



An
Bord
Pleanála

Inspector's Report ABP 314297-22.

Development	5M high totem sign and associated works.
Location	Dunnes Stores, North Circular Road, Tralee, Co. Kerry.
Planning Authority	Kerry County Council.
Planning Authority Reg. Ref.	22515
Applicant	Better Value Unlimited Company
Type of Application	Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Appellant	Better Value Unlimited Company
Observers	None
Date of Site Inspection	2 nd of May 2023
Inspector	Siobhan Carroll

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Kerry County Development Plan 2022 – 2028	5
5.2. Kerry County Council Shopfront Guidelines, 2018	6
5.3. Natural Heritage Designations	8
5.4. EIA Screening	8
6.0 The Appeal	8
6.1. Grounds of Appeal	8
6.2. Planning Authority Response	11
7.0 Assessment.....	12
7.1. Policy context and visual amenity	12
7.2. Development Contribution.....	16
7.3. Appropriate Assessment	17
8.0 Recommendation.....	17
9.0 Reasons and Considerations.....	17
10.0 Conditions	18

1.0 Site Location and Description

- 1.1. The appeal site is located at Dunnes Stores, Tralee, Co. Kerry. The Dunnes Stores comprises a supermarket and comparison goods department store. It is situated within the centre of the town. There is vehicular access into and out of the car park from the North Circular Road and also from Upper Rock Street. The premises is served by surface car park to the north-west of the store.
- 1.2. The site has a stated area of 1.8 hectares which includes the entire premises. The location of the proposed totem sign is to the northern side of the vehicular entrance at Upper Rock Street. The north-eastern site boundary at this location is formed by a capped block wall. Immediately to the north of this is a cycleway.
- 1.3. To the west of the location of the proposed totem sign there is a low redbrick wall which adjoins the footpath serving Dunnes Stores. There is low shrub planting between the boundary wall and this low wall.

2.0 Proposed Development

- 2.1. Permission is sought for the erection of a 5 metre high totem sign, adjacent to the car park entrance to Dunnes Stores from Upper Rock Street (R556).
- 2.2. The structure will comprise of black and white aluminium covers. The sign has a width of 2m and a depth of 300mm. Fret cut lettering is proposed stating DUNNES STORES on the upper section with black lettering set on a white background and the wording Tralee NCR, Café Sol and Dunnes Stores Café in white lettering on a black background.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority refused permission for the following reason.

1. Having regard to its size, height, materials, and prominent location, it is considered that the erection of a free standing totem sign would seriously injure the visual amenities of the area, be dominant in the streetscape and set an undesirable precedent for similar signage. The proposed development

would, therefore, be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Refusal of permission recommended.

3.2.2. Other Technical Reports

3.2.3. Kerry National Roads Office – No observations.

3.2.4. County Archaeologist – No mitigation required.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

3.4.1. The Planning Authority did not receive any submissions/observation in relation to the application.

4.0 Planning History

4.1.1. Reg. Ref. 201287 – Permission was granted for (a) alterations and upgrade to the developments existing western, southern and eastern elevation facades, (b) replacement Dunnes Stores signage (5 New Signs in total), and (d) all ancillary site development works including landscaping, new trolley bays and new service yard security gate/fence on the western and eastern gable end of the goods intake area. Permission was refused for the (c) erection of a new totem sign at the developments upper Rock Street (R556) car park entrance. Permission was refused for the totem sign for the following reason.

Having regard to its size, height, materials, illumination and prominent location, it is considered that the proposed development would seriously injure the visual amenities of the area and set an undesirable precedent for similar

signage. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

- 4.1.2. Reg. Ref. 13/397569 – Permission was granted to extend the duration of planning register reference 7569/186/07, which was for the construction of a four storey car park with 509 car parking spaces and associated site development works. (The development was not carried out).
- 4.1.3. Reg. Ref. 07/7569 – Permission was granted for the construction of a 4 storey car park with 509 car parking spaces and associated site development works. (The development was not carried out).
- 4.1.4. Reg. Ref. 04/6747 – Permission was granted for alterations and extensions to existing building incorporating retail extensions, change of use from stockroom and cold room areas to retail area and new stockroom at first floor and provide new exit from service yard onto Edward Street and provision of pedestrian walkway onto Edward Street at Dunnes Stores.

