



An
Bord
Pleanála

Inspector's Report

ABP-314057-22

Development	Permission for residential development of 4 units, and associated site works.
Location	'Tandesann', Glenamuck Road South, Carrickmines, Dublin 18.
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D21A/1002
Applicant(s)	Christine O'Connor.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	3 rd Party
Appellant(s)	Martin Anderson.
Observer(s)	None.
Date of Site Inspection	9 th December 2022.
Inspector	Michael Dillon

1.0 Site Location and Description

- 1.1. The site, with a stated area of 0.26ha, is located on the southern side of Glenamuck Road South in Carrickmines, Dublin 18. Glenamuck Road is within the 50km/h speed restriction zone – with a single, unbroken white line in its centre. There is a narrow footpath on the site side of the road only. There are no parking restrictions in place on the road. Public lighting is in place. The road is served by Dublin Bus Route 63 – linking Kiltarnan village with Dún Laoghaire town centre.
- 1.2. There is an existing bungalow on the site with some small sheds to the rear. The site is long and narrow – sloping gently uphill away from the road – a difference of approximately 3m in level. The site comprises mostly grass lawn area, with a number of semi-mature and mature trees and shrubs.
- 1.3. To the northwest, the site abuts Glenamuck Road – the boundary with which is a 1.5m high, granite-faced concrete block wall. To the northeast, the site abuts the curtilage of large one-off houses – the boundary with which is a mixture of chainlink fencing, steel post & wire fencing and wooden fencing. To the southeast, the site abuts the curtilage of a three-storey apartment block, with access off Cairnbrook Avenue – the boundary with which is timber panel fencing and metal mesh fencing. To the southwest, the site abuts the garden curtilages of 26, 27A, 27, 28, 29A, 29, 30 & 34 Glenamuck Cottages – the boundary with which is timber panel fencing and willow-weave fencing.

2.0 Proposed Development

- 2.1. Permission sought on 16th November 2021, for development of 3 additional houses in rear garden area of an existing bungalow. Part (22sq.m) of the existing house is to be demolished, to allow for adequate vehicular access; and the remainder is to be re-ordered. A new, detached, single-storey house is proposed; along with a pair of two-storey, semi-detached houses. Water supply will be from the existing public mains. Foul waste and surface water are to be discharged to the public sewer network.

The application is accompanied by the following-

- Drainage Report – dated 3rd November 2021.

- Tree & Vegetation Survey – dated October 2021.

2.2. Following a request for additional information, revised proposals were received by DL-RCC on 19th May 2022, as follows-

- Showing contiguous elevations of buildings on adjoining properties.
- Land ownership outlined in blue – extending to centreline of Glenamuck Road South.
- Sightlines for Glenamuck Road South egress.
- Reduced-width vehicular entrance, and 1.8m wide footpath within the site. No areas of the site will be taken-in-charge.
- Revised surface water arrangements.
- Details regarding water connection from Irish Water.
- Revised Tree Report.
- Details of street lighting.
- Preliminary Construction Management Plan – undated. Hours of construction indicated as 0800-1900 Monday to Friday and 0800-1400 on Saturdays.
- Revised public notices.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 15th June 2022, DLRCC issued a Notification of decision to grant permission subject to 18 no. conditions – the principal ones of which, may be summarised as follows-

1. Development to be carried out in accordance with plans and particulars received with the application, as amended by further plans and particulars, received on 19th May 2022.
2. Each house shall be used as a single dwelling unit.
3. Restricts exempted development on sites 1 & 2.

4. Relates to demolition.
9. Relates to naming and numbering.
10. Requires the developer to retain the services of an arborist during construction phase.
11. Relates to tree-felling and a bond.
12. Relates to hours of construction.
13. Development contribution of €888.33 for surface water.
14. Development contribution of €20,342.91 for roads.
15. Development contribution of €13,205.10 for community facilities.
16. Supplementary development contribution of €80,908.02 for Luas Line B1.
17. Supplementary development contribution of €86,648.19 for Glenamuck District Distributor Road Scheme.
18. Requires payment of bond for completion of development.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The original planning report on this file is dated 18th January 2022 and is exceptionally detailed. A second report, dated 14th June 2022, addresses the issues which were raised in the additional information request. It is recommended that permission be granted subject to conditions.

