



An
Bord
Pleanála

Inspector's Report

ABP-318457-23

Development	<ul style="list-style-type: none">(i) Demolition of 4 no. existing ancillary sheds(ii) The construction of 2 no. detached flat roofed dwellings (1 no. single storey and 1 no. 2 storey)(iii) The new dwellings will use the existing vehicular entrance to the east of the site.(iv) There will be 2 no. on curtilage car parking spaces per dwelling.		
Location	15 Shanganagh Terrace, Killiney, County Dublin, A96 K5T8		
Planning Authority Ref.	D23A/0483		
Planning Authority	Dun Laoghaire-Rathdown County Council		
Applicant(s)	Elaine O'Hora and Suvi Harris		
Type of Application	Permission	PA Decision	To grant permission
Type of Appeal	Third Party		
Appellants	<ul style="list-style-type: none">1) Joseph O'Connor and Anne-Marie Casey (submitted by Hendrik Van der Kamp)2) Timothy King3) Alan and Ashling Metcalfe4) Catherine and Aleyn Chambers5) Siobhan Gaffey6) Lucinda Browne7) Stephen McFadden		
Observer(s)	Alex Murphy Guy Briggs		

Kirsten Briggs
Chantal O'Sullivan

Date of Site Inspection	28 February 2023	Inspector	Vanessa Langheld
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1.0 Site Location and Description

- 1.1. Shanganagh Terrace is an established residential cul-de-sac characterised mainly by Victorian detached and terraced houses. There is a mixture of house and garden configurations on Shanganagh Terrace. Historically the front gardens of the houses were severed by the road and the houses are located principally on one side. Some of the gardens opposite the terrace of houses are now used for parking; others have frontal parking but gardens on the opposite side of the terrace. Eircode records 21 No. individual units on the terrace.
- 1.2. The character of Shanganagh Terrace is of a unique Victorian Terrace. It is a narrow road, constructed before universal car ownership and there is no footpath. There are hedges and trees along most of the boundaries to the road. The houses were constructed to face and overlook the Shanganagh Valley below to the south.
- 1.3. Shanganagh Terrace is located off Killiney Hill Road, approximately 10 minutes' walk to the centre of Ballybrack Village, Killiney Hill and the DART Station.
- 1.4. The appeal property is the end house on Shanganagh Terrace, accessed by a single, relatively narrow gated vehicular access (1.8m).
- 1.5. The house and outbuildings appear to be in good condition, externally maintaining original features, although the house has been extended to the side (western boundary). No. 15 is not on the List of Protected Structures for this area, although many of the houses on the terrace are on the List of Protected Structures. Shanganagh Terrace, including the existing house and the northern half of the application site are located within the boundary of the Killiney Architectural Conservation Area.
- 1.6. The appeal site, measuring 0.14 ha, occupies a large end site on Shanganagh Terrace / cul-de-sac. It is an unusual configuration, being largely linear, running from north to south across the end of the Terrace, but wider (triangulated) at its northern end, and narrower at its southern end. There is also a considerable change in ground level of the site to the south. The site is occupied by a large mid 19th Century detached house, No. 15 Shanganagh Terrace (265 sq m in size).

- 1.7. There are a number of out buildings / sheds in the garden of the existing house. The property is surrounded by established mature (and somewhat overgrown) trees and hedges along its boundaries and is largely hidden from view from the terrace.
- 1.8. On its northern and north-western boundaries, the site is adjoined by Church Lane, which runs from Ballybrack Church on Killiney Hill Road to Church Road, Ballybrack.
- 1.9. On its south-western boundary it is adjoined by the rear of houses on Mountain View Road; single storey semi and detached houses, many of which have been substantially extended to the side and rear. It is noted that houses on Mountain View are located c. 1.5m below the level of the appeal site.
- 1.10. On the site's eastern boundary the site is adjoined by the gardens of No. 16 Shanganagh Terrace, a detached house on a large site.

