



An
Bord
Pleanála

Inspector's Report

ABP-315408-22

Development	Three houses and two duplex apartments.
Location	Cliff Road, Ballybunion, Co. Kerry
Planning Authority	Kerry County Council
Planning Authority Reg. Ref.	22371
Applicant(s)	Ashker Ltd.
Type of Application	Outline Permission
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	Third Party
Appellant(s)	Phil Buckley Mark O'Sullivan and Patricia O'Connor
Observer(s)	None
Date of Site Inspection	19 th June 2023
Inspector	Eoin Kelliher

1.0 Site Location and Description

- 1.1. The subject site is located circa 250m north of Main Street, Ballybunion, County Kerry. The main entrance to the site is located on Cliff Road which extends from the town centre towards the north of the town. The site is also accessible from Spraymount Road via a shared private lane. The site overlooks Ballybunion Beach and Bay and comprises a cleared brownfield plot with a stated area of 0.168 hectares.
- 1.2. There is a pair of two-storey houses set back from Cliff Road to the south of the site. A private lane serving 3 no. properties bounds the northern boundary of the site. To the north of this lane there is another pair of two-storey houses set back from Cliff Road. The site backs onto the gable and rear garden of a derelict cottage (Bar na Sraide) to the east and is accessible via a shared private lane off Spraymount Road to the south. The boundaries of the site comprise masonry walls of varying construction and a timber post and rail fence. There is a gentle fall of ground from east to west. The site abuts directly onto the public road carriageway; there is a public footpath on the opposite (west) side of Cliff Road. The surrounding area is largely characterised by pairs and terraces of two-storey houses orientated towards the sea.

2.0 Proposed Development

- 2.1. Outline planning permission was initially sought for 3 no. detached dwellings on three separate sites with individual vehicular entrances on Cliff Road and visitor car parking, an amenity area and pedestrian entrances to the rear of the site.
- 2.2. The proposed 3 no. dwellings would be set back from Cliff Road with off-street carparking to the front and private gardens to the rear.
- 2.3. The proposal was modified by way of further information to include a detached building containing 2 no. duplex apartments to the rear of the site in lieu of the previously proposed visitor car parking and amenity area.
- 2.4. The proposed development as revised is for a total of 5 no. dwellings; the public was informed of this fact at the time of the application by way of new public notices.

3.0 Planning Authority Decision

3.1. Decision

By Order dated 8th December 2022 Kerry County Council decided to grant outline planning permission subject to 11 no. conditions. The following conditions are noteworthy:

- C.1: Regulates the use of the proposed dwellings and duplexes as primary permanent all-year round private residences and not for use as holiday homes, second homes or for commercial overnight accommodation.
- C.2: States that the development shall be located on site as shown on the site layout map submitted by way of further information.
- C.5: Regarding the scale, design and height of the proposed dwelling houses, which shall integrate with the area, and the provision of elevational drawings and a cross section drawing showing existing and proposed site levels at Permission Consequent stage.
- C.6: That the laneway, including the upgrading works to the laneway, shall be incorporated at the Permission Consequent stage for the 2 no. duplex apartments.
- C.8b That a public footpath shall be provided along the public road and the green margin areas omitted.
- C.8c That adequate sightlines shall be provided at the entrances on Cliff Road.
- C.8d That the written agreement from the adjoining landowner to the south of the site for modifications to the party boundary to achieve adequate sightlines be provided at Permission Consequent stage.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Initial Report

The Planning Officer's initial report dated 27th May 2022 recommended seeking further information as follows:

- A revised scheme which makes sustainable use of the zoned land.
- Revised site layout drawing showing the proposed houses set back a minimum of 20m from the public road.
- Revised site layout drawing showing the relocation of the ESB pole (to the front of the site) having consulted with the ESB prior to submission.
- A revised site layout drawing including detailed access and service information.
- Contiguous elevation / artists impression of the proposed development.
- Drawing clearly showing the proposed vehicular entrances and the available sightlines from each entrance.
- Details for the upgrading of the laneway providing access to the rear of the site.
- Agreement from the legal owners of the laneway which access / works are proposed.
- Clarification regarding the intended market for the proposed houses.