5.0 Policy Context

5.1. Kerry County Development Plan 2022 – 2028

- 5.1.1. The Tralee Town Development Plan 2009-2015 (as extended and varied) is incorporated into the Kerry County Development Plan 2022-2028.
- 5.1.2. The site is zoned Objective 'M4' – Built Up Area on the Tralee Town zoning map.
- 5.1.3. Volume Six – Part 1 refers to – Development Management Standards & Guidelines
- 5.1.4. Section 1.13 – Advertising Signage Proposals
- 5.1.5. In general, the sign should be an integral part of the elevational design of the building and comply with Kerry County Council's Shopfront Guidelines, 2018. Signs must be attached to walls or poles, externally illuminated and shall be hand-written where appropriate. KCC will prohibit the use of electronic variable messaging signs commonly known as "VMS signs" and seek to restrain the use of corporate image advertising in chain outlets where these are considered to be too dominant.
- 5.1.6. Signage for key tourism attractions, tourism routes, community facilities or other key public or infrastructural facilities will only be permitted on the subject development, at

the entry points to the host town/village, or in the immediate vicinity of key junctions leading to the subject development. At such locations signage for multiple facilities/attractions shall be grouped on a single sign.

5.1.7. All signage will have regard to the provisions of The Official Languages Act 2003, An t-Órdú Logainmneacha (Ceantair Ghaeltachta) 2004, Signage Regulations S.I. No. 391 of 2008 and the Road Traffic Manual in relation to the use of Irish and English on various types of signage and the NRA Road Signage Guidelines.

5.1.8. The following will be taken into account for all proposals for advertising signage:

- An advertising “need” must be demonstrated. In this context the term “need” relates to the requirements of the travelling public and not the desire of the applicant to advertise as widely as possible.
- In general advertisement structures will not be permitted at roundabouts, at traffic signalised junctions, at locations where they obstruct sight lines, compete with other traffic signs, give rise to confusion for road users or endanger traffic safety.
- Applications for advertisement structures along national routes and along approach roads to towns and villages will generally not be permitted.
- Large scale commercial advertisements are not acceptable on or near buildings of architectural or historical importance, in parks, Architectural Conservation Areas and in areas of high amenity.
- General advertising signage on the subject business/development will only be considered.
- Advertising signs in industrial estates/enterprise centres must be grouped on a single advertisement sign.
- On-site advertisements, small in scale, where they are considered not to detract from the environment, will be permitted.

5.2. **Kerry County Council Shopfront Guidelines, 2018**

5.2.1. Section 7.1 – refers to signage

5.2.2. Signage contributes to the vibrancy of streets creating a sense of identity and place. It adds interest to a façade and defines frontages of buildings. Poorly designed, inappropriately coloured, over sized or badly sited signs can create clutter and have a negative visual impact, however a well designed and located sign can create richness.

5.2.3. Key Criteria:

- Signage should not appear dominant, nor cause an obstruction in the streetscape.
- All signage is to be proportionate to the scale of its surroundings. The design of a sign, the materials and colour used are to be in keeping with other elements on the streetscape.
- Signage is to be designed as an integral part of the building on which it is displayed. The location, size, design and materials of the sign should relate to the architectural detailing, scale and character of the building.
- Signage should normally be restricted to the ground floor level.
- A shop window shall not be blocked by signage.
- Signage must only advertise goods/services available at the particular premises.
- Colours must be sympathetic to the host building and the streetscape.
- Plastic or neon signs will not be permitted as they detract from the visual quality of the street. Ancillary signage that does not relate to the fascia will be generally discouraged.
- In order to avoid visual clutter the number of attachments to premises should be minimised.
- Using the public footpath for advertising or supplementary signage, such as sandwich boards is unacceptable in all circumstances unless licenced.
- Banners and flags are considered to be unsuitable forms of identification and will not be permitted.