2.0 **Proposed Development**

- 2.1. The site boundary includes that of the existing house, No. 15 Shanganagh Terrace.
- 2.2. No works are proposed to the existing house, however, works that effect the original house are as follows:
 - Provision of a boundary wall to its proposed new side amenity space on its western boundary.
 - Removal of an integral shed on its northern boundary.
 - Provision of parking for two cars to the front the house.
 - Provision of dedicated amenity space of 79 sq m in two parcels: one to the rear; and one to the side.
 - Provision of a low wall separating the existing house from the new house on its western boundary (House No. 1).
- 2.3. The Application provides for the construction of 2 No. dwellings (totalling 284 sq m) as follows:

- 1 No. detached 3 bed house (128 sq m and part two-storey) beside the existing house.
 - 1 No. detached 2 bed house (148 sq m and single storey), opposite the existing house to the south on the lower ground.
- 2.4. Access to the proposed new houses is via the existing gated entrance to No. 15 Shanganagh Terrace.
- 2.5. The proposed houses are contemporary in design. They have a part-brick / part-render finish, with slated timber / aluminium detail, contemporary fenestration, and are flat roofed.
- 2.6. The development also provides for the following:
- Removal of most of the boundary planting along the western boundary and some along the northern and eastern boundaries where the new houses will be close to the boundary. There are three areas where the trees will be protected, and new planting proposed. (A Tree Survey has been provided by the Applicant as part of the planning application documentation.)
 - All ancillary works necessary to facilitate the development.

Proposed House No. 1

- 2.7. The house is part two storey / part single storey (128 sq m). There are no windows on its eastern elevation adjoining the existing dwelling (No. 15). On its western elevation there are windows at ground floor level to the kitchen / dining room, the entrance door and the sitting room, while at first floor level there is one bedroom window and an ensuite window.
- 2.8. The 2 No. parking spaces provided for House No. 1 are located to the front of the side garden of the existing house, aligning with the parking for the existing house No. 15, and separated from it by a low boundary wall between the houses.
- 2.9. The amenity space for this house is provided to its rear and side, and is 120 sq m.

Proposed House No. 2

- 2.10. House No. 2 is a single storey house (148 sq m). It is located on the narrower section of the site and will face the front of the existing house.
- 2.11. There are no windows on its eastern elevation adjoining the neighbouring house, No 16. There are windows on its western elevation (adjoining the back of the houses on Mountain View), however, this section of the building is stepped back away from the boundary.
- 2.12. There are 2 No. parking spaces provided for House No. 2 to the front of the house. The amenity space for this house is provided to its rear and side and is 280 sq m. The design of the house is stepped down, following the fall in the ground level in a southerly direction.

The following table sets out relative size of the three houses (existing and two proposed) and their respective open space and parking.

	Size sq m	No. of bedrooms	Open Space Provision	Parking
No. 15	265	Not declared	78 sq m	2
House 1	128	3	120 sq m	2
House 2	148	2	280 sq m	2

(I note that the planning application form shows a gross floor area of space for proposed works as 284.1 sq m i.e. slightly above the combined floor areas stated above and taken from the DLRCC Planning Officers Report.)

3.0 Planning History

D16A/0456

Permission was refused by Dun Laoghaire-Rathdown County Council for the subdivision of the site into two, and the construction of a new part two and single storey, two-bedroom dwelling with 4 rooflights (129 sq m), the widening of the existing vehicular entrance as well as 2 no. car parking spaces for the new house. (The location of this proposed house was similar to House No. 2 now proposed.)

The single reason for refusal is as follows:

'It is considered that the proposed development, by reason of the height and massing of the new dwelling: in particular, the proposed two-storey element, its

close proximity to the site boundaries and the difference in levels between the subject site and the neighbouring properties to the west, would be visually obtrusive and overbearing when viewed from adjoining properties to the east and west. The proposed development., therefore, would be seriously injurious to the residential amenities of the area and of property in the vicinity and depreciate the value of property in the vicinity, and would be contrary to the proper planning and sustainable development of the area.’ (The Applicant did not appeal the decision.)

