

An
Bord
Pleanála

Inspector's Report ABP316238-23

Development

Protected Structure: alterations to development previously approved under register reference: 3281/20/ABP-309511-21 comprising opening of party wall, provision of stair core to ensure compliance with fire safety regulations and all ancillary works. The proposed works will result in a revised number of 77 hotel bedrooms.

Location

No.3 Parnell Street, Nos. 4,5 & 6 Parnell Street)a corner site with Jervis Lane Upper, Dublin 1) and Nos. 58 & 59 Capel Street, Dublin 1 (which abuts Jervis Lane Upper, Dublin 1 to the rear).

Planning Authority

Dublin City Council.

Planning Authority Reg. Ref.

3056/23.

Applicant(s)

Vision Wave Ltd.

Type of Application

Permission.

Planning Authority Decision

Grant permission subject to condition

Type of Appeal	Third Party
Appellant(s)	Maurice McGrath.
Observer(s)	None.
Date of Site Inspection	18/08/23 and subsequent
Inspector	Anthony Abbott King

1.0 Site Location and Description

- 1.1. The applicant site comprises nos. 58 & 59 Capel Street and the north eastern corner of the linear city block defined by Capel Street, Mary Street, Jervis Lane Upper and Parnell Street (nos.4,5 & 6 Parnell Street). The applicant site incorporates the protected structure at no. 3 Parnell Street. The site area is given as 895 sqm.
- 1.2. Nos. 58 & 59 Capel Street are two mid-terrace 18th century origin buildings over basement with later insertion commercial ground floor frontages and in the instance of no. 59 Capel Street substantial reconstruction. No. 58 is a 4 storey 3-bay red-brick mid-terrace building with a commercial ground floor. No. 59 is a 3-storey 2-bay red brick mid-terrace building with a commercial ground floor.
- 1.3. The parapet height of no. 59 Capel Street is noticeably taller than the parapet height of no.58 Capel Street, which is aligned with the parapet height of the Capel Street terrace moving south toward the Mary Street junction. The parapet of no. 59 Capel Street is also marginally taller than the Victorian style corner building articulating the Capel Street / Parnell Street junction on the south side of Parnell Street (no. 60 Capel Street & nos. 1, 2 & 2a Parnell Street).
- 1.4. Nos. 58 & 59 Capel Street are located tight to the street edge with no. 58 being slightly set forward of the building line of no.59 and behind the building line of the adjoining terrace moving south, which forms the east side of this part of Capel Street. Consequently no. 58 Capel Street is the transition building between the building line to the north, comprising no. 59 Capel Street and the Capel Street / Parnell Street corner building (No. 60 Capel Street & nos. 1, 2 & 2a Parnell Street) and the adjoining terrace moving south.
- 1.5. The building immediately to the south is no. 57 Capel Street, which abuts the applicant site along its northern property boundary. No. 57 Capel Street is a protected structure.
- 1.6. No.3 Parnell Street is a 3-storey over basement eighteenth-century / early nineteenth-century building designated a protected structure and is in very poor condition.

- 1.7. Nos. 4,5 & 6 Parnell Street comprise a derelict site at the corner of Parnell Street and Jervis Lane Upper with part of the ground floor fabric extant. This site has been derelict for a significant number of years and presents negatively to the street.
- 1.8. The buildings on Jervis Lane Upper comprise an eclectic mix of mews type structures.
- 1.9. The subject properties have been assembled to form one development site that fronts onto Capel Street, Parnell Street and Jervis Lane Upper. The prominent 4-storey Victorian style corner building at the junction of Capel Street and Parnell Street does not form part of the applicant site.

2.0 Proposed Development

- 2.1. The development will consist of alterations to development previously approved under register reference: 3281/20/ ABP-309511-21 comprising:
 - (i) opening up of existing party wall between Nos. 58 & 59 (from first to third floor level) and provision of new stair core within new-build element (from basement to fifth floor level) to ensure compliance with fire safety regulations;
 - (ii) fitting of louvered screens to the bedrooms nos. 114,115,214, 215, 314 &315 within new build element (at first to third floor level) and;
 - (iii) all ancillary works, including general reconfiguration of all floor levels (from basement to fifth floor level) necessary to facilitate the development.
 - The proposed works will result in a revised number of 77 hotel bedrooms.

