



An
Bord
Pleanála

Inspector's Report

ABP-316056-23

Development	To consist of (a) attic conversion to study/store; (b) 2 dormers; (c) 2 roof lights; (d) modifications of internal walls and (e) all associated boundary treatments, landscaping and site works.
Location	40 Admiral Park, Baldoyle, Dublin 13, D13 E6F5
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F23A/0010
Applicant(s)	Grainne Boylan and Cathal O' Daly.
Type of Application	Permission.
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Marie Crean.
Observer(s)	N/A.
Date of Site Inspection	10 th of June 2023.

Inspector

Stephanie Farrington

1.0 Site Location and Description

1.1. The appeal site is located at no. 40 Admiral Park, Baldoyle and has a stated area of 0.0203 ha. The site accommodates a two-storey semi-detached dwelling with a gated entrance to the side. The finishes of the dwelling comprise a mix of red brick and painted render. The existing property has a stated floor area of 111 sq.m. and has a rear garden of c. 79 sq.m. The site is adjoined by semi-detached dwellings to the east and west. Access to the property is provided via Admiral Park.

2.0 Proposed Development

2.1. The proposed development, as described within the public notices, comprises the following:

- (a.) Proposed attic conversion to Study/Store
- (b.) 2 no. dormers to North and West Elevations.
- (c.) Proposed 2 No. new roof lights to South elevation.
- (d.) Modifications of existing internal walls.
- (e.) All associated boundary treatments, landscaping, and site works.

2.2. The Proposed Attic Floor Plan, Drawing no. (P) 202 illustrates that the proposed extended attic has a floor area of 44.7sq.m. The attic is proposed to accommodate a bathroom and study/store.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council issued a notification of decision to grant permission for the proposed development subject to 8 no. conditions. The following conditions are of note:

- Condition no. 3 outlines that any attic floorspace which does not comply with Building Standards in relation to habitable standards and shall not be used for human habitation.

- Condition no. 4 outlines the following:
 - (a) *The dormer structure on the rear (northern) roof plane shall be reduced to 300mm below the ridge line of the existing house and the proposed rooflights on the front (south) roof plane shall be omitted.*
 - (b) *The proposed side dormer structure shall be subject to the following amendments and development shall be carried out accordingly;*
 - (i) *The dormer structure shall be set-down 300mm from the main ridge of the dwelling as indicated on the submitted drawings.*
 - (ii) *The overall width of the dormer structure shall be no more than 3m.*
 - (iii) *The side dormer shall be set back 0.3m from the external side wall of the existing dwelling.*
 - (iv) *The side dormer window shall be fitted and permanently maintained with obscure glass, use of film is not acceptable.*

REASON: In the interest of residential amenity and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report recommends a grant of permission in accordance with the planning authority decision. The following provides a summary of the key points raised:

- The proposed development is located within an area zoned RS within the Fingal County Development Plan 2017-2023. The principle of an extension to an existing dwelling is in accordance with the zoning objective for the area.
- The proposed dormer seeks to provide a study room only and will not provide additional space for a habitable room.
- It is considered that the rear dormer should be reduced below the ridgeline of the existing house and the roof lights on the front slope of the dwelling. The proposed dormer structure to the rear can be replaced by rooflights and this can be achieved by condition.

- The principle of side dormer extensions within Admiral Park has been established.
- The report outlines that the side dormer is not set below the ridgeline of the existing dwelling and forms a dominant part of the side profile of the roof. The overall scale of the dormer is deemed excessive and should be reduced in width to 3 metres and set 0.3m from the external side gable wall of the existing dwelling.
- Overall subject to the omission of the proposed rear dormer extension and front rooflights and the amendment to the proposed side dormer extension, the proposed attic conversion is considered acceptable and integrates with the existing dwelling satisfactorily.
- The proposed extensions and renovations are considered acceptable, and it is not considered that the proposed development would give rise to undue negative impact upon the visual or residential amenities of the surrounding area or site, subject to conditions.
- In terms of appropriate assessment screening the report concludes that the proposed project is not connected to any Natura 2000 sites and there is no realistic pathway between the proposed project site and other European sites. Having regard to the nature, scale and location of the proposed project, in comparison to the existing baseline, it is considered that there is no likelihood of significant effects on any European site during the construction or operational phase of the development.

3.2.2. Other Technical Reports

Water Services Department: No objection subject to condition.

3.3. Prescribed Bodies

None.

3.4. **Third Party Observations**

2 no. observations were lodged on the application from adjoining residents at no. 39 and 41 Admiral Park. The observations raise concerns in relation to impact on residential amenity on the basis of overlooking from the development.

