



An
Bord
Pleanála

Inspector's Report

ABP-316154-23

Development	The construction of three single-storey retirement houses and associated site works including entrance
Location	Kilteely, Co. Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	23/9
Applicant(s)	Enda Corbett
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Anne, JP & Marie O'Meara Marie O'Sullivan Mary Hanley Niamh O'Callaghan Suzanne O'Connell Valerie & Michael Greene

Observer(s)

None

Date of Site Inspection

8th September 2023

Inspector

Ciara McGuinness

1.0 Site Location and Description

- 1.1. Killeely is a small village, located in the eastern part of county Limerick, c.20km to the southeast of Limerick City and c.16km to the northwest of Tipperary Town. The village is located on the L5058 with development located both north and south of the road.
- 1.2. The subject site has a stated area of 0.07 ha and is rectangular in shape. The site has frontage onto the L-5058 and will be accessed from this road. The site is an infill greenfield site, bound on either side by single storey dwelling houses. The majority of dwellings in the immediate vicinity also comprise single storey detached or semi-detached properties. A large agricultural field is located to the north of the site. Remains of a dwarf wall and bollards separate the site from the adjoining public footpath. A utility pole is located within the site.

2.0 Proposed Development

- 2.1. The proposed development is for 3 no. 1-bed units within a single storey building. It is intended that the units will be used as retirement housing. It is proposed to provide 1 parking space per unit (including 1 disabled car parking space) to the front of the units. The proposed building is to be located centrally within the site and private rear gardens are provided for each unit. It is proposed to connect to the public water supply and to the public wastewater system.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority decided to grant planning permission subject to 12 no. conditions, the majority of which are standard in nature. Condition 2 required the payment of a development contribution. Condition 8 required a Landscape Plan to be submitted for the agreement of the Planning Authority. Condition 9 required a management scheme for the ongoing maintenance of public open space, bin storage, roads and other communal areas to be established and the details of same agreed with the Planning Authority.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Report dated 1st March 2023 – The Planners Report considered that the scale of development is in accordance with Objective CGR O18 Scale of Growth for Level 5 Settlements, and that the development is generally acceptable. Permission was recommended for the proposed development.

3.2.2. Other Technical Reports

Engineering Central Services (16/02/2023)

Roads – The footpath fronting the proposed development shall be dished. A road opening licence is required in this regard.

Surface Water Disposal – It was requested that the applicant shall submit a revised Surface Water Disposal Layout Plan for the site. It was considered in the Planners Report that this could be dealt with by way of condition.

Construction Management – It was recommended that a condition be attached requiring the applicant/developer to submit a Construction Management and Delivery Plan including a site-specific Temporary Traffic Management Plan, prior to the commencement of construction.

Fire Services Report – (15/02/2023) - No objection

Environmental Services (15/02/2023) – It was recommended that conditions relating to waste management be attached to any grant of permission.

3.3. Prescribed Bodies

- 3.3.1. Irish Water in a letter dated 04/02/23 advised that the applicant would be required to enter into a pre-connection agreement and would have to sign a connection agreement prior to commencement of development. It was further advised that connection would be subject to the constraints of the IW Capital Investment Programme. There was no objection subject to conditions.

3.4. Third Party Observations

- 3.4.1. The observations are generally similar to the grounds of appeal as summarised in section 6 below.

4.0 Planning History

Subject Site

- P.A. Ref 17/494 – Refused – To construct 3 no. storey & and a half style dwelling houses, entrances and connections to public sewers, boundary walls & all associated site works. The singular refusal reason related to the overdevelopment of the site.

5.0 Policy Context

5.1. Limerick County Development Plan

- 5.1.1. Kiltleely is designated as a Level 5: Small Village in the settlement strategy for County Limerick. These areas are described as smaller settlements generally ranging in population from 150 – 500 people with a range of infrastructural, social and community facilities. The relevant objectives for Level 5 settlements are as follows;

Objective CGR O17 Development within Level 5 Settlements

It is an objective of the Council within these settlements to facilitate development, subject to compliance with a number of criteria, including:

a) The scale of new residential schemes shall be in proportion to the pattern and grain of existing development and shall be located within the development boundary, thus avoiding ‘leap frogging’ of development and delivering compact growth and providing for the organic and sequential growth of the settlement. Infill and brownfield sites will be the preferred location for new development. In this regard, any development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.