3.0 Planning Authority Decision

3.1. Decision

Grant of permission subject to 12 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dublin City Council reflected the recommendation of the planning case officer.

3.2.2. Other Technical Reports

No objection to the proposed internal modifications.

4.0 Planning History

The following planning history is relevant:

- A concurrent application is the subject of appeal under Register Reference ABP316235-23 (DCC 3077/23) for alterations to development previously approved under register reference: 3281/20/ ABP-309511-21 comprising; recessed sixth floor, opening of party wall, provision of stair core to ensure compliance with fire safety regulations and all ancillary works.
- Planning permission was granted for the following development under Register 3281-20/ABP-309511-21 subject to conditions:
 - 1) Demolition of Nos. 58 and 59 Capel Street (excluding the front west-facing facades, the rear east-facing facade of the building to rear of 58 Capel Street fronting Jervis Lane Upper, shared party wall between properties and the original internal structure of No. 58);
 - (2) Demolition of existing single storey structures comprising Nos 4-6 Parnell Street;
 - (3) Internal and external alterations to the existing three storey, over basement building at No. 3 Parnell Street (a protected structure) to accommodate new hotel development with original brickwork to be cleaned and repointed and new traditional style timber windows to be provided in existing openings on front (north facing) facade, existing chimney stack to be retained and refurbished; part-removal of internal partitions/walls to facilitate reconfiguration/refurbishment of ground floor, first floor and second floor levels of No. 3 Parnell Street to facilitate proposed entrance foyer/lobby, bedrooms and connection (including new feature atrium to rear of existing building) to new hotel development, provision of replacement shop front on No. 3 Parnell Street with associated lighting, signage and new glazed canopy above replacement shopfront;

- (4) Alteration of fenestration, refurbishment and extension by 1 no. storey of rear east-facing facade at 58 Capel Street, refurbishment of front west-facing facade at Nos. 58 & 59 Capel Street to original state with existing brickwork and cleaned and repointed along with the installation of new traditional-style timber windows to replace existing non-original windows; provision of replacement shopfronts to Nos. 58 & 59 Capel Street with associated lighting and signage;
- (5) Construction of a part-five, part-six, part-seven storey (maximum height 25.36 metres from ground level) and over basement 94-bedroom contemporary hotel on the overall site

Condition 2 is relevant:

The fourth floor level of Stair Core 2 and adjoining link corridor shall be omitted. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of protecting the built heritage of the area.

- Planning permission was refused for the development of a 121 bedroom hotel under Register DCC 4747/19 for the following 2 reasons.

The first reason for refusal having regard to the prominent and sensitive location of the subject site, the proposal would have a significant and detrimental impact on a number of important views and vistas in the city and would constitute a visually obtrusive and insensitive form of development. The proposal would perch excessively above the historic roofscapes, would set a precedent for similar undesirable development, would represent an over development of the subject site and is not considered to be of adequate architectural quality to justify a building of this scale within this Architectural Conservation Area (ACA).

The second reason for refusal related to the impact of the proposed development on protected structures. The proposal would seriously injure the

settings of adjoining protected structures and would set an undesirable precedent for similar such development.

- Planning permission was granted under register reference 4311/18 for a 65 bedroom contemporary hotel comprising at roof level a sixth floor penthouse incorporating *inter alia* residents private lounge / bar and 2 bedroom suites. The permission conditioned the removal one floor of the development in order to reduce the height of the development.

5.0 Policy and Context

5.1. Development Plan

The relevant local planning policy document is the Dublin City Development Plan 2022-2028.

- **Zoning**

The zoning objective is Z5 'City Centre' (Map E):

To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.

Hotel is a permissible use.