4.0 **Planning History**

None on site.

PA Ref: F14B/0200: No. 69 Admiral Park:

A split decision was issued by FCC in October 2014 for attic conversion with dormer windows to the rear and side. Permission was granted for the proposed side extension. Permission was refused for the rear dormer extension in accordance with the following reasons and considerations:

1. The proposed rear dormer window at attic level would introduce a level of overlooking which would result in an unacceptable degree of overlooking of the adjacent dwellings to the east and west of the application property and a consequent loss in privacy and diminution of residential amenity. The proposed development would seriously injure the amenities and depreciate the value of property in the vicinity and would be contrary to the zoning objective for the area to “provide for residential development and protect and improve residential amenity.
2. The proposal would set an undesirable precedent of other similar development and would be contrary to the proper planning and sustainable development of the area.

5.0 **Policy Context**

5.1. **Development Plan**

[Fingal County Development Plan 2023-2029](#)

- 5.1.1. At the time of the assessment of the application, the Fingal County Development Plan 2017-2023 was the operative development plan for the area. The application

was assessed by Fingal County Council in accordance with the policies and objectives of this plan. The Fingal County Development Plan 2023-2029 was adopted on the 22nd of February 2023 and came into effect on the 5th of April 2023.

Zoning

- 5.1.2. The site is zoned for Objective RS – Residential purposes within the Fingal County Development with an objective to *“provide for residential development and protect and improve residential amenity”*. The vision for this zoning objective seeks to: *“ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity”*. Residential development is listed as a use which is “permitted in principle” under this zoning objective.
- 5.1.3. Section 3.5.13.1 of the Plan relates to Residential Extensions and outlines that: The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.
- Policy SPQHP41 – Residential Extensions seeks to: *Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.*
 - Objective SPQHO45 – Domestic Extensions seeks to: *Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.*
- 5.1.4. Development Management Standards are set out within Chapter 14 of the Development Plan. Section 14.10.2 of the Development Plan relates to residential extensions and outlines that:
- “The need for housing to be adaptable to changing family circumstances is recognised and acknowledged and the Council will support applications to amend existing dwelling units to reconfigure and extend as the needs of the household change, subject to specific safeguards. In particular, the design and layout of residential extensions must have regard to and protect the amenities of adjoining properties, particularly in relation to sunlight, daylight and privacy. The design of extensions must also have regard to the character and form of the existing building, its architectural expression, remaining usable rear private open space, external*

finishes and pattern of fenestration. Additionally, careful consideration should be paid to boundary treatments, tree planting and landscaping. The following section provides guidance in relation to, front extensions, side extensions, rear extensions, first floor rear extensions, roof alterations including attic conversions and dormer extensions”.

5.1.5. The following guidance is of relevance to the proposal:

14.10.2.5 Roof Alterations including Attic Conversions and Dormer Extensions Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/‘A’ frame end or ‘half-hip’, will be assessed against a number of criteria including:

- *Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures and prominence.*

Dormer extensions to roofs will be evaluated against the impact of the structure on the form, and character of the existing dwelling house and the privacy of adjacent properties. The design, dimensions, and bulk of the dormer relative to the overall extent of roof as well as the size of the dwelling and rear garden will be the overriding considerations, together with the visual impact of the structure when viewed from adjoining streets and public areas.

Dormer extensions shall be set back from the eaves, gables and/or party boundaries and shall be set down from the existing ridge level so as not to dominate the roof space.

The quality of materials/finishes to dormer extensions shall be given careful consideration and should match those of the existing roof.

The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. Regard should also be had to extent of fenestration proposed at attic level relative to adjoining residential units and to ensure the preservation of amenities.

Excessive overlooking of adjacent properties should be avoided.

5.2. Natural Heritage Designations

The site is not located in or adjacent to a European site. The nearest designated sites to the appeal site include the Baldoyle Bay SPA (004016), Baldoyle Bay SAC (000199) and Baldoyle Bay pNHA (000199) which are located c.200m to the east of the site.

5.3. EIA Screening

The proposed development is not of a class for the purpose of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been submitted by the occupant of no. 39 Admiral Park, the adjoining property to the east of the appeal site. The following provides a summary of the grounds of appeal.

Non-Compliance with Council Policy

- The proposal is contrary to the zoning objective pertaining to the site which seeks to *“provide for residential development and protect and enhance residential amenity”* on the basis that the proposal would result in excessive overlooking from the dormer of the proposal of the limited private amenity space to the rear of no. 39 Admiral Park and no. 41 Admiral Park.
- The proposal is contrary to the policies for domestic extensions as set out within the Fingal County Development Plan 2017-2023 including Objectives PM46 and DMS41.