Further Information

The Planning Authority received the following further information on 27th October 2022:

- Proposals to increase the number of dwellings on the site from 3 to 5 no. units.
- Letter from Purtill Solicitors regarding land ownership and right of way access from Spraymount Road.
- Letter from ESB confirming poles can be relocated.
- Contiguous elevation drawing and concept image of the proposed dwellings fronting Cliff Road.
- Drawing showing sight distances from each entrance on Cliff Road and vehicular turning movements.

The Planning Authority considered the further information significant. The public was informed by way of revised public notices including an amended development description.

Further Information Report

The Planning Officer's subsequent report indicates he was satisfied that the request for further information had been addressed and that concerns raised in the third-party submissions regarding design, building line, open space, density, parking provision and loss of residential amenity can be considered at the planning consequent stage.

The Planning Officer recommended granting permission subject to 11 no. conditions; his recommendation is reflected in the Planning Authority's decision to grant permission.

3.2.2. Other Technical Reports

Roads Office: Satisfied following receipt of further information submission.

Housing Estates Unit: Satisfied following receipt of further information submission.

Biodiversity Officer: States considering the nature, scale and location of the proposed development, and the conservation objectives for the Lower Shannon cSAC, no potential for significant effects on this European site have been identified.

3.3. Prescribed Bodies

Uisce Eireann: No objection subject to standard requirements.

3.4. Third Party Observations

2 no. third-party submissions were received from (1) John and Marian Dee, and (2) Mark Sullivan and Patricia O'Connor in respect of the initial planning application.

2 no. third-party submission were received from (1) Noel Lynch Planning & Design on behalf of Phil Buckley, and (2) Mark Sullivan and Patricia O'Connor in respect of the further information submitted with the application.

The issues raised in the submissions made by Phil Buckley, and Mark O'Sullivan and Patricia O'Connor, are echoed in their appeals summarised in Section 6.1 below.

The issues raised in John and Marian Dee's submission include:

- The forward position of the dwellings on the site and lack of car parking.
- Lack of regard for the site context / receiving environment and the amenity of adjoining properties.
- No connections to existing pedestrian routes.
- Lack of detailed design information provided in the application.
- Non-compliance with objectives of the Kerry County Development Plan 2015-2021 and the Listowel/Ballybunion Functional Area Local Area Plan 2013-2019.
- The impact of the development on the public road which has begun to collapse.
- A recorded monument as identified on the Ballybunion Zoning Map (July 2013) covers circa 90% of the site.
- Lack of legal interest / consent to use the adjoining access lanes.
- The substandard condition of the access laneway from Spraymount Road.

4.0 Planning History

Subject Site

P.A. reg. ref. 21/1378: Application for outline permission for 3 no. dwellings on separate sites with individual vehicular entrances for Ashker Ltd. withdrawn 26th January 2022.

P.A. reg. ref. 04/2701: Permission granted for demolition of existing private dwellings, sheds etc. and construction of a two-storey apartment block with attic floor consisting of 16 no. two-bedroom apartments and parking facilities for Berkley Ltd. on 11th October 2004.

P.A. reg. ref. 08/1167: Permission granted to alter the site boundaries permitted under planning application reg. ref. 04/2701 for Berkley Buildings Ltd. on 12th August 2008.

P.A. reg. ref. 00/2291: Permission granted for demolition of existing private dwellings, sheds etc. and construction of a 2/3 storey apartment block consisting of 15 no. two-bedroom apartments and parking facilities for Berkley Ltd. on 12th June 2001.

P.A. reg. ref. 99/319: Permission granted for demolition of exiting private dwellings, sheds etc. and construction of new apartment blocks consisting of 15 no. two-bedroom apartments and parking facilities for Berkley Ltd. on 19th July 1999.

Relevant Applications

P.A. reg. ref. 20/1142: Permission granted to alter and extend existing dwelling house and shed to include a second floor at 'Saint Anne's', Cliff Road for David Fitzmaurice on 16th June 2021. This property is the second dwelling to the north of the subject site. The permitted works have commenced on site.

P.A. reg. ref. 20/806: Permission granted for, inter alia, elevational changes to existing northern elevation of ground and first floor levels and retention of attic accommodation at 'Seacrest', Cliff Road for Joe and Aine Helard on 15th April 2021. This property is located to the south of the subject site.

