking spaces (22 no.) have been conditioned in the grant of permission.
- Additional cycle parking will be provided.
- The parking survey demonstrates that there is always car parking capacity for the 427 no. car park spaces available.
- Additional signage can be erected to alert drivers to additional car parking spaces.
- Overlooking – if considered an issue – has been dealt with at Further Information. The fenestration of the bedrooms do not face Leinster Park.
- A shadow study has been carried out by the architects. The site is due west of Leinster Park. No part of any garden is prevented from receiving any sun.

- No additional lighting is proposed for the car park.
- Some trees will be removed due to root encroachment.
- The appellants acknowledge that noise has been dealt with.
- Air pollution will be less a concern as electric vehicles will begin to predominate.
- The 2 metre high wall will be kept in good condition.

7.3. Planning Authority Response

- No further comments.

7.4. Further Responses

The Leinster Park Residents Association responded (and includes the original submission):

- The application remains invalid as no letter of consent was submitted.
- The car parking spaces for the apartments should not be counted as they are not available for public car parking.
- Car parking in the Kildare County Council parking area is also included, even though 17 of these spaces are on long stay permits. The car parking spaces should not be counted.
- Only 14 of the 16 spaces in Zone 4 (a) and 47 no. spaces in Zone 4 (b) have the necessary widths to function and some aisles are not 6 metres in width.
- Supervalue car parking spaces appear to be double counted and in any case, due to its size (3,500 square metres) requires 175 car parking spaces.
- Overshadowing remains an issue, as does light pollution.
- Devaluation of property remains.
- Loss of trees in the future on the boundary.
- Noise monitoring is required.
- Air pollution remains an issue in the short term.

8.0 Assessment

- 8.1. The main issues in this appeal in my opinion are the impact of the additional floor in terms of visual impact, overshadowing, overlooking, noise and car parking demand and provision, the boundary condition, air pollution and devaluation of property. A technical issue in relation to the validation of the application has been raised.
- 8.2. The site is zoned 'Town Centre' and is on the edge of the older part of Maynooth Town Centre. There are limited opportunities to increase height in the town centre due to the sensitivity of the historic town. This site, within a standalone modern complex, does not have that sensitivity. In addition, the bus stop is opposite the site and the train station is some 250 metres. The site is well served by public transport. The plot ratio for the town centre site is within an acceptable range - 1:1.04 and there will be no increase in site coverage. The proposed development increases the number of bedrooms from 152 rooms to 168 rooms – a little over 10% of an increase in room numbers. Subject to detailed analysis, the increase in height of the rear of the hotel is acceptable in principle and in accordance with national policy.
- 8.3. The design of the proposed development is in keeping with the existing building. Windows will face south and north, with an aspect across the site. The height of the rear of the existing hotel complex is 11.15 metres. This part of the site is not visible from the Straffan Road. The current height is equivalent to roughly 4 residential storeys. Leinster Park dwellings are single / 1.5 storeys in height. The proposed development would increase the height of the rear of the hotel to 14.44 metres. The rear wall of the nearest dwelling on Leinster Park is stated as 26.92 metres – approximately 85 feet. There will be a visual impact on Leinster Park, arising from the proposed development, but I consider the visual impact to be limited and acceptable. I do not consider that there will be a significant loss of aspect from the rear gardens of Leinster Road, due to the height of the evergreen hedging on site.
- 8.4. The proposed development will not give rise to overlooking, as there are no windows, following further information, facing onto Leinster Park.
- 8.5. Subject to conditions in relation to noise during construction, I do not consider that the proposed development will increase noise arising from the use of the hotel bedrooms.

8.6. Additional information has been provided in relation to overshadowing in the response to the appeal. The shadow studies have been prepared by the architect and relate to shadows on March 31st. This date is considered to represent the 'average' of shadowing of a site. No drawings were submitted showing the existing condition on that date. Furthermore, the extent of shadowing from the evergreen boundary have not been shown. Therefore, the shadowing is regarded as a worst case scenario for the time of year.