- **Architectural Conservation Area Designation**

The proposed development is located within a green-hatch designation comprising the Capel Street & Environs Architectural Conservation Area (ACA)

Chapter 11 (Built Heritage and Archaeology) Section 11.5.2 (Architectural Conservation Areas) is relevant:

The Planning and Development Act, 2000 (as amended), provides for the protection of Architectural Conservation Areas (ACAs) defined as a place, area, group of structures or townscape that is of special architectural, historical, archaeological,

artistic, cultural, scientific, technical, social interest or value, or contributes to the appreciation of protected structures. There are 24 ACA's in Dublin city and suburbs. The applicant site is located within the Capel Street Architectural Conservation Area.

Section 4.1 (Architectural Character) of the Capel Street & Environs Architectural Conservation Area (ACA) clarifies that the character of the street is largely defined by its form and scale: *The street is long and narrow and is further defined by its tall narrow terraced buildings.*

The elements that contribute to the character and special interest of the street taking account, as provide for in the dedicated legislation, *inter alia* building lines and height include the following:

Capel Street due to its form and layout has a strong sense of enclosure and uniformity. This sense of enclosure is reinforced by the vista down Capel Street, which is framed by City Hall at the southern end and at the northern end by the bend in the street as it curves slightly towards Bolton Street.

Section 7.0 (Interventions which would detract from the character) *inter alia* include:

- *The raising of the existing parapet line is inconsistent with the existing pattern of development of the street;*
- *Inappropriate new builds which do not respect the existing massing and scale of the street.*
- *Roofs: The removal and replacement of natural slate (generally 'Blue Bangor') with inappropriate modern substitutes such as artificial slate.*

Section 8.2.1 (Preserving the Character) states it is the overall objective of the planning authority to protect and conserve the character and setting of the ACA, as set out in the Capel Street & Environs Architectural Conservation Area (ACA) document.

Section 8.2.8 (new Build) provides guidance criteria for new development and *inter alia* includes:

- *New developments should have regard to the grain and character of the adjacent buildings, which shall include height, massing, proportions and plot width. Excellence in contemporary architecture including excellence and innovation in shopfront design shall be encouraged.*

Chapter 11, Policy BHA7 (Architectural Conservation Areas) is relevant and states:

(a) To protect the special interest and character of all areas which have been designated as an Architectural Conservation Area (ACA). Development within or affecting an ACA must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area, and its setting, wherever possible. Development shall not harm buildings, spaces, original street patterns, archaeological sites, historic boundaries or features, which contribute positively to the ACA. Please refer to Appendix 6 for a full list of ACAs in Dublin City.

(b) Ensure that all development proposals within an ACA contribute positively to the character and distinctiveness of the area and have full regard to the guidance set out in the Character Appraisals and Framework for each ACA.

(c) Ensure that any new development or alteration of a building within an ACA, or immediately adjoining an ACA, is complementary and/or sympathetic to their context, sensitively designed and appropriate in terms of scale, height, mass, density, building lines and materials, and that it protects and enhances the ACA. Contemporary design which is in harmony with the area will be encouraged.

(d) Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture.

(e) Promote sensitive hard and soft landscaping works that contribute to the character and quality of the ACA.

(f) Promote best conservation practice and encourage the use of appropriately qualified professional advisors, tradesmen and craftsmen, with

recognised conservation expertise, for works to buildings of historic significance within ACAs....

- **Protected Structure(s)**

No. 3 Parnell Street is a Protected Structure (RPS Ref: 6422).

Chapter 15 (Development Standards), Section 15.15.2.3 (Protected Structures) of the Dublin City development Plan 2022-2028 states that: *the inclusion of a structure in the Record of Protected Structures does not prevent a change of use of the structure, and/or development of, and/or extension to the structure, provided that the impact of any proposed development does not adversely affect the character of the Protected Structure and its setting.*

- **Period Building Stock**

Chapter 11, Policy BHA11 (Rehabilitation and Reuse of Existing Older Buildings) is relevant and states:

(a) To retain, where appropriate, and encourage the rehabilitation and suitable adaptive reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape, in preference to their demolition and redevelopment.....

- **Architectural Heritage Protection Guidelines**

In terms of national guidance - Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht are relevant.

Further detail on the appropriateness of works *inter alia* to a protected structures is provided for in the Department of Environment, Heritage & Local Government – conservation advice series.