Past Precedent

- The appeal outlines that FCC’s notification of decision to grant permission is inconsistent with previous refusals for -no. 69 Admiral Park (PA Ref: F14B/0200) for similar developments on grounds of “an unacceptable degree

of overlooking”. There is no reference to this precedence within the planning authority’s decision.

Inconsistency in the process of dealing with the application

- The appeal refers to the following comment in the planner’s report which is not reflect within the attached conditions: *“Overall subject to the omission of the proposed rear dormer extension and front rooflights and amendment to the proposed side dormer extension, the proposed attic conversion is considered acceptable”*. The omission of the rear dormer is not reflected in the grant of permission.
- The appeal questions the requirement for Condition no. 4 a(iv) which outlines that *“The side window shall be fitted and permanently maintained with obscure glass, use of film is not acceptable”*. This window is located on the upper part of the proposed staircase and only overlooks the roof of the appellant’s property.
- The window within the rear dormer would give rise to excessive and unacceptable overlooking and set an undesirable precedent in the area.
- The appellant outlines that the inconsistencies in the PA’s assessment is based on a misunderstanding and misinterpretation of the application drawings. The cumulative impact of deficiencies in the grant of permission, non-compliance with Council policy and lack of consideration of past precedence renders the assessment flawed.
- The appeal outlines that the space would be used as a habitable room on the basis of the layout of the attic space and inclusion of an ensuite. The use of the space as a bedroom confirms the concerns of the appellant of excessive overlooking.

6.2. Applicant Response

O’ Neill Town Planning provided a response to the grounds of appeal on behalf of the applicant. The following provides a summary of the appeal response.

- On review of the appeal it is considered that the appeal primarily relates to Condition no. 4(a). It is requested that the Board treat the appeal as per Section 139 of the Planning and Development Act 2000 as amended.
- The appeal response details the relevant policy provisions set out within the Fingal County Development Plan 2017-2023 and the Draft Fingal County Development Plan 2023-2029. The proposal is considered to be in accordance with the provisions of both plans.
- An alternative design is submitted in order to address the appellant's concern relation to overlooking. Revised drawings are submitted which include revisions to the rear dormer in the form of louvres to each side of the window. These eliminate overlooking of the adjoining amenity space while preserving long views and daylight.
- There will be no negative impact on the residential amenity of adjoining residents and the proposed development is in accordance with the character of the area.
- It is requested that the decision of the planning authority is upheld. Revised drawings are submitted showing mitigation from overlooking of the appellants rear garden. The applicant would be willing to accept louvred modifications to the dormer window to allay the appellants concerns.

6.3. Planning Authority Response

Fingal County Council provided a response to the grounds of appeal and the applicants revised proposals. The following points are raised:

- Following the 3rd party appeal, O' Neill Town Planning on behalf of the applicants submitted an alternative design and revisions to the proposed rear dormer to mitigate concerns of the third party to An Bord Pleanala.
- The Planning Authority notes that the proposals/revisions to the proposed rear dormer could mitigate the perceived concerns in relation to overlooking of adjacent properties.

6.4. Further Responses

The applicant's response to the grounds of appeal was circulated to the appellant for comment. The following provides a summary of the appellants response.

- Objectives PM46 and DMS41 of the Fingal County Development Plan 2017-2023 are carried forward to provisions of the Fingal County Development Plan 2023-2029 including Policies 3.5.13.1, SPQHP40, SPQHO44,14.10.2 and 14.10.2.5.
- The appellants concern in relation to overlooking of the rear garden are restated.
- The applicant's statement that the revised proposal will eradicate overlooking is not demonstrated within the appeal response. The appeal response details that the revisions would potentially mitigate overlooking. There is no guarantee in relation to the effectiveness of the louvres, if they will be provided and kept in place.
- The applicant's assertion that the development is in line with the character of the area is untrue. There are no such similar dormer extensions in the area, there is a previous refusal for a similar dormer extension within the area.

7.0 Assessment

7.1. Principle of Development

7.1.1. The proposed development seeks a dormer extension to an existing residential property at no. 40 Admiral Park, Baldoyle. The site and adjoining properties are zoned for Residential purposes within the Fingal County Development Plan 2023-2029 with an objective to *"provide for residential development and protect and improve residential amenity"*. Residential use is listed as a permitted use on lands zoned for RS purposes.