5.0 Policy Context

5.1. Kerry County Development Plan 2022-2028

5.1.1. Ballybunnion is identified as a Regional Town in the settlement hierarchy of the Kerry County Development Plan.

5.1.2. The following objective of the Plan is of relevance:

- **KCDP3-4:** to strengthen to the social and economic structure of rural towns and villages by supporting the re-use of existing buildings and the regeneration of under-utilised buildings and lands.

5.1.3. Section 1 of Volume 6 of the Plan sets out Development Management Standards and Guidelines. Standards and guidelines for residential development are provided in Section 1.5 of Volume 6 and include, *inter alia*, guidance for:

- Density, Building Height and Site Coverage
- Dwelling Design, Size and Mix
- Public and Private Open Space

Section 1.20 of Volume 6 sets out car parking standards for various land uses.

5.2. Listowel Municipal District Local Area Plan 2020-2026

5.2.1. Section 3.3 of the LAP deals with the town of Ballybunion. Under the Plan the subject site is zoned R1 – New/Proposed Residential.

The stated objective for R1 zoned land as set out in the County Development Plan is to provide for new residential development in tandem with the provision of the necessary social and physical infrastructure.

The lands surrounding the subject site are zoned R2 – Existing Residential, with a stated objective to provide for residential development and protect and improve residential amenity.

5.2.2. The following objectives of the LAP are of relevance:

- **BN-GO-02:** Ensure that all development shall have regard to the scale and setting of the town in an attractive environmentally sensitive coastal landscape.
- **BN-GO-03:** Prohibit holiday homes on lands zoned for R1, Proposed Residential, or R4 Strategic Residential Reserve. Residential development on lands zoned R1 and R4, shall be restricted to developments proposed for permanent places of residences only.
- **BN-GO-08:** Encourage the development of a compact and sustainable town structure by ensuring that new development is contiguous with existing development and makes effective use of backland and infill sites.
- **BN-GO-11:** Encourage the development of streetscapes in new residential developments particularly on frontages adjoining public roads.

5.3. **Project Ireland 2040: National Planning Framework (2018)**

The National Planning Framework seeks to focus growth on cities, towns and villages with an overall aim of achieving compact urban growth.

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

5.4. **Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)**

The guidelines state that for small towns and villages to thrive and succeed their development must strike a balance in meeting the needs and demands of modern life but in a way that is sensitive and responsive to the past. New development should contribute to compact towns and villages. The scale should be in proportion to the pattern and grain of existing development.

5.5. **Natural Heritage Designations**

The Lower River Shannon SAC (Site Code 02165) is located circa 60m west of the site.

5.6. **EIA Screening**

Having regard to the nature and small scale of the proposed development in a fully serviced built-up area and the absence of any connectivity to any environmentally sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

2 no. third-party appeals were made against Kerry County Council's decision to grant outline permission. The grounds of each appeal are summarised below.

Appeal No. 1 – Noel Lynch Planning & Design on behalf of Phil Buckley

- Access to the proposed duplex units is via a laneway off Spraymount Road measuring only 4m in width and already serving 7 no. properties.
- The laneway is not wide enough to accommodate further vehicular access.
- The laneway can only accommodate one-way traffic; the traffic entering the lane at present has to yield/reverse to allow a vehicle to exit the laneway.
- The applicant does not own the laneway which it proposes to carry out improvement works to or have any authority to interfere with the lane. The applicant has a right of way over the laneway only.
- If planning permission is granted the increase in traffic exiting the laneway onto Spraymount Road will result in further difficulties as there is limited vision and adequate sight lines cannot be achieved due to the existing developments at the junction.

Appeal No. 2 – Mark O’Sullivan and Patricia O’Connor

- The submissions made on the planning application were ignored by the Planning Officer.
- The further information request was not addressed in full; the application should have been invalidated.
- It cannot be concluded that the proposed development would not be visually obtrusive without proper plans, elevations and cross sections through the site.
- It cannot be concluded that the proposed development would not be contrary to the proper planning and sustainable development of the area given the condition of the existing laneway and its limited capacity for development.
- The proposed site layout does not comply with the publication ‘Recommendations of Site Development Works for Housing Development’.
- The proposed access via the laneway will result in a major traffic issue for vehicles and pedestrians including a traffic hazard on Spraymount Road. Traffic entering the laneway from Spraymount Road will have to reverse to allow traffic out and vice versa.