5.2. EIA Screening

The development is not in a class where EIA would apply.

6.0 The Appeal

6.1. Grounds of Appeal

The appeal statement is prepared by William Doran (Tech), Planning and Project Management Consultant, on behalf of the appellant Mr. Maurice McGrath of no. 57 Capel Street. The grounds of appeal are summarised below:

- No. 57A Jervis Lane Upper is outlined in blue on the submitted drawings, which is partly in the ownership of the appellant. The part of no. 57A in the ownership of the appellant has a window(s) on the boundary with the application site. The applicant's do not have the permission or authority to build directly in front of the subject window(s) in no. 57A;
- The applicant proposes to build the cocktail /wine bar at ground level and bedroom 111 on the first floor directly in front of a window lighting an apartment in the appellant's ownership. A drawing is attached to the appeal statement (DRG. 6399-101) detailing the subject window 1A;
- The subject planning application under appeal overlaps with planning application 3077/23, which is also on appeal dated 20th January, 2023. In consequence, 'It is difficult to see how they can be reconciled and progressed in parallel', as development elements (i), (ii) & (iii) of the subject appeal are identical to (iii), (iv) and (v) of planning application 3077/23. The subject application describes the number of bedrooms as 77 while application 3077/23 describes the number of bedrooms as 83;
- The sixth floor was removed previously on the grant of planning permission (DCC3281/20 – ABP309511-21) and also recently refused permission under planning application 3077/23;
- The subject application makes no reference or does it provide detail of the adjoining property at no.57 Capel Street in the ownership of the appellant, which has a windows in the north elevation abutting the applicant site lighting apartments;

- The proposed outdoor sitting area shown on the submitted drawing(s) (DRG. 2018-45-P4A-102) is directly below the apartment bedroom windows in the north wall of no. 57 Capel Street abutting the proposed development, which will result in a loss of residential amenity;
- The proposed ensuite in room 317 will block light to the angled window in no. 57 Capel Street marked Window 4A on the drawing attached with the appeal statement ((DRG. 6399-101);
- It is unclear how the proposed privacy screens to the hotel bedrooms will work in practice to mitigate overlooking of no. 57 Capel Street. A number of hotel bedrooms will now look directly into the apartments in no. 57/57A. Capel Street. The relocation of the stair core may be a ruse to achieve an extra bedroom on each floor of the impacted floors of the approved hotel;
- The proposed development overlooks no. 57 Capel Street in a significant number of ways, including overlooking of the roof garden, and the applicants have not addressed these issues. Overlooking is possible from the balconies on the 5th floor serving rooms 502 & 503, the windows of rooms 604 & 605 located on the proposed additional floor, the glazing to Stairs 2, the wide windows of rooms 111, 112, 211, 212, 311, 312, 408 & 409 and, the windows of rooms 114, 214, 314, 115, 215 & 315 as they have windows directly opposite and less than 10m from windows in the apartments in no. 57 Capel Street;
- Photographs are attached to the appeal statement, which assist orientation and help to clarify the spatial relationship of window openings in no. 57 Capel Street with the applicant site.

6.2. Applicant Response

The applicant response prepared by Hughes Planning, on behalf of Vision Wave Limited, is summarised below:

- ABP is requested to uphold the decision of the planning authority, as the proposed development accords with the policies and objectives of the Dublin City Development Plan 2022-2028;
- The applicant response will focus on the development proposal the subject of the appeal and will not comment on design elements previously authorised. The applicant invites the Board to disregard comments on elements previously approved;
- The applicant notes that the appellant has also lodged an appeal against the concurrent development submitted under register reference 3077/23 – ABP316235-23 and that the grounds of appeal substantially overlap;
- The proposed sixth floor will not have an impact on the apartments in no. 57 Capel Street in terms of loss of light. The massing is to the north of the appellant's property as evidenced in previous reports supporting additional massing;
- The applicant claims that all elements of the development that relate to noise have previously been approved and are not the subject of this application;
- In the matter of Room 317, the location has changed, however, no change to the configuration of the room is proposed, which is the substance of the appeal observation;
- The applicant claims that the provision of the louvred windows, in conjunction with the separation distance of 9.55m and general layout of the development is sufficient to dispel concerns that relate to undue overlooking from rooms 115, 214, 215, 314, 315;
- In the matter of overlooking of the roof garden of no. 57 Capel Street, it is noted that there is no permission for a roof garden at no. 57 Capel Street.