3.2.2. Other Technical Reports

There is a report from the Transportation Planning section of DL-RCC – dated 17th December 2021. It recommends the narrowing of the access road and provision of a footpath, and submission of details regarding sightlines on Glenamuck Road South. A subsequent report, dated 2nd June 2022, indicated no objection subject to attachment of conditions.

There is a report from the Parks and Landscape Services section of DL-RCC – dated 14th January 2022. It relates to trees on the site, and their protection. A subsequent

report, dated 6th June 2022, indicated no objection, subject to attachment of conditions.

The Planner's Report of 18th January 2022 refers to a 'Drainage Planning Report (dated 9th December 2021), which does not appear to be on the file. However, the Planner's Report seems to quote *verbatim* from this Drainage Report – which seeks additional information in relation to recalculation of surface water outfall; rainfall value for the site; rainwater harvesting and reuse; maintenance arrangements for the underground surface water tank; location and operation of flow-control device; and details of permeable paving. There is a Drainage Planning Report (dated 25th May 2022), responding to the additional information submission – which indicated no objection subject to attachment of certain conditions.

The Planner's Report of 18th January 2022 refers to an 'Irish Water Report (dated 11th December 2021), which does not appear to be on the file. However, the Planner's Report seems to quote *verbatim* from this report – which seeks additional information in relation to a Pre-Connection Enquiry (PCE).

3.3. Third Party Observations

A number of submissions were received in support of, and objecting to, the proposed development.

4.0 Planning History

There is no recent relevant planning history pertaining to this site.

5.0 Policy Context

5.1. Development Plan

The Dún Laoghaire-Rathdown County Development Plan 2022-2028 is of relevance. The site is zoned – A 'To provide residential development and improve residential amenity while protecting the existing residential amenities'. The Plan requires bicycle parking within new housing development. Policy PHP18 states- 'Encourage higher residential densities provided that proposals provide for high quality design

and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development’.

5.2. Local Area Plan

The site is within the boundary of the Kiltiernan Glenamuck Local Area Plan 2013. The life of this Plan has been extended until 2023. The site is located within Development Parcel 29A. No residential density is specified for this parcel – being indicated as ‘Medium Density Residential’. The site is identified for ‘possible infill’ housing. The Building Heights Map indicates that this parcel is suitable for 1-2 Storeys.

5.3. Natural Heritage Designations

There are no Natural Heritage Designations either within or immediately adjoining the appeal site. The development will be connected to the public sewerage network. There are no watercourses linking the site with any such designated areas. Significant effects are not likely to arise, either alone or in combination with other plans or projects.

5.4. EIA Screening

Having regard to the nature and scale of the development proposed, within a fully serviced suburban location; it is considered that there is no likelihood of significant effects on the environment arising. The requirement for environmental impact assessment can, therefore, be excluded at preliminary examination stage. A screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The principal points of the 3rd Party appeal from Martin Anderson, 29 Glenamuck Cottages, Carrickmines, received by the Board on 12th July 2022, can be summarised in bullet point format as follows-

- Site is a narrow parcel of land with many surrounding mature trees. There will be damage caused to roots of trees – some of which are outside the site. Even with a tree protection bond of €50,000, irreversible damage may occur.
- The proposed road width at house 1 is as little as 2.9m. This will result in safety issues for cyclists and motorists.
- The new Glenamuck Road access point is insufficient, when compared to other similar junctions – in terms of width, footpaths and better lines of sight.
- Footpaths are located behind parking bays and turning areas, which will result in traffic safety issues.
- The site has poor drainage. There is a considerable change of level within the site. There is a small watercourse bounding the site. Further investigation into potential flooding may be required.
- There is a high concentration of bats and herons in the area, which was not taken into consideration.
- Timber fencing on boundaries is inadequate for security reasons. Properties at Glenamuck Cottages will now be exposed to public open space to the rear, for the first time.

6.1.2. The application is accompanied by annotated extracts from development drawings.

6.2. Applicant Response

The response of Stephen Newell Architects, agent on behalf of the applicant, Christine O'Connor, received by the Board on 3rd August 2022, can be summarised in bullet point format as follows-

- Issues raised by the appellant were thoroughly dealt with by way of the additional information submission to DL-RCC.
- There will be no damage caused to the root spread of trees. The application was accompanied by detailed reports from an arborist. Conditions 10 & 11 of the Notification of decision to grant permission relate to this issue and will be complied with.