- 5.1.2. Objective HO O9 seeks to encourage the provision, of suitable accommodation to allow older people remain in their established communities.

Objective HO O9 Support Housing Options for Older People

It is an objective of the Council to:

a) Support the provision of specific purpose-built accommodation, including assisted living units and lifetime housing and adaptation of existing properties, which will include opportunities for 'downsizing' or 'right sizing' within their community.

b) Support the concept of independent living for older people within their community and ensure, where possible that such accommodation is integrated with mainstream housing.

5.1.3. Chapter 11 contains policies and objectives relating to Development Management Standards including;

11.4.2.1 Separation Distances between Residential Units - Minimum 3m separation distance to the side of dwellings for the full length of detached, semi-detached or end of terrace dwellings, equally divided between the two adjacent dwellings.

11.3.10 Boundary Treatment - Rear boundaries for residential units shall have a minimum height of 1.8m – 2m and consist of capped, rendered concrete block/brick walls. Any wall visible from public road or open space shall be finished appropriately with suitable plaster or dash finish.

5.2. **National Planning Framework**

The NPF seeks to focus growth in cities, towns and villages with an overall aim of achieving higher densities than have been achieved to date.

NP Objective 33 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.

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

5.3. **EIA Screening**

Having regard to the nature, size and location of the proposed development, 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 at preliminary examination and a screening determination is not required.

5.4. Natural Heritage Designations

Lower River Shannon SAC – c.7km to the northeast of the site

Glen Bog SAC – c.7km to the southwest of the site

Herbertstown Fen pNHA – c.3.5km to the southwest of the site

6.0 The Appeal

6.1. Grounds of Appeal

The third-party appeal was submitted by a number of local residents from Killeely village including the O'Meara family who are the immediate neighbours to the east of the appeal site. The main points of the appeal can be summarised below;

- **Past Planning Precedents** – The appellant notes the planning history associated with the site including a previous refusal and requests for further information.
- **Overdevelopment of the site** – The proposed development is contrary to Policy CGR O17 which requires the scale of new development to be in proportion to the pattern and grain of existing development.
- **Boundary treatments** – There is no information provided on boundary treatments. It is stated in the Design Statement submitted with the application that a 2m high boundary wall will be built. No drawings have been provided. No consent to remove or reconstruct the existing boundary wall has been sought from the neighbouring properties. The 2m high wall would injure the residential amenity of the adjoining property.
- **Position and scale** – The proposed building sits forward of the existing building line. The proposed development is contrary Section 11.4.2.1 of the Limerick Development Plan which requires a “*minimum 3m separation distance to the side of each dwellings for the full length of detached, semi-detached or end of terrace dwellings, equally divided between the two adjacent dwellings.*” The main entrance to end units will face the side elevations of the adjoining properties.

- **Overlooking** – Overlooking will occur due to the location of the entrance doors of the proposed development, the lack of information regarding boundary treatments and the lack of separation distances.
- **Loss of Daylight & Lack of Information** - No comprehensive daylight or overshadowing assessment has been provided. A shadow analysis was submitted with the planning application; however, it does not provide information on the amount of daylight received by each room, or the daylight impact on surrounding properties.
- **Inadequate Open Space Provision** – The applicant has not justified the deviation from the minimum open space standards. No landscaping proposals have been provided. The rear gardens are of poor quality.
- **Parking** – Due to the lack of visitor spaces within the proposed development, the appellants are concerned about parking overspill in the village. An aerial image showing the overspill parking in Kiltteely is provided.
- **Overprovision of retirement homes** – There is already significant provision of housing for the vulnerable in the area of Kiltteely and therefore the proposed overdevelopment of the site is not justified.
- **Occupation & Management of the Development** – It is unclear how the units will be controlled to ensure they will be used to provide retirement homes for residents. It is submitted that given the size of the units, well in excess of minimum areas for 1-bed room units, that they will in fact have an alternative use.

6.2. Applicant Response

The submission from Gleeson McSweeney Architects on behalf of the applicant dated 20/04/2023 is mainly a rebuttal of the grounds of appeal. The contents of the submission are summarised below:

- The development is in accordance with Policy CGR O17
- The issue of boundary treatments can be dealt with by way of condition. Additional drawings have been enclosed (Drawing No. 2103-03-20 Site Layout Plan & Boundary Treatments and Drawing No. 2103-03-21 Boundary

Wall Details) which illustrate proposals for boundary wall treatments. The construction of boundaries will be within the applicant's site.