6.3. Planning Authority Response

None recorded.

7.0 Assessment

7.1. The following assessment covers the points made in the appeal submission and encapsulates my *de novo* consideration of the following modifications required by fire safety regulations, which include:

- (i) opening up of existing party wall between Nos. 58 & 59 (from first to third floor level) and provision of new stair core within new-build element (from basement to fifth floor level);
- (ii) fitting of louvered screens to the bedrooms nos. 114,115,214, 215, 314 & 315 within new build element (at first to third floor level);
- (iii) all ancillary works, including general reconfiguration of all floor levels (from basement to fifth floor level) necessary to facilitate the development

The internal reconfiguration would accommodate the relocation of stair core 2 while increasing the number of hotel bedrooms from the 76 bedrooms approved under the parent planning permission granted under register reference DCC 3281-20 / ABP-309511-21 to 77 bedrooms. A net increase of 1 bedroom.

The reconfiguration of the first, second, third, fourth and fifth floors would result in the loss of one approved bedroom per floor. However, two new bedrooms per floor would be provided on the first, second and third floors.

A current appeal submitted under register reference ABP-316235-23 for the amendment of the parent permission incorporating an additional sixth floor at roof level and also including the proposed modifications listed above is being assessed concurrently.

7.2. The substantive grounds of appeal relate to the impact of the proposed modifications on the adjoining property at no. 57 Capel Street to the immediate south of the applicant site. The north elevation of No. 57 abuts the applicant site. No.57 Capel Street extends beyond the rear building line of the Capel Street terrace. There are a number of window openings in the north elevation of no. 57 Capel Street lighting apartments within the building. The appellant has attached a drawing with the appeal statement showing the location of the subject window openings ((DRG. 6399-101). The appellant claims that the proposed internal reconfiguration of the first, second and third floors to incorporate two new south facing bedrooms per floor with

associated windows would result in overlooking of the apartments in no.57 Capel Street. It is claimed the proposed louvered privacy screens would not mitigate the potential overlooking.

- 7.3. The Dublin City Development Plan 2022-2028 Chapter 9 provides the heritage policy context for the city and suburbs, which *inter alia* provides guidance in the matter of the development of protected structures, other heritage buildings and within conservation areas and architectural conservation areas. The applicant site is within the an architectural conservation area designation: the Capel Street and Environs Architectural Conservation Area (ACA). The character of the Capel Street and Environs Architectural Conservation Area (ACA) is largely defined by its form and scale: *The street is long and narrow and is further defined by its tall narrow terraced buildings.....*
- 7.4. BHA7 (Architectural Conservation Areas) protects the special interest and character of all areas which have been designated as an architectural conservation area (ACA). The policy provides criteria for development within architectural conservation areas. The criteria include the requirement that *new development or alteration of a building within an ACA, or immediately adjoining an ACA, is complementary and/or sympathetic to their context, sensitively designed and appropriate in terms of scale, height, mass, density, building lines and materials, and that it protects and enhances the ACA*. There is no change in height or massing proposed. The elevation changes proposed are to the southern elevation internalised within the approved hotel courtyard. It is considered that the proposed modifications would have no discernible impact on the Capel Street and Environs Architectural Conservation Area (ACA).
- 7.5. Policy Objective BHA2, Chapter 11 of the Dublin City Development Plan 2022-2028 *inter alia* provides that development works will conserve and enhance the protected structure respecting the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials. No.3 Parnell Street is a protected structure (RPS Ref: 6422). In the instance of the subject modifications no works are proposed to the protected structure. It is considered that the proposed modifications would not detract from the character and the setting of the protected structure.