7.1.2. Policy SPQHP41 of the Development Plan relates to residential extensions and seeks to *"Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities"*. I consider

that the principle of extension to an existing residential property is acceptable subject to scale and consideration of residential amenities.

7.2. Impact on Residential Amenity

- 7.2.1. The proposed development comprises the construction of 2 no. dormer extensions (to the rear (north) and side (west)), rooflights to the southern elevation and proposed change of use from the attic to a study/store and bathroom. The main grounds of appeal relates to the impact of the proposal on the residential amenity of the adjoining property to the east at no. 39 Admiral Park. The appeal raises concern in relation to overlooking of their private open space from the proposed rear dormer extension and associated devaluation of property.
- 7.2.2. The appeal outlines that the proposed rear dormer extension is contrary to the provisions of the Fingal County Development Plan and the 2017-2023 and the Draft Fingal County Development Plan 2023-2029 as they relate to domestic extensions and the development management guidance for dormer extensions. As detailed in Section 5 of this report, the Fingal County Development Plan 2023-2029 is the operative Development Plan. I have assessed the proposed in accordance with the provisions of this plan.

Proposed Rear Dormer Extension

- 7.2.3. The grounds of appeal primarily raises concern in relation to the proposed rear dormer extension on the basis of overlooking of the appellants garden at no. 39 Admiral Park, the adjoining residential property to the east. I refer to the guidance for dormer extensions as set out within Section 14.10.2.5 of the Fingal County Development Plan 2023-2029 which outlines the following:

Dormer extensions to roofs will be evaluated against the impact of the structure on the form, and character of the existing dwelling house and the privacy of adjacent properties. The design, dimensions, and bulk of the dormer relative to the overall extent of roof as well as the size of the dwelling and rear garden will be the overriding considerations, together with the visual impact of the structure when viewed from adjoining streets and public areas.

Dormer extensions shall be set back from the eaves, gables and/or party boundaries and shall be set down from the existing ridge level so as not to dominate the roof space.

- 7.2.4. At the outset, I note that the 3rd party appeal questions the principle of the proposed rear dormer extension within the area. The appeal cites planning precedent in the area including a previous split decision issued by FCC for no. 69 Admiral Park (PA Ref: F14B/0200). Permission was refused for the proposed rear dormer extension in this application on grounds including excessive scale and overlooking. The appellant states that the reasons for refusal apply in the instance of the proposed development and raises concern in relation to the lack of consideration of this precedent within the planning authority's decision.
- 7.2.5. I have reviewed the planning history and application drawings for no. 69 Admiral Park. The development proposed within this application related to a significantly larger dormer extension, to accommodate a bedroom the scale of which extended to the full extent of the rear roof profile. In this regard I do not consider that the cited reasons for refusal are applicable in the instance of the subject application. I have considered the subject application on its merits.
- 7.2.6. The proposed rear dormer is 3.263m in length and 1.414m in depth with a centrally located window. In visual terms, I do not consider that the scale of the rear dormer is excessive relative to the existing roof profile. I note that condition no. 4(a) of FCC's notification of decision to grant permission for the development recommends that the dormer shall be reduced to 300mm below the ridge line of the existing house. I consider that this condition is in accordance with Development Guidance (Section 14.10.2.5) which outlines that dormer extensions should be set down from the existing ridge level so as not to dominate the roof space.
- 7.2.7. The rear dormer window overlooks the applicants 10.4m long back garden. This area of the proposed extension seeks to accommodate a store/study. The appellants property (no. 39 Admiral Park) is the adjoining semi-detached dwelling to the east of no. 40 and the main grounds of appeal relates to negative impact on residential amenity on grounds of overlooking of their private amenity space. Drawing no. (P) 301 "Existing and Proposed North (Rear) Elevation" illustrates that proposed rear dormer relative to the appellants property. (* I note that the appellant's property to

the east of the appeal site (no. 39 Admiral Park) is incorrectly labelled as no. 41 on this drawing).

- 7.2.8. The applicant has submitted revised drawings in response to the 3rd party appeal which includes the provision of louvres to each side of the dormer extension to negate against overlooking (Drawing no (P)301 Existing and Proposed North (Rear) Elevation dated April 2023). I consider that the provision of louvres would address the appellant's concerns relating to overlooking. The appellant raises concern in respect of the future removal of these louvres. This can be addressed by means of condition.
- 7.2.9. The appeal refers to concerns raised within the FCC's planners report in relation to the proposed rear dormer and recommendation that the window opening should be replaced by rooflights. It is stated that such concerns are not reflected within the conditions attached to FCC's notification of decision to grant permission for the development. While I accept the point raised within the appeal, I note that the application has been assessed de novo and on its individual merits, having regard to the grounds of appeal and provisions of the Fingal County Development Plan.
- 7.2.10. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring property on grounds of overlooking from the rear dormer extension. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area. As such there is no basis to the assertion that it would adversely affect the value of property in the vicinity.