4.0 Policy and Context

4.1 Development Plan

4.1 Zoning

The site is zoned A *‘To provide residential development and to improve residential amenity while protecting the existing residential amenities’* in the Dun Laoghaire-Rathdown Development Plan, 2022-2028. Residential development is *‘Permitted in Principle’* within this zone.

4.2 Policy Regarding Infill and Corner Garden development

The following policy is relevant to this type of development.

4.3.1.2 Policy Objective PHP19: Existing Housing Stock – Adaptation.

It is a Policy Objective to Conserve and Improve existing housing stock through supporting improvement and adaptation of homes consistent with NPO 34 of the NPF.

Densify existing built-up areas in the County through small scale infill development having regard to the amenities of the existing established residential neighbourhoods.

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12.3.7.5 Corner/Side Garden Sites Corner site development refers to sub-division of an existing house curtilage and/or an appropriately zoned brownfield site, to provide an additional dwelling(s) in existing built up areas. In these cases, the Planning Authority will have regard to the following parameters (Refer also to Section 12.3.7.7):

- *Size, design, layout, relationship with existing dwelling and immediately adjacent properties.*
- *Impact on the amenities of neighbouring residents.*
- *Accommodation standards for occupiers.*
- *Development Plan standards for existing and proposed dwellings.*
- *Building lines followed, where appropriate.*
- *Car parking for existing and proposed dwellings provided on site.*
- *Side/gable and rear access/maintenance space.*
- *Adequate usable private open space for existing and proposed dwellings provided.*
- *Level of visual harmony, including external finishes and colours.*
- *Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in certain areas where it may not be appropriate to match the existing design.*
- *Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.*
- *Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible.*
- *Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.*

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12.3.7.7 Infill

In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings. This shall

particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban 'Garden City' planned settings and estates that do not otherwise benefit from ACA status or similar. (Refer also to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11).

4.3 Architectural Conservation Area (ACA) Policy

As noted above the northern half of the site (the existing house and the proposed House No. 1) is located within the boundary of the Killiney ACA. Although the existing house, No. 15 Shanganagh Terrace, is not included on the List of Protected Structures, most of the other houses on the northern side of Shanganagh Terrace are included on this List (i.e. Nos. 1-5 and Nos. 8-13.)

Proposed House No. 2 is located on the southern section of the application site, which is outside the boundary of the ACA.

4.4 The Development Plan states as follows regarding development within the ACA ***'11.4.2 Architectural Conservation Areas 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.*

A Dun Laoghaire Rathdown County Council, Report entitled 'Killiney Proposed Architectural Conservation Area Character Appraisal and Recommendations' (2010) states the following which it is considered is relevant to the determination of this application / appeal.

'Many of the towns and villages of DLR contain areas which exhibit a distinct character and intrinsic qualities based on their historic built form and layout.

This character is often derived from the cumulative impact of the area's buildings, their setting, landscape and other locally important features which developed gradually over time. The Planning and Development Act 2000 (as amended) provides the legislative basis for the protection of such areas, known as Architectural Conservation Areas (ACAs).

Under the Act, an ACA is 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.

An ACA may consist of groupings of buildings and streetscapes and associated open spaces.

The protected status afforded by inclusion in an ACA only applies to the exteriors of structures and features of the streetscape.

It does not prevent internal changes or rearrangements provided that these changes do not impact on the external appearance of the structure.

While the purpose of ACA designation is to protect and enhance the special character of an area, it should not be viewed as a means of preventing new development but

rather to help guide and manage change to ensure developments are sympathetic to the special character of the ACA.