- The proposed single storey building, with a 2m boundary wall and 3.5m separation distance to the existing dwelling to the east, will not result in overlooking, loss of daylight or overshadowing.
- The open space provision has been provided in accordance with the Development Plan standards.
- The aerial imagery used by the appellant to depict the overspill of car parking is from a day when there was a large funeral in the village. Parking has been provided in accordance with the Development Plan standards.
- No retirements homes have been built in the village for over 20 years. There is a demand for all types of housing including retirement housing.
- A management company will be set up to take charge of the development as required.

6.3. Planning Authority Response

None

6.4. Observations

None

6.5. Further Responses

The third-party appellants made a further submission on 17th May 2023 following the first party response to the grounds of appeal. No further substantive points are made and many of the previously made points are re-iterated. The appellants acknowledge that the issue regarding landowner consent for the boundary treatment has been addressed by the applicant, is acceptable and is no longer an issue. The appellants consider that there are inconsistencies in relation to the proposed boundaries in the drawings submitted as part of the applicant's response to appeal. The appellants consider that the boundary proposals are contributing to the issue of over development and injury to residential amenity.

7.0 Assessment

I consider that the issues arising can be assessed under the following headings:

- Compliance with Policy
- Landscaping/Boundary Proposals
- Residential Amenity
- Parking
- Other Matters
- Appropriate Assessment

7.1. Compliance with Policy

- 7.1.1. The appellants consider that the proposed development is contrary to Objective CGR O17 Development within Level 5 settlements which requires the scale of new residential scheme to be in proportion to the pattern and grain of existing development and to be located within the development boundary. The subject site is an infill site, located within the Killeely village boundary making it a suitable location for a residential development. The appellants contend that the proposed development of 3 no. terrace dwellings within a plot that is meant for a single storey detached dwelling constitutes overdevelopment. Existing single storey houses are located on the lands directly adjoining the site. The Planning Authority in their assessment note that the building resembles a bungalow and that the single storey design is suitable considering the existing pattern in the area. On review of the submitted plans and elevations, I also consider that the proposed development reads as a bungalow and not 3 no. individual units. Access to the middle unit is to the front of the building, while access to the units on either side, is by way of access doors on the side elevations, effectively giving the proposed development the appearance of one building. I consider that the proposed one-storey design responds well to the character of the existing single storey houses on the lands directly adjoining the site to the east and west.
- 7.1.2. I consider that the proposed development can be accommodated within site and not constitute overdevelopment. The individual dwellings themselves comprise of 1-bed room units, with combined living/kitchen/dining areas, a bathroom and hall area.

Wheelchair turning circles have been shown for each habitable room on the submitted floor plans. The units, which measure 63.54sqm, 84.40sqm and 63.54sqm respectively, exceed the minimum floor area size as required under Section 11.4.2.2 of the Limerick Development Plan. However, I do not consider them excessive in scale. Adequate provision of open space is provided for, as is adequate separation distance between the proposed building and the adjoining dwellings. The parking provision has also been catered for within the proposed site. The proposed one-storey design is in keeping with the existing single storey houses on the lands directly adjoining the site. It is considered, therefore, that the proposed development, would not represent overdevelopment of the site and is in accordance with Objective CGR O17 of the Development Plan.

7.2. Landscaping/Boundary Proposals

- 7.2.1. The appellants contend that the proposed boundary treatments are unclear. No drawings have been provided with the original application. It is stated in the applicants Design Statement that a 2m high wall is to be provided. The appellants contend that this would injure the residential amenity of the adjoining properties. As part of the applicant's response to the appeal additional drawings have been enclosed which illustrate proposals for boundary wall treatments (Drawing no. 2103-03-20 Site Layout Plan & Boundary Treatments and Drawing No. 2103-03-21 Boundary Wall Details refers). The applicant is proposing to provide a concrete block wall with precast concrete capping to the rear and side of the site. It is proposed to divide the rear gardens with a block work wall extending 2m from the rear wall of the house and a timber fence 1.8m high. The applicant has demonstrated the level changes across the site. It is proposed to step the finished floor levels so that there is a standard block between each proposed unit. On the western side, the proposed boundary wall is 2.1m higher than the finished floor level of the nearest proposed dwelling house. On the eastern side, it can be seen that the proposed boundary wall is 1.97m over the finished floor level of the adjoining dwelling house. The areas of the rear private amenity spaces associated with each of the dwellings is also shown on the additional drawings submitted. The minimum required private open space for infill sites is 25sqm as per Table DM 3: Rear Garden Areas of the Development Plan. Deviations from general standards are also provided for sheltered housing. The