Proposed Rooflights

- 7.2.11. The development includes the provision of 2 no. rooflights on the front roof pane as illustrated within Drawing no. (P) 300 Existing and Proposed South (Front) Elevation. The Proposed Attic Floor Plan (Drawing no. (P) 202 illustrates the dimensions of the proposed rooflights at 0.627m x 0.921m.
- 7.2.12. Condition no. 4 (a) of the permission requests the omission of the proposed rooflights to the front roof plane. On review of the application drawings and having regard to the limited scale of the rooflights I do not consider that these would represent a visually discordant feature in the area. The proposed rooflights would enhance the overall amenity of the property. I therefore do not consider the

requirements of Condition 4 (a) which request the omission of the rooflights to be warranted. I recommend that this part of the condition is removed.

Proposed Side Dormer

7.2.13. The proposed side dormer extension is 4.56m in length and 1.839m in width. On site inspection I note that the principle of side dormer extensions is established within Admiral Park. The planning authority raised concern in relation to the height of the side dormer relative to the existing roof profile. I share the concerns of the planning authority in this regard. I refer to the requirements of Condition 4 (b) of the notification of decision of FCC to grant permission for the proposed development which recommends the following amendments to the side dormer:

(b) The proposed side dormer structure shall be subject to the following amendments and development shall be carried out accordingly;

- (i) The dormer structure shall be set-down 300mm from the main ridge of the dwelling as indicated on the submitted drawings.*
- (ii) The overall width of the dormer structure shall be no more than 3m.*
- (iii) The side dormer shall be set back 0.3m from the external side wall of the existing dwelling.*
- (iv) The side dormer window shall be fitted and permanently maintained with obscure glass, use of film is not acceptable.*

7.2.14. In general I consider that the requirements of Condition 4(b) are acceptable and in accordance with the guidance for dormer extensions in Section 14.10.2.5 of the Fingal County Development Plan 2023-2029. Having regard to the dimensions of the proposed side dormer I do not consider that Condition 4(b) ii is of relevance. I recommend its omission in the instance that the Board is minded to grant permission for the development.

Conclusion

7.2.15. In conclusion, I am satisfied that the proposed development including dormer extensions and rooflights would not seriously injure the visual or residential amenities of the area given their scale and location and would therefore be in accordance with the proper planning and development of the area.

7.3. **Appropriate Assessment**

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

8.0 **Recommendation**

- 8.1. I recommend that permission be granted for the proposed development subject to conditions.

9.0 **Reasons and Considerations**

Having regard to the provisions of the Fingal County Development Plan 2023-2029 and to the nature and scale of the proposed development on residentially zoned land, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. 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 on the 10 th of January 2023 and by the further plans and particulars received by An Bord Pleanála on the 11 th of April 2023, 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
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	<p>development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The entire premises shall be used as a single dwelling unit apart from such use as may be exempted development for the purposes of the Planning and Development Regulations.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>Attic floorspace which does not comply with Building Regulations in relation to habitable standards shall not be used for human habitation.</p> <p>Reason: To clarify the extension of the permission.</p>
4.	<p>(a) The dormer structure on the rear (northern) roof plane shall be reduced to 300mm below the ridge line of the existing house and shall permanently incorporate louvres as illustrated within the drawings submitted to An Bord Pleanala on the 11th of April 2023.</p> <p>(b) The proposed side dormer structure shall be subject to the following amendments and development shall be carried out accordingly;</p> <p>(i) The dormer structure shall be set-down 300mm from the main ridge of the dwelling as indicated on the submitted drawings.</p> <p>(ii) The side dormer shall be set back 0.3m from the external side wall of the existing dwelling.</p> <p>(iii) The side dormer window shall be fitted and permanently maintained with obscure glass, use of film is not acceptable.</p> <p>Reason: In the interest of visual and residential amenity.</p>
5.	<p>Water supply and drainage arrangements, including the 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 orderly development</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400</p>

	<p>hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<p>The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.</p> <p>Reason: To protect the amenities of the area.</p>
8.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid 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 Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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.

Stephanie Farrington
Senior Planning Inspector

12th of June 2023