- The Planning Officer did not consider the additional traffic generated by service and emergency vehicles as well as the proposed duplex units.
- Sightlines on Spraymount Road, details for upgrading the lane and a footpath scheme were not provided.
- The applicant has not demonstrated ownership of the site or the access laneway from Spraymount Road. The owner of the site has a right of access over the laneway only and does not have permission to develop it or provide site services through it. The applicants did not provide written permission from the owner of the site to make the planning application.
- It is not possible to determine development levies due to the lack of information submitted.
- The submitted photomontage does not commit the proposed development to the illustrated design; an alternative design can and will be submitted at the permission consequent stage.
- The proposed development by reason of its design and orientation on a restricted site would seriously injure the amenity of the adjoining properties and in particular the appellant's property by way of overlooking and overshadowing. A shadow study of the impact of the proposed duplex units on the appellant's property was not undertaken.
- The applicant should indicate which units would be used for social housing in compliance with Part V.
- Disappointment expressed that Kerry County Council issued a notification of a decision to grant permission given the shortfall in the further information submitted and non-compliance with the objectives set out in the Kerry County Development Plan.

6.2. Applicant Response

By e-mail on 7th February 2023 O'Sullivan Architecture responded to the appeal on behalf of the applicant. The response is summarised as follows:

- The standards set out in the Listowel and Ballybunion Functional Local Area Plan 2013-2019 as referred to in one of the appeals are not relevant as this plan is no longer the guidance document for the area.
- The appeal scheme and existing zoning provide for residential development on lands that are contiguous to existing residential development and provide for a compact urban form.
- The applicant has a right of way over the laneway off Spraymount Avenue, as confirmed by Purtill Solicitors by way of further information submitted with the application.
- A subsequent search through the Registry of Deeds revealed a 1935 deed for the sale of a house next to the application site. The deed states that the house was being sold with the benefit of a right of way to the rear; this is shown on a map and includes a right of way over the subject laneway. While the deed doesn't state that the vendor owned the lane, she granted a right of way over it. The deed indicates the vendor owned the lands to the north of the house which comprise the subject site. As such, the laneway may have been and could possibly still be in the ownership of the owner of the subject site.
- The Council's Roads Department considered the laneway adequate; provisions are made for short lengths of shared surface in the Design Manual for Urban Roads and Streets.
- A letter from Leahy Reidy Solicitors has been submitted confirming that the entire beneficial interest in the site passed to the applicant on 29th April 2021.

6.3. **Planning Authority Response**

None received.

6.4. **Observations**

None received.

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Access and Traffic Safety
- Impacts on Visual and Residential Amenity
- Legal Interest
- Other Matters
- Appropriate Assessment

7.2. Access and Traffic Safety

7.2.1. The proposed development comprises 3 no. new independent vehicular entrances on Cliff Road to serve the proposed 3 no. detached dwellings to the front of the site and the use of an existing entrance at the end of a shared private lane off Spraymount Road to serve the proposed 2 no. duplex apartments to the rear of the site. The access and traffic safety issues raised in the appeals relate to the access to the proposed duplex units.

7.2.2. A one-way system operates on Spraymount Road in an east to west direction. The private lane serving the rear of the site is perpendicular to Spraymount Road and measures circa 31 metres in length from the junction to the site entrance; the surface of the lane is partly tarred and partly made up of crushed stone. The lane provides access to 3 no. dwellings, the rear of 2 no. dwellings fronting Cliff Road, the subject site, and a greenfield plot to the east of the subject site. None of the dwellings located on the lane have off-street carparking and on the date of my site inspection I did not observe any vehicles parked on the lane. The volume of vehicular traffic on the lane is most likely very low.