- Signs should not interfere with windows or other features of the façade or project above parapet height intruding on the skyline.
- The removal of inappropriate and unsightly old signage and pipe work can make a considerable improvement in the appearance of the building.

5.3. Natural Heritage Designations

5.3.1. There are no designated sites in the immediate area.

5.4. EIA Screening

5.4.1. Having regard to the limited nature and scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental assessment can therefore be excluded at preliminary examination.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal has been submitted by Better Value Unlimited Company. The issues raised are as follows.

- Dunnes Stores has been operating at this location since 1993. Significant internal and external renovations have been completed.
- Access to the premises is via North Circular Road and Upper Rock Street. The Dunnes Stores building is set back circa 190m from the Upper Rock Street footpath.
- There are retail, commercial and residential properties along Upper Rock Street.
- It is highlighted that there is no signage along Upper Rock Street which identifies the entry into the Dunnes Stores car park.
- In 2014 there was a Dunnes Stores entry sign which was 2.35m in height this has since been removed.

- It is stated that recently they allowed Kerry County Council to lower a portion of their boundary wall so that the cycling path located to the north-east would have improved sightlines onto Upper Rock Street. It is submitted that the proposed totem sign will have no impact on these sightlines.
- Under Reg. Ref. 20/1287 permission was sought for (a) alternations and upgrades to the developments existing western, southern and eastern elevation facades (b) replacement of Dunnes Stores signage (5 in total) (c) erection of new totem sign at the Upper Rock Street car park entrance. (d) All ancillary site development works including new service yard security gate/fence on the western and eastern gable end of the goods intake area.
- All of the above were granted permission apart from the proposed internally lit totem sign. In relation to the totem sign the Council considered that it would have a negative visual impact having regard to the signs materials, height of 7.2m, illumination and prominent location. The Council also were concerned that the sign would have been injurious to the amenities of the area and set an undesirable precedent for similar signage at other locations in Tralee.
- To address the Council's concerns in relation to the height and illumination of the totem sign, the proposed sign has been reduced in height from 7.2m to 5m and the internal illumination has been omitted.
- The proposed sign will comprise of black and white aluminium covers. It is proposed to light the totem sign externally at night using uplighters fitted to the totems base.
- The Council in assessing the current application had regard to the policies and objectives in the Tralee Town Development Plan 2009 – 2021 (as extended & varied) and the Kerry County Council Shopfront Design Guidelines (2018).
- It is stated that despite the reduction in the height of the totem sign and removal of the internal illumination from the proposal when compared to the totem sign proposed under Reg. Ref. 20/1287, the Council still maintains that the sign would have a negative visual impact due to its materials, height and prominent location.

- The report of the Planning Officer states, “Signage should not appear dominant, nor cause an obstruction in the streetscape” and “ancillary signage that does not relate to the fascia will be generally discourage.”
- The Council also reiterated their previous view that the free standing totem sign would be injurious to the amenities of the area and would set an undesirable precedent for similar such signage elsewhere in the town.
- Regarding the policy context the appeal site is located on lands zoned M4-Built Up Area in the Tralee Town Development Plan 2009-2021 (as extended and varied).
- The site is not located within an Architectural Conservation Area nor is it located near any protected structures or buildings of historical merit.
- It is noted that the Kerry County Council Shopfront Guidelines (2018) does not provide comment or guidance in respect to standalone signs.
- It is noted that Volume 6, Section 1.13 of the Draft Kerry Development Plan 2022-2028 refers to advertising signage.
- Advertising need and road safety were not cited by the Council as reasons for refusal. These matters are included in the grounds of appeal to demonstrate that the development is consistent with the provisions set out in the Tralee Town Development Plan 2009-2021 and the Draft Kerry County Development Plan 2022-2028.
- The totem is required to demarcate the sites Upper Rock Street car park entrance and also to identify to the travelling public the presence of the Dunnes Stores 190m from Upper Rock Street. The proposed sign will provide information on the retail and food and beverage offering of Dunnes Stores.
- It is submitted that the proposed sign will operate as a wayfinding sign which will help define the stores car park entrance to the travelling public.
- The sign is setback from the public road and footpath, and it will not obstruct vehicular or cycle sightlines, compete with other traffic signs or give rise to confusion for road users or endanger traffic safety. It is noted that the sign would not be located on a national route.