DLRCC has 23 designated ACAs which range from groups of artisan and estate workers cottages, planned residential Victorian squares to large areas of residential suburbs and villages. The boundary of each designated ACA is delineated and accompanied by a detailed description of the architectural character and special interest of the area supported by policies and objectives to assist in the future management of the area.' (My underlining.)

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Retaining the special character of an area is best achieved by managing and guiding change on a wider scale than the individual structure.

Hence, the objective of the ACA designation is to guide change within an area and ensure that future development is carried out in a manner sympathetic to its special character.

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The Report states as follows regarding the subject terrace:

'SHANGANAGH TERRACE INCLUDING CHURCH ROAD BEHIND

Shanganagh Terrace is an unusual anomaly in this area.

A long terrace of 16 mid Victorian dwellings presents a strong unique architectural feature that is in complete contrast to the surrounding hill area.

Though it is accessed off the Hill Road this terrace relates better as an architectural grouping with the church buildings behind and Ballybrack Village.

Whereas the terrace designation comes from the connected form of the buildings these are in fact a series of separate building projects separated with a single detached dwelling in the centre.

This dwelling, number 8 is reputed to be where Mr Byrne, the developer of the terrace lived in 1845 when work commenced.

The initial development consisted of two pairs of modest three bay semi-detached two storey dwellings on the inner side (9-10 & 12-14) and the terrace (1-5) of single floor over basement storey dwellings at the entrance. A series of infills were then done with Number 6 followed by the redbrick houses that are of a later gothic style.

An interesting feature are the front gardens severed from their related properties by the road, a significant and important characteristic. This area has been recommended for inclusion within the ACA.

The success and appeal of this terrace is in the selection of a site on slightly elevated ground that gives a southern aspect with views out over the Shanganagh valley. This would have been quite dramatic at a time before the woodlands in front matured to reduce this impact somewhat. (My underlining.)

No. 15 (the existing house) and No. 16 (an Appellant's house) are not referenced.

4.5 Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, January 2024

In January 2024, the Government issued the above guidelines with a focus on sustainable residential development and the creation of compact settlements. (A complementary non-statutory Design Manual detailing best practice examples of how policies and objectives of the Guidelines can be applied has yet to be published.) One of the principles of the Guidelines is to support, alongside National Building Standards, new homes that provide a high standard of amenity, whilst also achieving sustainable and low carbon development.

4.6 Figure 5.1 sets out the six key characteristics of low-rise compact forms of 'own door' housing:

- *'Narrow blocks, small plots and compact layouts.*
- *Varied forms of open space at multiple levels.*
- *Varied housing types.*
- *Narrow streets and small setbacks.*
- *Integrated parking solutions.*
- *Reduced separation and privacy measures.'*

Section 3.4.2 of the Guidelines relates to 'Character, Amenity and the Natural Environment' and states:

'While considerations of centrality and accessibility will have a significant bearing on density, it is also necessary to ensure that the quantum and scale of development at all locations can integrate successfully into the receiving

environment. New development should respond to the receiving environment in a positive way and should not result in a significant negative impact on character (including historic character), amenity or the natural environment.'

5.0 National Heritage Designations

The appeal site is neither located in nor immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

6.0 Planning Authority Decision and Reports

6.1 Planner's Report

Having regard to the zoning and to the context of the site, the principle of corner garden site / infill development at this site is considered acceptable. Reports from other internal departments and other bodies were sought and considered. There were eleven third party submissions. The issues raised were considered in detail in the Planning Officer's Report.

6.2 Further Information Request

The proposed development was amended, in response to the Further Information Request, dated 8 August 2023. The RFI related to the issue of open space provision for the existing house.

It is noted that the drawing of the revised scheme is included in the Report from the Applicant's Architect, which was submitted to the Planning Authority on 6 October 2023.

In response to the RFI, the open space to the side and rear were enlarged; by moving the proposed wall to the side of the existing house further south and by taking a shed out of the rear garden to make this space bigger. Together these two small changes increased the overall open space provision for the existing house to 79 sq m, to be provided in two parcels (i) to the rear (46 sq m) and (ii) to the side (33 sq m), linked to each other by a pedestrian route around the house.