- The PA was satisfied, following receipt of additional information, that safe access/egress was available, and appropriate on-site parking provided.
- In relation to drainage, the PA was satisfied, following receipt of additional information, that the site drainage arrangements were appropriate.
- The garden of the house has been tended by the family for the past 35 years. This is a suburban garden; surrounded by several housing developments. Bats and herons have not been encountered during 35 years of residency. High quality landscaping is incorporated in the new development, and the landscape will have a high ecological value.
- The appellant requests a 2m high block wall, in place of the existing timber panel fencing. This is inconsistent with his desire to protect the roots of trees.
- The applicant has had the boundary surveyed by a professional surveyor – to prevent encroachment onto her property.

6.3. Planning Authority Response

By letter received on 2nd August 2022, DL-RCC indicated that it had no further comment to make.

6.4. Observations

None received.

7.0 Assessment

The principal issues of this appeal are addressed under the following headings.

7.1. Development Plan

The site is zoned for residential use, within an expanding suburban area of the county. Policy PHP18 encourages higher residential densities. The site is also located within Development Parcel 29A of the Kiltarnan Glenamuck Local Area Plan 2013-2023, where 'medium density' residential infill development of 1-2 storeys is promoted. I would be satisfied that the proposal is in accordance with the Plans for the area.

7.2. Design & Layout

There is a wide range of house design and layout on Glenamuck Road and surrounding lands – and there cannot be said to be any prevalent architectural design or layout type. In general houses are single- or two-storey – predominantly detached, but with some older semi-detached cottages (most of which have been extended and altered over the years).

All houses within the development are provided with adequate private open space. The configuration of open spaces for houses 1 & 2 is somewhat constrained by the narrowness of the site – but it is possible to screen open space for these houses from view from public areas. Condition 3 restricted certain exempted development on these two sites; and this is reasonable, having regard to the desirability of maintaining private open space for the houses. Any proposals to extend the houses would, thereby, require planning permission. A similarly-worded condition should be included in any grant of permission to issue from the Board.

The bungalows will have floor areas of 101sq.m and 110sq.m respectively. The two-storey houses will have floor areas of 138sq.m and 136sq.m respectively. The bungalows are two-bedroom units, whilst the two-storey houses are three-bedroom units. The design of the houses provides for rendered walls and tiled roofs. A low retaining wall is to be provided immediately to the southwest of House 4 but set back from the communal boundary with adjoining Glenamuck Cottages.

A 2m high granite-faced, concrete block wall is proposed where the site abuts the front garden of 34 Glenamuck Cottages and the front garden of Brookwood Lodge on the other side. A 2.0m high concrete block wall is proposed along the remaining boundary with Brookwood Lodge, to the northeast. A 2m high timber fence is proposed along the remainder of the northeastern boundary. The existing boundary treatments are to be retained along the southeastern boundary. An existing willow fence is to be extended along the entire rear garden boundary of 34 Glenamuck Cottages. The remainder of the southwestern boundary is to remain as is – timber panel fencing. I would see no difficulty with these arrangements. The request of the appellant to have a 2.0m high concrete boundary wall replace the existing timber panel fencing on the boundary with the development site, is not necessary. It is

open to the appellant to strengthen his boundary treatment if security or privacy is deemed to be an issue.

7.3. **Access & Parking**

Permission has been granted for the Glenamuck District Distributor Road – but construction has not yet commenced on this piece of infrastructure.

There is existing vehicular access to the bungalow on this site, off Glenamuck Road South. This access is to be widened, and part of the bungalow demolished, to allow for two cars to pass. A new 1.8m footpath is to be provided into the site and will extend to all houses. Sight distance at the egress point is good – arising from the set-back of the boundary wall behind a 1.2m footpath and 1.5m grass margin. The site is within a 50kph speed restriction zone.

Communal parking is being proposed – even for the existing bungalow. A total of 8 shared spaces are provided. One EV charging point is provided. This is an acceptable level of parking in a suburban area. Condition 8 of the permission required, inter alia, submission of details in relation to bicycle parking, for the written agreement of the planning authority.

7.4. **Water Supply & Drainage**

7.4.1. Water Supply

The application was referred to Irish Water. Development will be supplied from an existing pipe on Glenamuck Road South. The additional information submission from the applicant, included details of a Pre-Connection Enquiry to Irish Water.

7.4.2. Foul Drainage

Foul waste is to be discharged to a combined foul sewer in Glenamuck Road South. This arrangement was acceptable to the Drainage Section of DL-RCC.