7.2.3. Although the width of the lane is constrained, I consider the applicant's proposal for a shared surface carriageway at this location acceptable given the relatively short length of the lane and the nature and number of properties it serves. The Design Manual for Urban Roads and Streets (DTTS & DECLG: 2019) states the total

carriageway width of Local Streets where a shared surface is provided should not exceed 4.8m. The lane measures more than 5 metres in width for most of its length save for a circa 4m wide pinch point where the porch of a dwelling projects into the lane. As such, I am satisfied that two standard vehicles could pass on the lane without endangering public safety. Whilst exceeding the recommended 4.8 metre width in the DMURS, the lane is not so wide or long that it would give rise to a risk of vehicles travelling at excessive speed. I concur with the Planning Officer that the proposed upgrading of the lane, which involves making the surface good throughout and providing a new layer of tar as far as the junction with Spraymount Road, would benefit all its users.

- 7.2.4. Regarding sightlines at the junction with Spraymount Road, I note the top of the boundary wall bounding the east side of the junction is circa 1 metre higher than the level of the road. Adequate sightlines of on-coming traffic from the east could, potentially, be achieved from a distance 2.4 metres back from the edge of the carriageway, subject to the hedge inside the boundary wall being removed. This matter could be revisited when an application for permission consequent is made and does not warrant refusing outline planning permission. Traffic on Spraymount Road does not approach the junction from the west owing to the one-way traffic system in force.
- 7.2.5. Notwithstanding the foregoing, I share the third-party concerns regarding the additional traffic movements generated by potentially 4 no. vehicles entering and exiting the lane. Whilst on the one hand the provision of additional units to the rear of site is appropriate in the interest of the sustainable use of an accessible and fully serviced site, I also consider it appropriate to minimise the level of traffic using the lane given that its width is partly compromised by a pinch point. Accordingly, I recommend that a single dwelling only be permitted to the rear of the site should the Board be of a mind to grant permission.

7.3. **Impacts on Visual and Residential Amenity**

- 7.3.1. The proposed development, as modified by way of further information, comprises 3 no. two-storey detached houses with attic accommodation fronting Cliff Road and a two-storey flat roofed apartment block to the rear of the site, as shown in the concept and contiguous elevation and site section drawings submitted with the application.

The proposed houses would be staggered so that they provide for a gradual transition between the varying building lines of the existing dwellings to the north and south of the site. They would have pitched roofs with ridge heights akin to the existing adjoining dwellings. I consider their form to be in keeping with the pattern of development facing Cliff Road and their contemporary design, as suggested by the concept images, in keeping with the three-storey extension / remodelling of 'St. Anne's' to the north of the site. I am also satisfied that the proposed two-storey apartment block would not, by virtue of its modest scale and discreet location to the rear of the site, have an adverse impact on the visual amenity of the area. A full assessment of the visual impact of the proposal should be carried out at the application for permission consequent stage with the benefit of detailed design and landscape information. I recommend a condition to this effect be attached to a grant of permission.

7.3.2. With regards to residential amenity, I have concerns that the proposed first floor apartment accommodation would overlook the rear garden of the proposed detached dwelling to the north of the site (Site No. 3), which would be just 5.6 metres distant. The provision of first floor habitable windows on the east or west elevation of the apartment block, if proposed, would also give rise to overlooking impacts on the proposed dwellings to the west and the existing property to the east. Accordingly, and having regard to the traffic concerns previously discussed, I recommend that a single storey dwelling be provided to the rear of the site in lieu of the proposed two-storey duplex apartment block.

7.3.3. I am satisfied that adverse overshadowing impacts on the appellant's property to the east would not arise given the distance between the proposed duplex apartment block and the existing dwelling and the size of the garden to the rear of the appellant's property, which would continue to receive good levels of direct sunlight for a substantial period of the day owing to its southerly orientation. Furthermore, the provision of a single storey dwelling in lieu of the proposed two-storey apartment block, as previously recommended, would minimise overshadowing impacts on the appellant's property.