- In relation to the matter of visual impact it is highlighted that the site is not located within an Architectural Conservation Area and that it is not located on or near buildings of architectural or historical importance.
- The area is characterised by retail, commercial and residential properties so it could not reasonably be concluded that the proposed development would be out of character or inconsistent with the pattern of development at this location.
- It is submitted that the proposed totem sign is of modest size and therefore it is not considered that the proposed sign would have a negative impact on the streetscape of Upper Rock Street or result in the proliferation of advertising signage.
- The car park entrance was previously identified by a sign of 2.35m in height.
- The assertion by the Council that the sign is located in a prominent location is questioned. It is highlighted that the proposed sign would be set back from the public footpath.
- The proposed materials for the totem sign are similar to the materials used in other supermarket totems located in Tralee and therefore it is submitted that it will not detract from Upper Rock Street's urban streetscape.
- The majority of supermarkets in Tralee have a totem sign at the entrance to the sites including Lidl, Aldi and Super Valu. Therefore, it is submitted that a precedent has already been set. It is considered that it would be wrong to refuse permission for the proposed totem sign on the basis that its approval would create a precedent for the approval of other similar developments.
- In conclusion, it is submitted that the proposed development is consistent with the development plan provisions set out in the Tralee Town Development Plan 2009-221 and the Draft Kerry Development Plan 2022-208 and therefore that it is in accordance with the proper planning and sustainable development of the area.

6.2. Planning Authority Response

- None received.

7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Policy context and visual amenity
- Development Contribution
- Appropriate Assessment

7.1. Policy context and visual amenity

- 7.1.1. It is proposed to erect the 5m high totem sign, adjacent to the car park entrance to Dunnes Stores from Upper Rock Street (R556). The structure will comprise of black and white aluminium covers. Fret cut lettering is proposed stating DUNNES STORES on the upper section with black lettering set on a white background and the wording Tralee NCR, Café Sol and Dunnes Stores Café in white lettering on a black background. The site is located on lands zoned Objective 'M4' – Built Up Area on the Tralee Town zoning map.
- 7.1.2. The Planning Authority refused permission on the basis that due to the size, height, materials, and prominent location of the proposed totem sign that it was considered that would seriously injure the visual amenities of the area, be dominant in the streetscape and set an undesirable precedent for similar signage.
- 7.1.3. The grounds of appeal cite the planning history in respect of Dunnes Stores, Tralee. Under Reg. Ref. Reg. Ref. 201287 permission was granted for alterations and upgrade to the development, replacement Dunnes Stores signage specifically 5 no. new signs and ancillary site development works including landscaping, new trolley bays and new service yard security gate/fence on the western and eastern gable end of the goods intake area. Under this application permission was also sought for erection of a new totem sign at the developments upper Rock Street (R556) car park entrance. The proposed totem sign under that application had a height of 7.2m and was internally illuminated. The Planning Authority refused permission on the basis that due to its size, height, materials, illumination and prominent location, it is

considered that the proposed development would seriously injure the visual amenities of the area and set an undesirable precedent for similar signage.

7.1.4. In the grounds of appeal, it is submitted that they have sought to address this previous refusal of permission for the totem sign which was higher than that currently proposed, and which also was internally illuminated. It is stated in the appeal that to address the Council's concerns in relation to the height and illumination of the totem sign, the proposed sign has been reduced in height from 7.2m to 5m and the internal illumination has been omitted.