- 7.6. The aggregate modifications are proposed to facilitate fire safety requirements including the relocation of stair core 2. The relocation of the stair core would require the internal reconfiguration of the bedroom layout on all the upper floors. The first, second, third, fourth and fifth floors would lose one approved bedroom at each level and two new bedrooms on the first, second and third floors would be substituted in an alternative location.

The new bedrooms would elevate onto the south internal courtyard of the approved hotel development and would replace the window openings that lighted the stair core in the approved hotel development. The new south facing bedrooms would be directly opposite the north elevation windows of no. 57 Capel street located approximately 10m from no. 57 Capel Street and separated by the approved internal courtyard.

The six number windows to the southern elevation bedrooms at first, second and third floor level would be located above the ground floor courtyard. The window openings would be fitted with louvre privacy screens. The concerns of the third party appellant are noted. However, given the city centre location and restricted site configuration of the approved development. It is considered that the provision of two south facing bedrooms per floor to the first, second and third floor levels would not result in significant overlooking of the north elevation of no. 57 Capel Street given the approximate 10m separation distance provided by the internal courtyard of the approved hotel development and the mitigation provided by the proposed louvre privacy screens.

- 7.7. The appellant mentions in the appeal additional height to the hotel at sixth floor level. However, this amendment to the approved hotel development does not form part of the proposed modifications under this assessment. It is subject to appeal under a concurrent planning appeal register reference ABP316235-23. In regard to the other issues mentioned in the grounds of appeal, these matters have substantially been dealt with as part of the parent planning permission granted under register reference DCC 3281-20 / ABP-309511-21.

- 7.8. Policy BHA11(Rehabilitation and Reuse of Existing Older Buildings) provides for the retention and encourages the rehabilitation and suitable adaptive reuse of existing older buildings, which make a positive contribution to the character and appearance

of the area and streetscape. No. 58 & 59 Capel Street are older buildings in part dating from the eighteenth-century. They are not protected structures.

Nos. 58 & 59 are to be retained (in the instance of no. 59 Capel Street the façade and party walls will be retained) and adapted to reuse as part of the hotel development approved under the parent permission. No. 3 Parnell Street, which is a protected structure, will be restored and suitably adapted to reuse as part of the approved hotel development. It is considered that the proposed modifications (i), (ii) and (iii) detailed above, which would facilitate fire safety requirements for the overall hotel development, including the opening up of the party wall between nos. 58 & 59 Capel Street, would be consistent with Policy BHA11 of the Dublin City Development Plan 2022-2028.

- 7.9. In conclusion, the proposed modifications are minor in nature and relate to the internal layout of the approved hotel development. There is no change in height or massing proposed. The only elevation changes proposed are to the internalised south courtyard elevation. It is considered on balance that the proposed development is acceptable in principle and in detail, would be consistent with the heritage policy framework of the Dublin City Development Plan 2022-2028 including Policy BHA2, Policy BHA9 and Policy BHA11, which seeks the reuse and adaption of older buildings, would not significantly impact on existing residential amenities and would be consistent with the proper planning and sustainable development of the area.

7.10. **Appropriate Assessment Screening**

The proposed development comprises modifications to an approved development in an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

8.0 **Recommendation**

- 8.1. I recommend a grant of planning permission.

9.0 Reasons and Considerations

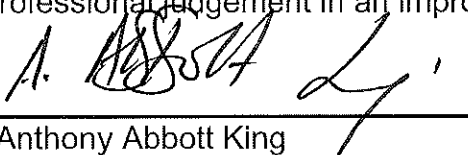
Having regard to the grounds of appeal, the city centre zoning objective and the policy framework provided by the Dublin City Development Plan 2022-2028, It is considered that the proposed modifications to facilitate fire safety considerations, would be consistent with Policy BHA11(Rehabilitation and Reuse of Existing Older Buildings), which provides for the retention and encourages the rehabilitation and suitable adaptive reuse of existing older buildings, would not detract from the character and setting of no. 3 Parnell Street, a protected structure, would not on balance depreciate the residential amenities of apartment residents at no. 57 Capel Street and as such would be consistent with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interest of public health.</p>

4.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<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. 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.</p> <p>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.</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".


 Anthony Abbott King
 Planning Inspector

25th September 2023