8.7. The shadowing shows that the gardens of two dwellings on Leinster Park are generally free from shadows from the proposed development until 1600. At this time, most of the rear gardens of both houses remain free from shadow. By 1700, the rear gardens of both dwellings are in shadow. I note that a third dwelling is in shadow from the hotel at this time, from the part of the hotel that will remain 11.15 metres in height. Therefore, I would estimate that the impact on the rear garden of the two dwellings is that the shadows will fall an hour earlier than is currently the case. There is an impact on residential amenity arising from the proposed development. However, given the height of the boundary screening within the residents' gardens, I would consider that these gardens are currently overshadowed by their own, mainly evergreen landscaping and so the impact of the proposed development will not be experienced. I note that the BRE Guidelines "*Site layout planning for daylight and sunlight: A guide to good practice*" 2022 acknowledge that evergreen hedging should be included in calculations in relation to sunlight. It states on page 88 that:

"However very little light can penetrate dense belts of evergreen trees, and the shade they cause will be more like that of a building or wall."

Therefore, I am satisfied that the shadowing arising from the proposed development will not create materially different circumstances than currently exists.

8.8. I note that both stairwells are necessary from a fire safety perspective, given the length of the corridor which serve the hotel rooms.

8.9. The extent of car parking available to the proposed development was of concern to both the planning authority and the third party. It was evident on the day of my site visit - a Tuesday in July at 1130 – that there was a high demand for car parking in the complex. While parking was available, it required drivers to seek out spaces. The central area (Zone 4a) was particularly busy.

- 8.10. I note that the parking survey was carried out from 08.06.2021 to 14.06.2021. It found that the busiest times were at 10.30, 12.45, 13.45 and from then on, the demand for car parking falls through the evening. Highest demand was circa 75% at 10.30. I would suggest that due to the time of year, when secondary schools were on holidays, that the survey may not have captured the full extent of demand for car parking. However, it has probably captured the bulk of car parking demand.
- 8.11. There is a significant dispute over the number of car parking spaces available to the proposed development. I counted 402 car parking spaces on the existing site location map, which is the same figure provided in the architect's letter which accompanied the application. I agree that not all of the spaces are available for the hotel. The car parking spaces for the apartments are not available. The paid car parking spaces are for the public and are available for hotel patrons. While the public car parking is unlikely to be used by persons staying overnight in the hotel – it might be used by those frequenting the restaurant. The car parking spaces to the rear of Supervalu are cordoned off and unlikely to be used by hotel patrons. The central and rear parking areas are going to be most in demand for those frequenting the hotel and leisure centre – but those customers calling to the smaller shops and services within the complex will seek out these spaces also (circa 190 spaces).
- 8.12. I note that there are 152 car parking spaces associated with the hotel bedrooms and 96 car parking spaces associated with the restaurant in the hotel. This number of car parking spaces for the restaurant is double the current maximum car parking development plan parking standards for a restaurant – some 44 spaces are required by the current development plan standards. This leaves 52 spaces currently existing in excess of the maximum car parking standards.
- 8.13. The location of the site is perhaps one of the best sites in Maynooth in relation to public transport. Having regard to the policies of the National Planning Framework, which notes that universal standards for car parking may not be applicable in urban areas and should be related to the provision of public transport, and the policies of the Kildare Development Plan, that set car parking standards at maximum, I am satisfied that no additional car parking is required for the proposed development. I am of the view that there is sufficient parking for the additional 16 units given that there are 248 car parking spaces associated with the existing hotel complex. The proposal to increase car parking at this location, would be contrary to national and development plan policy.

