



An
Bord
Pleanála

Inspector's Report

ABP-317823-23

Development

Retention of 13 no. PV solar roof panels and 1 no. EV charger, and permission for the provision of an off-street parking space within the front of the property.

Location

19 Eaton Square, Monkstown, Co. Dublin A94V674

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D23A/0367

Applicant(s)

Philip Healy

Type of Application

Retention Permission and Permission

Planning Authority Decision

Split Decision

Type of Appeal

First Party v Refusal

Appellant(s)

Philip Healy

Observer(s)

None

Date of Site Inspection

19th January 2024

Inspector

John Duffy

1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.123 ha is located at 19 Eaton Square, Monkstown, Co. Dublin in an established residential area. Eaton Square, located within Monkstown Architectural Conservation Area, consists of 29 predominantly semi-detached houses, mostly of two storey design, with a small number of detached and terraced houses.
- 1.2. The houses to the east and north east of the square including No.19 are distinctive in style and comprise two storey red brick pairs of gable ended houses with pitched roofs and natural slate coverings, brick chimneys at the end walls, and gable-fronted bay windows positioned either end of the front entrance porches. A tri-partite window arrangement exists to the bays, comprising two narrow windows either side of a central window at ground and first floor level.
- 1.3. The front garden of No.19 is enclosed to the west by the original painted cast and wrought iron railing and pedestrian gate with decorative scrolled end posts and decorative hooped panels set within the railings and the gate. The railings are fixed to a granite plinth. The front garden comprises mainly gravelled areas with granite footpaths dividing the garden into rectangular sections which are bordered by low height hedging. The rectangular gravelled inset in the southwest corner in the area of the proposed car parking space is edged with granite and a low hedge and accommodates an EV charger. No. 19 is a semi-detached dwelling and No. 20 to the north is of a similar design. The pair of semi-detached dwellings to the south of Nos.19 and 20 are also of a similar design and the historic railings of all four dwellings are intact. There is a public footpath, public lighting and on street metered parking adjacent to the site. A primary school, Scoil Lorcaín is located to the west of the site.

2.0 Proposed Development

- 2.1. The proposed development comprises retention permission for 13 no. PV solar panels on the rear south and east facing roof planes of the dwelling and retention of an EV car charger installed at the front gravelled area of the property.

- 2.2. Permission is also sought for the provision of a single off-street parking space to facilitate EV charging within the front of the property, which involves removal of a section of the existing front fixed railings to form a 3 metre wide vehicular entrance with gates formed by reuse of the original railings.

The following documentation was submitted with the application to the planning authority:

- Planning Application Report prepared by BPS Planning Consultants
- Architectural Heritage Impact Assessment (AHIA) prepared by SJ Carroll and Co. Architects

3.0 Planning Authority Decision

3.1. Decision

On the 24th July 2023 Dun Laoghaire Rathdown County Council issued a split decision in respect of the proposal, specifically a Notification of Decision to grant retention permission for the PV solar panels and EV charger (subject to a standard condition) and a Notification of Decision to refuse permission for the provision of an off-street parking space and removal of a section of railings to facilitate a 3m wide opening with vehicular entrance gates formed using the original railings (for 1 no. reason).

The refusal reason for the single off-street parking space can be summarised as follows;

The proposed development would be out of character with the historic pattern of front boundary treatment in Eaton Square, an Architectural Conservation Area (ACA), it would form a discordant feature in the streetscape, would contravene Policy Objective HER13 and Section 12.4.8.4 of the current Development Plan, would be visually detrimental to the area, and would seriously injure the amenities and depreciate the value of property in the vicinity.