6.3 Interdepartmental Reports

Transportation Planning Reports – No objection subject to Conditions

Drainage Planning Report – No objection subject to Conditions

Parks and Landscape Services Department Report – No objection subject to Conditions

Conservation Division Report – No objection subject to Conditions

6.4 Prescribed Bodies

Uisce Eireann (Irish Water) – no objection subject to condition.

6.5 Planning Authority Decision

The Planning Authority issued a decision to grant planning permission subject to 20 no. standard Conditions.

7.0 Third Party Appeals

7.1 Appeal by Timothy King, 13 Shanganagh Terrace

- Shanganagh Terrace is unique and architecturally interesting, reflected in its inclusion in the Killiney ACA and one of the two proposed houses is located within the ACA.
- The laneway is extremely narrow, 3 m wide at No. 13 (the Appellant's house). Two cars cannot pass each other at any point along the terrace.
- No. 15 is thought to have been built in 1845, and a side extension with separate access and bedrooms was constructed in the 1990s.
- The development will lead to a traffic hazard and traffic problems relating to congestion, construction accessibility and danger due to the lack of footpaths and limited sightlines.
- Problems with linking to the Church Road Foul Sewer, outside the red line boundary.

7.2 Appeal by Alan and Ashling Metcalfe, 7 Mountain View Road

- The layout of the existing houses in the surrounding areas has not been clearly reflected on the submitted plans and drawings.

- The development will be overbearing when viewed from the houses on Mountain View Road, exacerbated by the loss of trees and the elevated site.
- Dwelling 1 will overlook and be overbearing when viewed from Mountain View Road.
- Dwelling 2 will be 1.5 m higher than the ridge of the houses on Mountain View Road.
- Issues with foul water connection being outside the Applicant's lands i.e. on the pedestrian lane to the rear of the site.

7.3 Appeal by Catherine and Aleyn Chambers, 1 Mountain View Road

- Dwelling No. 2 will overbear, overlook and overshadow existing rear private open space along Mountain View Road. It will be visible from the road hence changing its character.
- There are issues regarding agreement to link to foul sewer on Church Road via Church Lane.
- Surface water percolation areas are within 5 m of the existing adjoining dwellings and boundaries and are on higher ground. This could potentially impact negatively on the courtyards of these houses and also on the roots of trees which are being retained.

7.4 Appeal by Siobhan Gaffey, 3 Mountain View Road

- The levels of the site have not been accurately shown in the Application drawings: No. 15 Shanganagh Terrace is higher up: and development so close to its boundaries will seriously impact the back gardens of houses on Mountain View Road by overlooking, overshadowing and overbearing.
- The existing trees have not been maintained, and there is concern regarding future maintenance of boundaries and trees.
- Concern in relation to overdevelopment and noise, particularly during the construction phase.
- Infrastructural issues relating to the foul and surface water.

7.5 Appeal by Lucinda Browne, 2 Mountain View Road

- Application drawings are vague and misleading particularly regarding the relationship to existing housing on Mountain View Road.
- The proposed development represents overdevelopment of a restricted site.
- It will be overbearing and will result in overshadowing.
- There are planning issues relating to the drainage proposals.
- The house is a rental unit, and the application documentation is misleading in this regard.
- The site has a history of refusal for a house in the same location as House No. 2 now proposed.