- 8.14. The car park appears to be currently overly utilised, because drivers are seeking the most convenient spaces to their destination. However, the parking survey demonstrates that car parking spaces are available.
- 8.15. The proposal to revise the car parking would improve the layout of the car park, particularly in the central area. Six new spaces are proposed here, with 14 spaces being revised. Nine new spaces are proposed for the rear of the hotel, with 15 spaces being revised. However, these changes are not necessary for the proposed development.
- 8.16. The third party has questioned the ability of the applicant to carry out the works, given that they do not own the car park. Part of the car park is contained within the blue line on the proposed site layout plan, which indicates some of the car parking spaces are within the control of the applicant. At appeal stage, the blue line accommodates the entire car park. The red line remains unchanged the area where works to the building are to take place. No works were initially planned for the car park, so the location of the red line is appropriate, in my opinion. The planning application form states that the applicant is the owner of the lands, which is accurate in relation to the works originally intended.
- 8.17. No letter of consent was submitted for the car park area, which would be the common planning practice where a site involves lands within the blue line in the ownership of others – which would also show the full extent of lands owned by others. The third party considers that the application is invalid in this regard. The decision to validate the application lies with Kildare County Council. As I have come to a conclusion that there is no additional car parking required by the hotel as a result of this application, the blue line is not relevant as there is no condition, as recommended by me, associated with works to be carried out in this area.
- 8.18. One aspect of car parking, which is in the control of the applicant, is a mobility plan for workers in the hotel. The planning authority attached a condition for the preparation and implementation of a mobility management plan. I recommend that such a condition be attached to any grant of permission, to reduce hotel workers' preference for a private car commute. This in turn could potentially free up space in the car park.
- 8.19. In relation to the boundary condition, the walls are whitewashed in the site. In the vicinity of the hotel, landscaping is nearly entirely provided by the properties on

Leinster Park. Should the landscape fail in the future, or be removed, the third parties have control over whether to replace it or not.

- 8.20. The proposed development will not increase any lighting to the car parking.
- 8.21. No additional parking will be provided arising from this proposed development and so no additional emissions will arise. In any case, I do not consider that the emissions from car parking have a significant impact on air quality for the third party, given the presence of the wall between the site and the third party.
- 8.22. I do not consider that the proposed development would devalue property in the vicinity, of the site, due to the limited impact of the proposed development.
- 8.23. I note the council's condition requiring monitoring the level of use the car park and that in the event of a shortfall of provision in car parking spaces, the developer will provide extra car parking at an approved location. This condition has not been appealed by the First Party. However, as I have found that no additional car parking is required as a result of the proposed development, I do not consider the condition is necessary.

9.0 Recommendation

- 9.1. I recommend that permission be granted

10.0 Reasons and Considerations

Having regard to the National Planning Framework, the policies of the Kildare County Development Plan, 2017 to 2023, the town centre zoning of the site, the location of the proposed development, proximate to public transport, located in a modern mixed use complex and the limited extent of the increase in the number of rooms in the hotel it is considered that the proposed development would not seriously injure the visual or residential amenities of property in the vicinity, would not give rise to over development of the site and would be in accordance with the proper planning and development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 30th day of August 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>No additional car parking spaces shall be provided in relation to the proposed development.</p> <p>Reason: In the interest of clarity, given the extent of car parking already associated with the hotel.</p>
3.	<p>Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no change, subdivision or amalgamation of the hotel rooms, without a prior grant of planning permission.</p> <p>Reason: In the interest of the amenities of the area.</p>
4.	<p>No advertisement or advertisement structure, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the hotel extension, unless authorised by a further grant of planning permission.</p> <p>Reason: In the interest of visual amenity.</p>

5.	<p>Prior to the opening of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff employed in the development and to reduce and regulate the extent of staff parking. The mobility strategy shall be prepared and implemented by the management company for all units within the hotel and leisure complex. Details to be agreed with the planning authority shall include the provision of centralised facilities within the development for bicycle parking, shower and changing facilities associated with the policies set out in the strategy.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>
6.	<p>The disposal of surface water, shall comply with the requirements of the planning authority for such works.</p> <p>Reason: To prevent flooding and pollution.</p>
7.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
8.	<p>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</p>

	<p>practice for the development, including hours of working, noise management measures, traffic management and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
9.	<p>Site development and building works shall be carried only out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
10.	<p>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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.</p>

	<p>Reason: It is a requirement of the Planning and Development Act 2000 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.</p>
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Mary Mac Mahon
Planning Inspector

29 July, 2022