3.2. Planning Authority Reports

3.2.1. Planning Report

The report of the Planning Officer includes the following comments regarding the proposal;

- Noted the location of the site within Monkstown ACA and that the proposal is acceptable in principle within the 'A' zoning objective;
- Retention of the PV roof panels deemed acceptable having regard to Policy Objective CA13: Solar Energy Infrastructure and also given that the rear roof location of the panels would not significantly impact on the streetscape or on the visual amenities of the area or the ACA. Retention of EV charger also considered acceptable.
- Noted that the proposed provision of the vehicular entrance involving removal of a section of railings would not be acceptable having regard to Section 12.4.8.4 of the Dun Laoghaire Rathdown Development Plan 2022-2028 (relating to boundary treatment in ACAs).
- Noted that the proposed development would also negatively impact upon the special character of the ACA and would render the building and its boundary treatment inconsistent with its neighbours, thereby impacting on the historic rhythm of front boundary treatment along this part of Eaton Square.

The report of the Planning Officer reflects the decision to grant retention permission for the PV roof solar panels and the EV charger and refuse permission for the proposed vehicular entrance.

3.2.2. Other Technical Reports

- Drainage Division report (dated 30th June 2023) - no objection subject to condition relating to surface water drainage.
- Conservation Division report (dated 17th July 2023) – object to the proposed vehicular entrance on the basis that it would negatively impact on the special character of the ACA, would be contrary to Policy Objective HER13 (relating to development within ACAs) and Section 12.4.8.4 of the Development Plan and that altering the coherent boundary treatment would render the building inconsistent with its neighbours and would adversely affect the setting and

appreciation of the group of 4 dwellings (Nos. 17-20 Eaton Square) and the ACA.

- Transportation Planning report (dated 19th July 2023) – no objection subject to conditions including, inter alia, the applicant to arrange the removal of parking bays (or part of) to facilitate the development and the proposed driveway to be constructed in accordance with the principles of sustainable urban drainage systems.

3.3. Prescribed Bodies

The planning application and appeal were referred to The Development Applications Unit (DHLGH) and the Arts Council by An Bord Pleanála. No comments were received.

3.4. Third Party Observations

None.

4.0 Planning History

4.1 Subject site

ABP Ref. PL06D.243947 / PA Ref. D14A/0448 – Permission refused in 2015 for the provision of a single off street parking space consisting of the removal of a section of existing fixed railings to form a 2.6m wide opening with gates formed re-using the original railings. Refusal reason as follows:

The proposed development, comprising a new vehicular entrance, would be out of character with the historic pattern of front boundary treatment in Eaton Square, a designated Conservation Area in the current Development Plan for the area. The proposed development would form a discordant feature in the streetscape and would contravene Policy AR8 and Section 16.10.9 of the said Plan. The proposed development would, therefore, be visually detrimental to the area, would seriously injure the amenities and depreciate the value of property in the vicinity and would, therefore be contrary to the proper planning and sustainable development of the area.

PA Reg. Ref. D10A/0414 – Permission refused in 2010 for new vehicular access gates for conservation reasons.

PA Reg. Ref. D06A/1718 – Permission refused in 2007 for new vehicular gates for conservation and traffic safety reasons.

4.2 Vicinity of subject site

ABP Ref. PL06D.247824 / PA Reg. Ref. D16A/0749 – Permission granted in 2017 for opening of vehicular access, erection of a gate and provision of off-street car parking space at 11 Eaton Square, Monkstown.

The Board Order noted the following:

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied that the subject property was different to the majority of properties in Eaton Square, and would therefore not represent a precedent, nor be inconsistent with the Board's decision under file reference number PL06D.243947. The Board was also satisfied that the proposed development, because of the limited nature of the physical works involved, which involves the removal of a small plinth wall, and the provision of railings of the same design as the existing railings along the site frontage, would not form a discordant feature within the streetscape nor interfere with the character of the Architectural Conservation Area. In this regard, the Board had regard to the documentation submitted with the application and appeal in relation to the historic background of the subject site and its place within the overall built environment in this area.

PA Ref. D06A/1716 – Permission refused in 2007 for new vehicular access gates to 17 Eaton Square for architectural conservation reasons.

PA Ref. D04A/1396 – No. 22 Eaton Square. Permission granted in 2005 for new vehicular entrance to 22 Eaton Square. Appeal to the Board was deemed invalid.