7.6 Appeal by Stephen McFadden, Secretary, Ballybrack Church Lane Environmental Group

- The lane to the north of the appeal site is a pedestrian access from Church Road, Ballybrack to the Church of St Alphonsus on Killiney Hill Road.
- The proposed development will link to the existing wastewater connection on Church Lane, which is not in Council ownership and for which permission has not been sought.
- It is outside the red line boundary of the appeal site.
- The appellant refers the Board to a legal judgement, which found that a windfarms grid connection was integral to its development, and therefore the impact of that connection needed to be assessed. The appellant suggests that this relates also to the current application / appeal in that the link to the Church Lane Foul Sewer Link needs to be assessed. At the very least a Condition that no development should take place without agreement to access this link is sought.
- A number of other suggested Conditions relating to the protection of the sewer along Church Lane, construction management plans, reinstatement of the lane, effect of loss of trees / possible damage to foul sewer arising from uprooting trees and reinstatement of the lane are suggested by the Appellant. A financial contribution to ensure such reinstatement is also suggested.

7.7 Appeal submitted by Hendrik Van der Kamp on behalf of Joseph O'Connor and Anne-Marie Casey, 16 Shanganagh Terrace

- The development is inappropriate because of its effect on traffic on the terrace, in terms of safety and the quality of the terrace as a Conservation Area.
- It represents overdevelopment of a restricted site and will affect the residential amenity of the adjoining property at No. 16 Shanganagh Terrace.
- The terrace is already congested. It is narrow, with no footpaths and it is already frequently blocked due to roadside parking.
- There is no turning circle for vehicles.
- There is no provision for bins for the proposed development. If the extra bins are left outside the gate this will add to traffic problems on the terrace.
- Construction vehicles will cause further congestion and cannot realistically be accommodated on the site. Condition No. and 3 and 4 are therefore not enforceable.
- There is concern that the top of the terrace covers old septic tanks, and that the road is fragile at this location.
- The owners of No. 16 own part of the land that is currently used for turning cars at the end of the terrace, and they intend to redesign their entrance, which will reduce the turning area.
- The proposed parking exceeds the Development Plan standard of one space for a two-bed house.
- Because the entrance to No. 15 is gated, cars entering have to wait in front of No. 14A and No. 16 thereby causing congestion. This will be exacerbated by the addition of four more cars for the two houses.
- The proposed House No. 2 is too close to the western boundary of No. 16 - less than 1 m. A number of trees are on this boundary and within the curtilage of No. 16.
- The existing tree at the front of the appeal site, which will be affected by the provision of the mains drainage connection, is within the boundary of No. 16 and not No. 15.
- Tree protection has not been adequately addressed in the application.

- There is concern with surface water drainage and possible water logging of adjoining site.
- The Conservation Officer does not address the impact of the development on the terrace as opposed to the application site itself, despite the terrace being located within the ACA.
- In these site-specific circumstances, the increased density cannot be accommodated.
- The two additional houses may not impact on the surrounding buildings, but will impact on the terrace generally by virtue of the extra traffic generated.
- The Planner's Report fails to take into account the proximity of House No. 2 to the rear garden of No. 16. The northern section of the proposed house is adjacent to the driveway of No. 16. However the southern section is directly adjoining the rear garden of No. 16. This is also the part of the building which is highest, at c. 4 m. This will overbearing and overshadow the adjoining garden.
- In the event of planning permission being granted for this development, a Condition requiring an increase in distance from the eastern boundary with No.16 Shanganagh Terrace is sought. This is sought in order to protect trees etc. and to reduce visual impact and overshadowing.
- The previous application was refused partly due to proximity and height in relation to the adjoining property, No. 16. The current application is closer (not properly indicated on the drawings) and is 4 m high, albeit single storey.
- The Application does not provide adequate confirmation of interest in lands required in order to complete the proposed development. (i.e. Issues with foul drainage connection, mains connection and trees being outside the applicants red line boundary / ownership).

7.8 Applicants Response to Third Party Appeals

This response submitted by Hughes Planning and Development Consultants, is summarised below:

- The 0.14 ha appeal site is located close to transport links and important amenities.