7.1.5. Regarding the policy context Volume Six – Part 1 of the Kerry County Development Plan 2022 – 2028 refers to Development Management Standards & Guidelines. Section 1.13 refers to Advertising Signage Proposals. Under this section of the plan, it states that;

7.1.6. The following will be taken into account for all proposals for advertising signage:

- An advertising “need” must be demonstrated. In this context the term “need” relates to the requirements of the travelling public and not the desire of the applicant to advertise as widely as possible.
- In general advertisement structures will not be permitted at roundabouts, at traffic signalised junctions, at locations where they obstruct sight lines, compete with other traffic signs, give rise to confusion for road users or endanger traffic safety.
- Applications for advertisement structures along national routes and along approach roads to towns and villages will generally not be permitted.
- Large scale commercial advertisements are not acceptable on or near buildings of architectural or historical importance, in parks, Architectural Conservation Areas and in areas of high amenity.
- General advertising signage on the subject business/development will only be considered.
- Advertising signs in industrial estates/enterprise centres must be grouped on a single advertisement sign.

- On-site advertisements, small in scale, where they are considered not to detract from the environment, will be permitted.

7.1.7. I note under Section 1.13 there is no specific reference to totem signs. A number of the above criteria are relevant in this case. Firstly, in relation to the matter that an advertising “need” must be demonstrated, that relates to the requirements of the travelling public and not the desire of the applicant to advertise as widely as possible. It is put forward in the appeal that the totem sign is required to demarcate the sites Upper Rock Street car park entrance and also to identify to the travelling public the presence of the Dunnes Stores 190m from Upper Rock Street. The first party submit that the proposed sign will provide information on the retail and food and beverage offering of Dunnes Stores and that it will operate as a wayfinding sign which will help define the stores car park entrance to the travelling public.

7.1.8. I would consider that the appellant has demonstrated that there is a need for the subject totem sign having regard to the setback of the Dunnes Stores retail building circa 190m from the vehicular and pedestrian entrance at Upper Rock Street because it will clearly demarcate the location of the car park serving Dunnes Stores.

7.1.9. In respect of traffic safety considerations as set out in the above criteria of Section 1.13 it is discussed in the appeal that the sign is setback from the public road and footpath, and it will not obstruct vehicular or cycle sightlines, compete with other traffic signs or give rise to confusion for road users or endanger traffic safety. It is highlighted in the appeal that the sign would not be located on a national route.

7.1.10. The location of the proposed totem sign relative to Upper Rock Street is also cited in the appeal. As detailed on the Site Layout Plan it is proposed to locate the totem sign 6.5m back from the edge of the public road at Upper Rock Street. The totem sign would be setback 200m from the existing low wall running inside the footpath at the entrance to the premises. The totem would be set forward 1.2m from the boundary wall. In relation to the siting of the proposed totem sign I would consider that a satisfactory setback has been provided from the public road in terms of road safety considerations and the operation of traffic, bicycle and pedestrian movements at this location.

7.1.11. In the criteria under Section 1.13, it is set out that large scale commercial advertisements are not acceptable on or near buildings of architectural or historical

importance, in parks, Architectural Conservation Areas and in areas of high amenity. In relation to this, it is highlighted in the appeal that the site is not located within an Architectural Conservation Area and that there are no Protected Structures within the immediate vicinity of the location of the proposed totem sign. It is also set out under the criteria that general advertising signage on the subject business/development will only be considered. Regarding this, the subject totem sign refers only to the Dunnes Stores retail store and the associated cafes on the site.