5.0 Policy Context

5.1. Development Plan

The operative development plan is the Dun Laoghaire Rathdown Development Plan 2022-2028, under which the appeal site/property is zoned 'A' with a stated objective

‘to provide residential development and improve residential amenity while protecting the existing residential amenities.’

The property is located within the Monkstown ACA.

Chapter 3 – Climate Action:

Section 3.4.2.4 Policy Objective CA13: Solar Energy Infrastructure

It is a Policy Objective to encourage and support the development of solar energy infrastructure, including photo voltaic (PV) and solar thermal and seasonal storage facilities infrastructure in appropriate locations, as a renewable energy resource which can contribute to the transition to a low carbon climate resilient County. It is also a policy objective to support Ireland’s renewable energy commitments by facilitating utility scale PV installations for the production of electricity provided they do not negatively impact upon the environmental quality, amenity or heritage of the area.

Section 3.4.3.1 Policy Objective CA16: Low Emission Vehicles

It is a Policy Objective to support and facilitate the rollout of alternative low emission fuel infrastructure through the Development Management process, prioritising electric vehicle infrastructure.

Section 3.4.3.2 Policy Objective CA17: Electric Vehicles

It is a Policy Objective to support, the Government’s Electric Transport Programme by progressively electrifying our mobility systems by facilitating the rollout of Electric Powered Vehicle Recharging Parking Bays across the County and on public roads and other suitable location. The provision of e-bike chargers will be supported subject to the availability of Funding. (Consistent with NSO 4 of the NPF and RPO 7.42 of RSES)

Chapter 11 – Heritage and Conservation:

Section 11.4.2.1 Policy Objective HER13: Architectural Conservation Areas

It is a Policy Objective to:

- i. Protect the character and special interest of an area which has been designated as an Architectural Conservation Area (ACA). Please refer to Appendix 4 for a full list of ACAs.
- ii. Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character Appraisals for each area.
- iii. Ensure that any new development or alteration of a building within an ACA or immediately adjoining an ACA is appropriate in terms of the proposed design, including scale, height, mass, density, building lines and materials.
- iv. Seek a high quality, sensitive design for any new development(s) that are complementary and/or sympathetic to their context and scale whilst simultaneously encouraging contemporary design which is in harmony with the area. Direction can also be taken from using traditional forms that are then expressed in a contemporary manner rather than a replica of a historic building style.
- v. Ensure street furniture is kept to a minimum, is of good design and any redundant street furniture removed.
- vi. 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.

Chapter 12 – Development Management:

Section 12.4.8 Vehicular Entrances and Hardstanding Areas

Section 12.11.3 Architectural Conservation Areas (ACAs)

Section 12.4.8.4 ACAs / Protected Structures

Boundary features such as walls, railings and gardens contribute to character and setting of Protected Structures and those areas which have been identified as ACAs. Poorly designed off-street parking which involves the removal of boundary walls, gate piers, railings and gates can have an effect on the setting and appreciation of the building, groups of buildings and the wider streetscape and will not generally be permitted.

In areas characterised predominately by pedestrian entrances, new or widened vehicular entrances will be resisted. Where existing rear site vehicular access exists or can be easily provided, off-street parking to the front will generally not be permitted.

All proposals for off-street parking will be considered on a case-by-case basis and should:

- Minimise loss of original boundary treatment.
- Retain a significant amount of soft landscaping and planting to reduce the visual impact of the parked car. The vehicular entrance and hardstanding area should not dominate a property's forecourt or result in the loss of traditional finishes such as granite setts and flags.
- Provide surface treatments of a high quality using traditional materials compatible with the surrounding context. Bituminous and concrete surfacing are not acceptable.
- Where favourable site conditions exist minimum intervention, integration and reuse of materials will be the key considerations.

All other criteria for car parking within Section 12.4.8 shall also apply to parking within ACAs/ Protected Structures.