- The application addresses the refusal reason for the two-storey house refused in 2016 in that House No. 2 is now a single storey house.
- There is a precedent for similar type infill and side garden development in Dun Laoghaire-Rathdown and in the Killiney ACA.
- DLRCC granted planning permission and consider that the proposal meets the Development Plan standards.
- Drawings and Photomontages of the proposed houses are included and indicate how well the design incorporates into its surroundings.
- The open space issue was addressed in the RFI response and meets the Dun Laoghaire-Rathdown Development Plan standards.
- The proposed development complies with the National Planning Framework, the Urban Design Manual, 2009 and the Development Plan policy and objectives.
- As regards the traffic concerns raised by Appellants, the development will be served by the existing entrance so it will not cause any increase in traffic hazard. The site already accommodates up to four parked cars and the increased parking will be catered for within the site. DLRCC Transportation Department has no objection subject to Condition.
- There will be no negative effect on residential amenity along Shanganagh Terrace. There will be no overlooking or overshadowing and the development does not represent overdevelopment. It is for two houses additional houses on a large site.
- Visually the proposed development will fit well into the receiving environment and will not be detrimental to the visual aesthetics from Shanganagh Terrace.
- Adequate protection of trees will be provided for and can be ensured by way of a Condition attaching to permission.
- As regards the height of House No. 2, it is considerably lower than that previously refused and has no windows on its eastern elevation.
- The proposed development is in compliance with the Sustainable Compact Settlements Guidelines (in draft form at the time of writing the Response Document but now adopted).

- The issue regarding the link to the foul sewer relates to property ownership and is not a planning issue.
- The DLRCC Drainage Department is satisfied with the proposed Foul and Surface Water Drainage layout.

7.8 Observations on Third Party Appeals

- Two Observers supports the application, stating that the houses will hardly be visible and that there is no traffic congestion on the terrace.
- The other Observers reiterate concerns regarding the foul sewer link to Church Lane, and the traffic problems arising from the extra cars and construction traffic.

8.0 EIA Screening

Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, 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.

9.0 AA Screening

Having regard to the modest nature and scale of development, location in an urban area, connection to existing services and absence of connectivity to 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.

10.0 Assessment

I have read the documentation attached to this file including the Appeals, the report of the Planning Authority and further responses received. In addition, I have visited the site.

It is considered that the main issue is that of open space for the existing house / the concomitant effect on the residential amenity of the house itself and on the Architectural Conservation Area. The other issues of importance are those raised in the appeals. These are considered under the following headings:

- Impact on the Architectural Conservation Area and the issue of open space for the existing house / precedent for other gardens on Shanganagh Terrace.
- The principle of the development - the zoning and policy provisions of the Dun Laoghaire-Rathdown County Development Plan, 2022-2028.
- Traffic safety / precedent for other gardens on Shanganagh Terrace.
- Ability of Applicants to carry out the development / concern regarding drainage links and trees outside the application boundary.

10.1 Impact on the Architectural Conservation Area and the issue of open space for the existing house / precedent for other gardens on Shanganagh Terrace

I consider that the principal issue of concern in this appeal relates to the proposal for House No. 1 in the side garden of the existing house, No. 15 Shanganagh Terrace. The northern part of the site is located in the Killiney Architectural Conservation Area. The existing dwelling, a large detached two-storey Victorian house, is not a Protected Structure unlike many of the other houses on the terrace.

10.2 The setting of Shanganagh Terrace is one of immense character comprising an eclectic mix of Victorian houses and gardens. Development on the terrace is principally on the north side, with an unusual pattern of houses separated from their gardens / parking by the road. Some of the houses have parking to the front and their gardens on the other side of the road, while others have gardens to the front and parking on the other side of the road.