7.4.3. Surface Water Drainage

Surface water on site was to be attenuated within an underground storage tank of 44 cubic metre capacity, located beneath the car-parking area. This was revised to a 22 cubic metre 'Stormtech chamber' facility. Outflow will be throttled at 1.05 l/s (subject to orifice size of the flow control device being not less than 200mm in diameter), using an 'Hydrobrake' mechanism or similar. Ultimate discharge will be to

a public surface water sewer in Glenamuck Road South. Permeable paving will be provided for the access road, footpath and parking area. A private Management Company will be put in place to maintain the system.

7.4.4. Flooding

There are no watercourses on the site. The site is not within an area subject to flooding – as per Flood Zone Map 9 of the Development Plan. The PA was satisfied with the surface water attenuation proposals put forward. Permeable paving is proposed, and garden areas and public open space areas will provide for natural soakage. The fall in level of the site is 3m. There will be no increased risk of flooding of adjoining property, arising from the construction of this development.

7.5. **Trees & Landscaping**

The application was accompanied by a tree survey. Trees and shrubs on site are what might be expected in a large suburban garden. Significant trees have been tagged. None of the trees are of exceptional size or value. Almost all are to be removed – with the exception of one Monterey Cypress at the rear of the site (which will ultimately be in the rear garden of House 3) and three semi-mature birch trees adjacent to the Glenamuck Road South boundary (which will be in a public open space area). I would see no difficulty with the removal of other trees to facilitate the development. Development has been set back slightly from site boundaries, to protect somewhat the root spread of trees on adjoining sites. There can be no question that the development of this site should be in anyway constrained because roots of trees from adjoining properties have intruded into the site – particularly where such trees are no subject to a Tree Preservation Order or come within a nature designation.

Detailed landscaping plans were submitted with the original application and with the additional information submission of 19th May 2022. The public open spaces provided will be of little active recreational use – but will perform a visual function. New tree-planting is indicated on Drg. No. 07421_LP_01 – submitted by way of additional information. The new planting will comprise a mixture of birch and plum – 25 in total. There are a number of mature trees and shrubs in adjoining rear gardens, several of which will be clearly visible from the site. The landscaping proposals are considered acceptable. The application was reported on by the Parks

& Landscape Services section of the Council; and it was indicated that there was no objection, subject to attachment of conditions.

An objection was received in relation to potential damage to the root spread of trees, arising from this development. I note the comment of the applicant in relation to the inconsistency of requiring a 2m high wall on the objector's shared boundary, and the need to protect trees on the adjoining site. The applicant has set the development back from adjoining boundaries, to minimise the impact on trees on adjoining sites; and this is considered reasonable.

Condition 10 of the permission requires the developer to retain the services of an arborist during the construction phase. Condition 11(a) of the permission required the lodgement of a bond in the sum of €50,000 for the protection of the trees to be retained on the site. This would appear to be somewhat excessive for protection of a small number of semi-mature, suburban garden trees. However, I note that the applicant has not objected to the imposition of the condition, and a similarly-worded condition should be attached to any grant of permission to issue from the Board.

7.6. Financial Matters

7.6.1. Ordinary Development Contributions

Conditions 13-15 of the Notification of decision to grant permission required payment of development contributions towards surface water drainage, roads and community facilities. A condition requiring payment of such contributions should be attached to any grant of permission to issue from the Board.

7.6.2. Supplementary Development Contributions

The site lies within the boundaries of two Supplementary Development Contribution Schemes, viz. Luas Line B1 and Glenamuck Distributor Road. Conditions requiring payment of contributions under these schemes were required by way of conditions 16 & 17 respectively. Similarly-worded conditions should be attached to any permission to issue from the Board.

7.6.3. Bonds

Condition 11 of the Notification of decision to grant permission required payment of a bond in the value of €50,000 for the protection of trees on site – referred to elsewhere in this report.

Condition 18 of the Notification of decision to grant permission required payment of a bond for the completion of the development. I note the applicant has not objected to such a condition. A similarly-worded condition should be attached to any grant of permission to issue from the Board.

7.7. Other Issues

7.7.1. Part V

There is a Certificate of Exemption on this file – ref. V/085/21. There is no requirement for Social & Affordable housing in accordance with Section 96 of the Act.

7.7.2. Naming & Numbering

Condition 9 of the permission relates to naming & numbering. A similarly-worded condition should be attached to any grant of permission to issue from the Board.