5.2. National Guidance

National Planning Framework

Sustainable Mobility is identified in Section 1.3 as one of the 10 National Strategic Outcomes of the NPF, with a stated need to progressively electrify our mobility systems away from combustion engine driven transport systems to new technologies such as electric vehicles.

Section 9.2 notes that transition to a low carbon energy future requires the following:

- A shift from predominantly fossil fuels to predominantly renewable energy sources;
- Increasing efficiency and upgrades to appliances, buildings and systems;

- Decisions around development and deployment of new technologies relating to areas such as wind, smartgrids, electric vehicles, buildings, ocean energy and bio energy;
- Legal and regulatory frameworks to meet demands and challenges in transitioning to a low carbon society

National Policy Objective (NPO) 53: Support the circular and bio economy including in particular through greater efficiency in land management, greater use of renewable resources and by reducing the rate of land use change from urban sprawl and new development

NPO 54: Reduce our carbon footprint by integrating climate action into the planning system in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions

NPO 55: Promote renewable energy use and generation at appropriate locations within the built and natural environment to meet national objectives towards achieving a low carbon economy by 2050

Regional Spatial and Economic Strategy 2019-2031 – Eastern and Midland Regional Assembly

Decarbonising Transport

RPO 7.42: Local authorities shall include proposals in statutory land use plans to facilitate and encourage an increase in electric vehicle use, including measures for more recharging facilities and prioritisation of parking for EVs in central locations.

5.3. Natural Heritage Designations

The appeal site is located c 0.3 km south of South Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA and p NHA South Dublin Bay.

5.4. EIA Screening

The proposal does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations, 2001, (as amended), and therefore is not subject to EIA requirements.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal may be summarised as follows;

- The proposal (comprising the PV solar panels, the EV charger and the off-street parking space) is a single project which aims to harness solar power which will be used to charge the applicant's vehicle. There are no public car chargers in the vicinity of the applicant's property.
- No reference made in the planning authority's report to local, regional or national policies encouraging EV use to assist in addressing impacts of climate change and reductions in carbon emissions.
- The planning authority's report referred to only one policy (CA13) from the Climate Action chapter (Chapter 3) of the Development Plan, however there are many other policies relating to the need to address climate change, reductions in use of fossil fuels and carbon footprint which were omitted.
- In order to use the EV charger which has been permitted by the planning authority, a charging cable would have to extend across the public footpath which would be unsafe and result in the creation of a hazard for pedestrians.
- The proposed changes to the front boundary of the property are minor in nature and reversible (a temporary permission could be granted if the Board considered it appropriate).
- There is a lack of balance in the planning authority's decision between the need to address global warming / climate change and the minor alterations to the streetscape arising from the proposal.

- The application was not referred to either the Environment and Climate Change Section or the Climate Action Officer for comment. The likely climate impacts, carbon emission reductions and local air quality benefits arising from the proposal were not considered by the planning authority. Request that the Board refers the proposal to an environment and climate officer to ensure a balanced assessment of the proposal.
- Reference made to the Planning Application Report submitted as part of the application documentation to the planning authority, which sets out in detail the reasons why the in-curtilage space is required.
- Not accepted that the visual appearance of the existing property and the ACA should be considered more important than policies relating to climate as set out in Chapter 3 of the Development Plan. Conservation policy cannot trump climate policy.
- The minor changes to facilitate in-curtilage EV parking would have a lower visual impact than the permitted solar panels. The Conservation Architect's Report submitted with the planning application considers the proposal would not significantly impact on either the subject property or the ACA and that it is likely justified by the planning authority's policies on climate action in the Development Plan.
- The existing hard surfaced area in the front garden has been in place for over 17 years and is finished in permeable gravel. Not accepted that the proposed architectural design for the revisions to the front boundary / railings constitutes a discordant feature. No undue visual or conservation impact arises from the proposal.
- No evidence is provided in relation to the planning authority's contention that the proposed development would seriously injure amenities / depreciate the value of property in the vicinity. Other heritage properties in the area have been approved for in-curtilage car parking. It is proposed that 18% of the front garden of the appeal property will be used for the purpose of car parking.
- If Policy Objective HER13 is to be applied across the County it means that a very large number of properties with cars will be unable to change from

petrol/diesel cars to EVs, resulting in people having to retain cars powered by fossil fuels.