7.4. Legal Interest

- 7.4.1. In response to the appeal, the applicant submitted a letter from Leahy Reidy Solicitors dated 27th January 2023 stating that Ashker Ltd. entered a contract dated 29th April 2021 to purchase the subject site. I am satisfied, therefore, that the applicant has sufficient legal interest to make a planning application in respect of the site.
- 7.4.2. With regards to the access lane off Spraymount Road, the applicant's solicitor states in a letter submitted by way of further information that the legal owner of the roadway cannot be identified but that a right of way is identified on the title deeds of the subject property since at least 1963. Condition no. 6 of the Planning Authority's decision to grant permission dealt with this matter to some extent, by requiring that at the permission consequent stage for the proposed 2 no. duplex apartment the proposed upgrading works to the laneway shall be included in the application. As such, the applicant would require the written consent of the legal owner of the lane to make the application.
- 7.4.3. The foregoing aside, I am satisfied that the existing lane is, in its current condition, adequate to serve an additional dwelling, although resurfacing the lane is desirable. There is also scope for connections to existing services on Cliff Road if consent to make connections to the services on Spraymount Road via the lane cannot be obtained. As such, I am of the view that the legal issues raised by the third parties can be overcome at the permission consequent stage by way of minor modifications to the development, if necessary.
- 7.4.4. Moreover, I refer the Board to the Development Management Guidelines for Planning Authorities (DEHLG: 2007), which state that the planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land; these are ultimately matters for resolution in the Courts. It should also be noted, as per Section 34(13) of the Planning and Development Act 2000, a person is not entitled solely by reason of permission to carry out any development.

7.5. Other Matters

- 7.6. The proposed development comprises less than 10 no. dwellings. The submitted application form indicates that Part V of the Planning and Development Act 2000 does not apply to the proposed development. Although a Part V Certificate of

Exemption was not submitted with the application, this matter can be dealt with at the permission consequent stage.

7.7. I am satisfied that a sufficient level of detail was submitted with the application to determine whether the principle of development on the site is acceptable. At permission consequent stage, full details will be required to enable a full assessment of the proposal and this outline permission should not be construed as giving consent to the overall site layout of the development. I recommend that conditions to this effect be attached to a decision to grant permission.

7.8. **Appropriate Assessment**

Having regard to the nature and small scale of the development, its location in a fully serviced and built-up area, and the distance to the nearest European sites and the absence of known pathways to European sites, it is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans or projects, on a European site. Appropriate Assessment is not, therefore, required.

8.0 **Recommendation**

8.1. I recommend outline permission be granted for the reasons and considerations set out below subject to conditions.

9.0 **Reasons and Considerations**

Having regard to the residential zoning of the site, its proximity to local services and the pattern of development in the area, it is considered that the proposed development would not, subject to compliance with the conditions set out below, seriously injure the amenities of the area or property in the vicinity or endanger public safety by reason of a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>This grant of outline permission is in respect of development as indicated in the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 27th October 2022, except as may be otherwise required in order to comply with the following conditions. No development is authorised on foot of this grant of outline permission and no development shall be undertaken until a grant of approval consequent on this outline permission is received.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>This outline permission relates solely to the principle of development on this site and shall not be constructed as giving consent to the overall site layout of the development.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>The proposed dwellings shall be used as place of permanent residence only and shall not be used for short-term tourist accommodation.</p> <p>Reason: In the interest of clarity.</p>
4.	<p>At permission consequent stage, the proposed development shall be designed to comply with the following requirements:</p> <p>(a) The proposed two-storey duplex apartment block to the rear (east) of the site shall be omitted and a single storey dwelling house provided in its place.</p> <p>Reason: In the interest of traffic safety and residential amenity.</p>
5.	<p>Plans and particulars to be lodged for permission consequent on this grant of outline permission shall include:</p> <p>(a) Full design details of the proposed development, including all proposed dwellings, which shall have regard to the design and character of the built environment in the vicinity.</p> <p>(b) A detailed landscaping plan for the entire site including details of planting and boundary treatments.</p>

	<p>(c) Details of external finishes.</p> <p>Reason: To enable the application for permission consequent to be fully assessed.</p>
6.	<p>At the permission consequent stage, water supply and wastewater drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
7.	<p>At the permission consequent stage, physical infrastructure and servicing arrangements to enable the proposed development, including the new vehicular entrances and accessways, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health, traffic safety and orderly development.</p>
8.	<p>At the permission consequent stage, the developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the Authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a Condition requiring a Contribution in accordance with the</p>

	Development Contribution Scheme made under Section 48 of the Act be applied to the permission.
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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.

Eoin Kelliher
Planning Inspector

13th July 2023