proposed rear gardens are all in excess of 25sqm and are considered to comply with the requirements of the Development Plan.

7.2.2. In the appellants second submission it is contended that there are inconsistencies with the drawings submitted in by applicant. The Site Layout Plan and Boundary Treatments drawing illustrate that there is a single boundary treatment around the site which is in contradiction with the boundary wall detail drawings which shows the existing walls of the neighbouring properties and the proposed new wall within the site. It is also considered that the applicant states that a 2m wall is provided when in fact it is only 1.67m on the east elevation. The appellants reiterate their concerns that the boundary proposals are contributing to the issue of over development and injury to residential amenity.

7.2.3. I would consider that the applicant has demonstrated the changing levels within the site. However, I agree with the appellant that there are inconsistencies in the layout plan submitted. The site layout plan does not clearly indicate the proposed boundary treatments, differentiated between the types of boundary treatment proposed or the extent of each type of boundary treatment. I consider that this can be rectified by way of condition. I note that Section 11.3.10 of the Limerick Development Plan addresses the issue of Boundary Treatments. The Development Plan requires that rear boundaries for residential units shall have a minimum height of 1.8m – 2m and consist of capped, rendered concrete block/brick walls. Any wall visible from public road or open space shall be finished appropriately with suitable plaster or dash finish. The Development Plan also states that a concrete post and concrete panel fencing should be provided at a minimum for the side boundary between the flank side walls of houses. The Planning Authority decision includes a condition requiring that a landscape plan shall be submitted for the written agreement of the Planning Authority which provides details of all boundary treatments and measures to improve amenity of the north facing rear gardens. Should the Board be minded to grant permission, a condition to this effect could be attached to any such permission. I consider that, subject to the inclusion of the condition referred to above, the proposed development would not result in any significant injury to the residential amenities of adjoining properties.

7.3. Residential Amenity

- 7.3.1. The appellants have expressed concern regarding the loss of privacy and the loss of light to neighbouring properties. The appellants contend that the proposed development is contrary to Section 11.4.2.1 of the Limerick Development Plan which requires a minimum 3m separation distance to the side of each dwelling for the full length of detached, semi-detached or end of terrace dwellings, equally divided between the two adjacent dwellings. On review of the submitted plans I note the proposed building will be 3.51m from the dwelling to the east and 5.45m from the dwelling to the west, which is in excess of the required 3m separation distance. I further note the separation distance from the proposed building to the eastern boundary of the site is 2.17m and 2.22m from the proposed building to the western boundary. The appellants contend that the proposed building sits forward of the existing building line which will result in overlooking with regard to the side entrances and rear window locations. I note that the proposed building sits marginally forward of the existing building line. I do not consider the positioning of the proposed building to have any significant injury to the residential amenities of the adjoining properties.
- 7.3.2. The appellants also consider that no comprehensive daylight or overshadowing assessment has been provided while acknowledging that a shadow analysis was submitted with the planning application. However, it is suggested that this does not provide information on the amount of daylight received by each room, or the daylight impact on surrounding properties. On review of the shadow analysis submitted with the application by Gleeson McSweeney Architects, I consider that any overshadowing would be minor and not to an unacceptable degree. Having regard to the single-storey scale and positioning of the proposed development, I do not consider that there would be any significant impact on daylight access for the neighbouring buildings.
- 7.3.3. Having regard to all of the above, I do not have any undue concerns with regards the impacts on residential amenity. Given the one storey design of the proposed development, I consider that overlooking, overshadowing or loss of light to adjoining properties would not arise.