- The proposed development complies with both section 12.4.8.4 as it relates to Protected Structures / ACAs and Policy Objective CA13 of the Development Plan.

Appended to the appeal is a copy of the Planning Application Report submitted as part of the application documentation to the planning authority on the 2nd June 2023.

6.2. Planning Authority Response

None received.

6.3. Observations

None received.

7.0 Assessment

I have read all the documentation attached to this file including inter alia, the appeal and the report of the Planning Authority, in addition to having visited the site. I consider the main issues in determining this appeal are as follows:

- Scope of Appeal
- Refusal reason (Impact on ACA)
- Matter Arising
- Appropriate Assessment

7.1 Scope of Appeal

- 7.1.1. The planning authority issued a split decision in respect of the proposal, granting retention permission for both the EV charger and PV solar roof panels and refusing permission for the proposed single off-street parking space. It is clear from the appeal submission that the applicant wishes to appeal the planning authority's decision to refuse permission for the off-street parking space only.

- 7.1.2. I intend to limit consideration to the matters raised in relation to the planning authority's decision to refuse permission for the proposed off-street parking space. I am satisfied that the development to be retained, namely the EV charger and the PV solar panels, accord with the proper planning and sustainable development of the area.

7.2 Refusal Reason (Impact on ACA)

7.2.1 The refusal reason considers that the proposed development would be out of character with the historic pattern of front boundary treatment in Eaton Square (in an ACA), that it would be a discordant feature in the streetscape, would be visually detrimental to the area, would seriously injure the amenities and depreciate the value of property in the vicinity, and contravene Policy Objective HER13 and Section 12.4.8.4 of the Development Plan.

7.2.2 The proposed development for off-street parking located in Monkstown ACA was primarily assessed in relation to conservation policies including Policy Objective HER13 and Section 12.4 of the Dun Laoghaire Rathdown County Development Plan 2022-2028. Having regard to the overall nature of the proposal I am of the opinion that it should also be considered in terms of other relevant and applicable Development Plan policies which encourage the provision of charging infrastructure and the use of electric and low emission vehicles across the county. In my view a balance needs to be struck between sustainability objectives and conservation objectives as set out in the Development Plan.

In this regard I consider that Policy Objectives CA16 and CA17 are particularly relevant, and I note that the latter Policy Objective is consistent with both NSO 4 of the NPF (Sustainable Mobility) and RPO 7.4.2 of the RSES (Decarbonising Transport).

7.2.3 My view is that the totality of the proposal, incorporating the PV solar roof panels, the EV charger (both permitted by the planning authority) along with the proposed single off-street parking space comprise constituent parts of a single project which would facilitate the applicant in being able to charge his EV in a safe manner and that this

development would accord with Policy Objectives CA16 and CA17 as set out in the Climate Action chapter of the Development Plan.

- 7.2.4 The applicant does not accept that the proposed architectural design for the revisions to the front boundary railings constitutes a discordant feature and contends that no undue visual or conservation impacts arise from the proposal. I note that the AHIA submitted with the application considers that the proposed interventions at the appeal site are minimal and that the character of the area is various and sufficiently robust to absorb the relatively small changes proposed without any negative impact.
- 7.2.5 Section 12.4.8.4 of the Development Plan which relates to ACAs and Protected Structures notes that all proposals for off-street parking will be considered on a case-by-case basis. It provides guidance in this regard including minimal loss of boundary treatment / traditional finishes, guidance on surfacing and retention of soft landscaping along with the key considerations which are minimum intervention, integration and reuse of materials.
- 7.2.6 In this regard I note from the Outline Method Statement of works detailed in the AHIA that the existing original railings would be re-used as entrance gates to be hung on new styles to match those on either side of the existing pedestrian gated entrance which would remain intact and unchanged. Part of the existing plinth stone at the proposed gate location would be removed and subsequently re-bedded at a lower level to form a saddle across the new vehicular entrance, which would be 3 m wide. It is proposed that the existing smaller permeable gravelled area adjacent to the front boundary would accommodate the parking space for a city EV car. In my opinion the re-use and re-purposing of the front railing and plinth stones is appropriate and accords with Section 12.4.8.4. The parking space is relatively modest in size and it does not dominate the front garden area. Having regard to the foregoing I consider that the proposed development meets the criteria set out in Section 12.4.8.4 and it complies with all other criteria for car parking within Section 12.4.8.
- 7.2.7 Having examined the submitted existing and proposed front elevation drawings of Nos. 19 and 20 Eaton Square, along with the 'before' and 'after' photos submitted in the appeal submission, I do not consider that the changes to the front boundary of