7.7.3. Avifauna

The appellant contends that the site is used by bats and herons. The applicant states that in 35 years of occupation of this site, such birds have not been encountered on the site. The appellant has submitted no evidence to substantiate the claim that the site is used by bats and herons.

7.7.4. Hours of Construction

The permission granted did not include a condition restricting the hours of construction. In the interests of residential amenity, it would be appropriate to attach such a condition.

8.0 Recommendation

I recommend that Permission be granted for the Reasons and Considerations set out below and subject to the attached conditions.

9.0 Reasons and Considerations

Having regard to the provisions of the relevant Development Plan for the area and to the identification of the site for infill residential development within the Kiltiernan Glenamuck Local Area Plan 2013-2023; the pattern of development in the area; and

to the limited extent of the proposed development: it is considered that, subject to compliance with the following conditions, the development would not be detrimental to the residential amenities of the area, would not be prejudicial to public health, would be acceptable in terms of traffic safety and convenience, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 19th day of May 2022, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Each proposed house shall be used as a single dwelling unit only, and no part shall be sold, let or otherwise transferred or conveyed, save as part of one single dwelling.

Reason: To restrict the use of the houses in the interest of residential amenity.

3. Notwithstanding the exempted development provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of either of the bungalows within this development, without a prior grant of planning permission.

Reason: In order to ensure that a reasonable amount of rear garden private open space is retained for the benefit of the occupants of each bungalow, in the interest of the amenities of the area.

4. (a) The roofs of the proposed dwellings shall be blue-black or slate-grey in colour throughout (including ridge tiles) – using slates or flat-profile tiles only.

(b) External render finish shall be of a uniform colour.

Reason: In the interest of visual amenity.

5. 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.

Reason: In the interest of visual amenity.

6. The development shall be managed in accordance with a management scheme which shall be submitted to, and agreed in writing with, the planning authority, prior to occupation of any of the houses. The scheme shall provide adequate measures relating to the future maintenance of the development; including landscaping, roads, footpaths, parking areas, lighting, waste storage facilities and sanitary services, together with management responsibilities and maintenance schedules.

Reason: To provide for the satisfactory future maintenance of this development in the interest of visual amenity and public health.

7. Site development and building works shall be carried out only between the hours of 0800-1900 Monday to Friday inclusive, between the hours of 0800-1400 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.

8. The services of an arborist shall be retained during the demolition and construction phase, to ensure that trees for retention are fully protected.

Reason: In the interest of visual amenity.

9. The internal road network serving the proposed development (including turning bays, junctions, parking areas, footpaths and kerbs, shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of traffic safety.

10. Proposals for a street name, house numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all street signs and house numbers shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features or other alternatives acceptable to the planning authority.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames.

11. The open spaces shall be developed for, and devoted to, public use. They shall be kept free of any development and shall not be incorporated into house plots.

Reason: In order to ensure the development of the public open space areas, and their continued use for this purpose.

12. Comprehensive details of the proposed public lighting system to serve the development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The agreed lighting system shall be fully implemented and operational, prior to occupation of any of the dwellings.

Reason: In the interest of residential amenity and safety.

13. Surface water drainage arrangements (including attenuation) shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

14. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.

Reason: In the interest of public health.

15. Prior to commencement of development, the developer shall submit, for the written agreement of the planning authority, a Cycle Statement, setting out how the development meets the requirements of the Planning Authority's 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018), in accordance with the requirements of the relevant section of the County Development Plan.

Reason: In the interest of traffic safety and residential amenity.

16. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the provision and satisfactory completion of footpaths and drains, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory completion or maintenance of any works on Glenamuck Road South. The form and the 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 works on the public road.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of 3 years from the substantial completion of the development, with others of similar size and species. The form and the 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 secure the protection of the trees on site.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefitting 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.

19. The developer shall pay to the planning authority a financial contribution of €80,908.02 (eighty thousand, nine hundred and eight euro and two cents) in respect of the extension of Luas Line B1 – Sandyford to Cherrywood 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. 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 to determine.

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.

20. The developer shall pay to the planning authority a financial contribution of €86,648.19 (eighty-six thousand, six hundred and forty-eight euro and nineteen cents) in respect of the Glenamuck District Distributor Road Scheme and the Surface Water Attenuation Ponds Scheme 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. 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 to determine.

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.

Michael Dillon

Inspectorate.

19th December 2022