7.4. Parking

- 7.4.1. The appellants have raised concerns regarding the existing parking congestion in the village and consider that the proposed development would further exacerbate this

issue. The proposed development makes provision for 3 no. of parking spaces located to the front of the proposed building including 1 accessible car parking space. Car Parking standards are set out in Section 11.8.3 of the Limerick Development Plan. The provision for dwellings with less than 3 bedrooms is 1 space per unit, and 1 visitor space per 3 units. The provision for Sheltered Housing is 0.5 spaces per unit and 1 visitor space per 6 units. It is also noted that, for infill development on sites of up to 0.25ha, car parking provision may be relaxed in part or whole, on a case-by-case basis, subject to overall design and quality. I consider that the provision of 3 no. parking spaces, including 1 no. accessible space, is acceptable in this context.

7.4.2. The applicant contends that the aerial imagery used by the appellant to depict the overspill of car parking is from a day when there was a large funeral in the village. The Planning Authority noted that the parking arrangements are adequate given the scale of the development in a tier 5 settlement, and that there would not be a substantial volume of additional traffic generated. I note from my site visit that the area is characterised by detached and semi-detached houses with front gardens and on-curtilage parking. I do not consider there to be an over-prevalence of on-street parking within the area. The proposed residential development and associated parking would not be likely to exacerbate parking and traffic congestion in the area and would not give rise to a traffic hazard.

7.5. **Other Matters**

7.5.1. **Over provision of Retirement Homes**

The appellants consider that there is an overprovision of retirement homes in Kiltelly noting that the Cill Bhríde development (permitted under P.A. Ref 02/1191) provides for 21 no. retirement homes to serve the village. This is a long-established development in the village. I do not consider the proposed addition of 3 no. retirement units to constitute an overprovision of retirement homes. I also note Development Plan Objective HO O9 which supports housing options for older People.

7.5.2. **Management**

The appellants consider that it is unclear as to how these units will be controlled to ensure their use as retirement homes. The appellants have expressed concerns that

the dwellings will have an alternative use. The applicant has noted that, if individuals purchase the homes, then the common areas will be managed by a management company set up incorporating the owners of the 3 no. houses. If the development is taken over by a housing association then a management company will be set up to take charge of the whole development. The Planning Authority decision included a condition requiring a management scheme for the ongoing maintenance of public open space, bin storage, roads and other communal areas to be established and the details of same agreed with the Planning Authority. Should the Board be minded to grant permission a condition to this effect could be attached to any such permission. Noting that any permission granted would be for the development as proposed, stated to be for retirement houses, I do not consider that the proposed units are likely to have an alternative use. The floor plans submitted clearly indicate the provision of 1-bedroom units, with combined living/kitchen/dining areas, a bathroom and hall area. Wheelchair turning circles have been shown for each habitable room on the submitted floor plans.

7.6. Appropriate Assessment

Having regard to the nature, scale, and location of the proposed development, the serviced nature of the development, the nature of the receiving environment, and the separation distance to the nearest European sites, it is concluded that no Appropriate Assessment issues arise as 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.

8.0 Recommendation

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

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Limerick Development Plan 2022-2028, to the scale and nature of the proposed development and to the nature and character of the surrounding environment, it is considered that subject to compliance with the conditions set out below, the proposed development would be an acceptable form of

development at this location and would not seriously injure the 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, on the 12th day of January 2023 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.

Reason: In the interest of clarity.

2. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Prior to the commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water. No dwelling shall be occupied until water and sewerage services serving the development have been installed and functioning in accordance with the connection agreements made with Irish Water.

Reason: To ensure that satisfactory water and wastewater arrangements are in place to serve the development.

4. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The site shall be landscaped, using only indigenous deciduous plants and hedging species, in accordance with details which shall be submitted to, and

agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the details of all boundary treatments and measures to improve amenity of the north facing rear gardens. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

6. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

7. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian safety.

8. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

9. Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details

shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of sustainable waste management.

10. (a) The communal open spaces, including hard and soft landscaping, car parking areas and access ways, communal refuse/bin storage and all areas not intended to be taken in charge by the local authority, shall be maintained by a legally constituted management company

(b) Details of the management company contract, and drawings/particulars describing the parts of the development for which the company would have responsibility, shall be submitted to, and agreed in writing with, the planning authority before any of the residential units are made available for occupation.

Reason: To provide for the satisfactory future maintenance of this development in the interest of residential amenity.

11. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Ciara McGuinness
Planning Inspector

11th October 2023