the appeal property arising from the proposed development would unduly impact the ACA or the streetscape. In my opinion the proposed development would not seriously injure the amenities of the area or depreciate the value of property in the vicinity.

7.2.8 Policy Objective HER13 of the Dun Laoghaire Rathdown Development Plan requires, inter alia, that the character and special interest of an area designated as an ACA is protected, that development proposals within an ACA are appropriate to the character of the area, that high quality sensitive designs which are complementary and/or sympathetic to their context are sought and retention of all features that contribute to the character of an ACA (boundary walls, railings, soft landscaping, traditional paving and street furniture).

7.2.9 In my view the proposed development complies with Policy HER13. The Outline Method Statement contained in the AHIA notes how the existing section of railings would be modified by an experienced conservation craftsman to form new gates, while the plinth stones would be re-bedded to form a saddle across the proposed vehicular entrance. The existing pedestrian gate would remain, while the railings would be stabilised and decorated castings reinstated. I consider the proposal is of high quality and sympathetic to its context, retaining and reusing features which contribute to the character and special interest of the ACA while also facilitating the applicant in reducing the household carbon footprint by using the energy harnessed from the PV solar panels to charge an electric vehicle. Having regard to the foregoing and given the limited nature of the works involved, the proposed development would not form a discordant feature in the streetscape or interfere with the character of the ACA.

7.3 Matter Arising

I note that the public notices refer to a 3 metre wide opening in respect of the proposed vehicular entrance, although the proposed site plan indicates a 2.6 metre opening. Should the Board be minded to grant permission, I recommend inclusion of a condition confirming the maximum width of the proposed vehicular entrance to be 3 metres.

7.4 Appropriate Assessment

Having regard to the nature and limited scale of the proposed development, to the serviced nature of the site, the developed nature of the landscape between the site and European sites and the lack of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposal would not be likely to have a significant effect either individually or in combination with other plans or projects on any European site.

8.0 Recommendation

- 8.1 Having regard to the above, I recommend that permission be granted for the proposed development based on the following reasons and considerations.

9.0 Reasons and Considerations

The proposed development complies with the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. It is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with the historic front boundary treatment of Eaton Square, an Architectural Conservation Area, would not form a discordant feature in the streetscape, would not be visually detrimental to the area or form a discordant feature in the streetscape and would not seriously injure the amenities or depreciate the value of property in the vicinity.

10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.
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	Reason: In the interest of clarity.
2.	<p>The proposed vehicular entrance which shall have a maximum width of 3 metres, shall be constructed in accordance with the requirements of the planning authority. Details shall be agreed with the planning authority prior to the commencement of development.</p> <p>Reason: In the interests of traffic safety.</p>
3.	<p>The entrance gate hereby permitted shall open inward only.</p> <p>Reason: In the interests of traffic/pedestrian safety.</p>
4.	<p>The single car parking space hereby permitted shall not be sold, rented, or otherwise sub-let or leased to parties who are not resident in the house on the site.</p> <p>Reason: In the interest of good traffic management.</p>
5.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the detailed requirements of the Planning Authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 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 developer shall pay to the Planning Authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning</p>

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

John Duffy
Planning Inspector
14th March 2024