- 7.1.12. The report of the Planning Officer refers to the Kerry County Council Shopfront Design Guidelines (2018). Regarding that document, I note that it does not refer specifically to totem signs and that section 1.13.1 of the Development Management Standards & Guidelines of Volume 6 of the Kerry County Development Plan 2022-2028 states that in general signage should comply with the Council's Shopfront Guidelines. The subject proposed does not refer to a shopfront however I would note that Section 7.1 of the guidelines which refers to signage and a number of key criteria are listed. Two of relevance are that signage should not appear dominant, nor cause an obstruction in the streetscape and that all signage is to be proportionate to the scale of its surroundings.
- 7.1.13. In relation to the issue of visual impact it is put forward in the appeal that the area i.e., Upper Rock Road and surroundings is characterised by retail, commercial and residential properties so it could not reasonably conclude that the proposed development would be out of character or inconsistent with the pattern of development at this location. The first party submit that the proposed totem sign is of modest size and therefore considered that the proposed sign would not have a negative impact on the streetscape of Upper Rock Street or result in the proliferation of advertising signage. It is highlighted in the appeal that previously there was a 2.35m high sign at the car park entrance. The assertion by the Council that the sign is located in a prominent location is questioned by the first party. In response to this they highlighted that the proposed sign would be set back from the public footpath.
- 7.1.14. The appeal refers to the existing permitted totem signs at other supermarkets in Tralee. Reference is made to the Lidl supermarket where under Reg. Ref. 15/1029 permission was granted for a 5.9m high totem sign. In relation to this sign, I note that it is located immediately adjacent to the public footpath. Reference is also made to the Aldi supermarket granted under Reg. Reg. 12308044. The permitted totem sign

has a height of 5.4m and is located directly adjoining the road. I would note these cited examples of other similar totem signage serving two existing supermarkets in Tralee and I would accept the point made in the appeal that proposed totem sign should be considered in the context of the precedent established by the other similar permitted development in the town.

- 7.1.15. Having regard to the setback of the Dunnes Stores retail building circa 190m from the vehicular and pedestrian entrance at Upper Rock Street. I am satisfied that the first party has demonstrate the requirement for the proposed totem sign at this location in order to identify to the travelling public the presence of the Dunnes Stores.
- 7.1.16. In relation to the matters of the size and height of the proposed totem, I would consider that the case made by the first party in respect of the fact that they sought to address the previous refusal of permission and they reduced the height from that previously proposed of 7.2m to 5m with the internal illumination omitted, satisfactorily addresses this issue. Regarding the issue of the prominence of the location as described by the Planning Authority, while the location of the proposed totem sign is relatively prominent within the streetscape of Upper Rock Street, I am satisfied that an adequate setback of 6.5m has been provide between the totem sign and the edge of the public road. Furthermore, I note that the boundary well behind the proposed totem sign would provide a backdrop and that the low wall running along the footpath to the front of the totem sign would also serve to mitigate potential visual impact as the base of the sign would not be directly visible.
- 7.1.17. I would conclude that the proposal would be visually acceptable and in accordance the provisions of the Kerry County Development Plan 2022-2028 specifically, Volume Six – Part 1 of the Plan which refers to Development Management Standards & Guidelines and Section 1.13 which refers to Advertising Signage Proposals.

7.2. Development Contribution

- 7.2.1. Under the provisions of the Kerry County Council Development Contribution Scheme 2017 the proposed development, a totem sign which is advertising signage is subject to a development contribution. Accordingly, should the Board decide to grant

permission for the proposed development then a condition in relation to a development contribution should be attached.

7.3. Appropriate Assessment

- 7.3.1. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1.1. Having regard to the location of the site on lands zoned objective M4- Built Up Area in the Tralee Town Development Plan 2009-2015 (as extended and varied) as incorporated into the Kerry County Development Plan 2022-2028 and the provisions of the Kerry County Development Plan 2022-2028 specifically, Volume Six – Part 1 of the Plan which refers to Development Management Standards & Guidelines and Section 1.13 which refers to Advertising Signage Proposals, to the acceptable scale and design of the proposed structure, and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area. The proposed development 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, 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. 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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Siobhan Carroll
Planning Inspector

5th of July 2023