10.3 The appeal site is at the end house on Shanganagh Terrace (although it's a detached house), with its house on the northern side and its garden on the southern side. Being at the end of the terrace it also has the benefit of a sizeable side garden. The current proposal is to construct two houses: one to the side and one opposite the existing house. This can be accommodated in minimum site development standards; however, I am concerned that the open space, assigned to the existing

house is inadequate and disproportionate to the size of the house. I note in this regard that the Development Plan minimum requirement for a 4 bedroomed house is 75 sq m while the Compact Guidelines require 50 sq m. These standards however relate to new houses. The existing house is a larger than average sized house (265 sq m) in an area where large houses and gardens are the norm and part of the established character of the area.

- 10.4 I note that the application drawings do not include a drawing of the existing house and it is not possible therefore to know how many bedroom there are? I note from a previous sales brochure on the property (found online – The Irish Times 2016) that the house includes an extension to its side with two bedrooms, a bathroom and its own entrance.
- 10.5 During the site visit, the house appeared to be in use as two separate residential units. The side unit is currently occupied by the Applicant's daughter and family, and I was told by the occupant that it is separated internally from the main house. As there are no Drawings included for the existing house, and no stated plans to upgrade it, it is unclear if it will remain as one unit or as two? In my opinion, this is an important issue, as it could be that there are already two residential units on this site. Coupled with the proposed development, this would be four units overall and this may alter the site development requirements.
- 10.6 While the densification of existing residential areas is in line with Development Plan and the Compact Settlement Guidelines policy, the Guidelines specifically states that *'it is necessary to ensure that the quantum of development can integrate successfully into the receiving environment'*.
- 10.7 The proposed development provides for a reduction in open space for the existing detached Victorian dwelling from in the order 1000 sq m (my calculation) to 79 sq m, in two parcels as follows:
- To the rear of the existing house 46 sq m (to be achieved by the removal of the existing shed).
 - To the side of the existing house 33 sq m (to be achieved by the construction of a wall to the side, separating part of the remaining side garden from the parking for proposed House No. 1).

- 10.8 I note that the open space to the rear is north of the existing house two storey house and is bounded by a high wall to Church Lane. The small parcel of open space to the side of the dwelling is located west of the existing house, adjoined by a two-storey blank gable wall (proposed House No.1) on its western boundary, and with a wall separating it from the car parking for that house on its southern boundary.
- 10.9 Both parcels of open space are therefore unlikely to receive sunlight and will be largely overshadowed. (I note in this regard that the Application does not include any sunlight analysis relating to the effect of the proposed development on the existing house.)
- 10.10 The character appraisal for Killiney ACA notes *‘that Killiney is a place of roads flanked by individual properties in large heavily wooded gardens surrounded by high stone walls. Killiney is a very private place with the majority of the most significant buildings within gated enclosures where there are very clear boundaries between public and private areas’*.
- The Report states that *‘Shanganagh Terrace is an unusual anomaly in this area. A long terrace of 16 mid Victorian dwellings presents a strong unique architectural feature that is in complete contrast to the surrounding hill area. Though it is accessed off the Hill Road this terrace relates better as an architecture grouping with the Church building behind and Ballybrack Village’*.
- 10.11 The Report states that an interesting feature are the front gardens severed by the road from their related properties. The Report states that this is *‘a significant and important characteristic.’*
- 10.12 I note that the proposed House No. 1 will be located in the side garden, close to the side of the existing house. It will require the removal of the majority of the trees and shrubs along the boundaries of the existing house (9 No. trees and 2 No. areas of shrubbery, category C and D). This will also affect the character of this section of the site when viewed from the terrace and from No. 15, the existing house.
- 10.13 I believe that the existing house, No. 15 and the character of the Conservation Area would be compromised if its garden were reduced to a small, largely overshadowed yard, and small largely overshadowed site garden. It could also set a precedent for the remainder of the terrace to disassociate the houses from their gardens on the other side of the terrace, an integral part of the character and an unusual feature of Shanganagh Terrace.

10.14 I note that the Planning Authority encourages high quality and sensitive developments that do not adversely impact on the character of the streetscape. Apart from providing a considerably reduced garden for the existing house, it is proposed to remove trees along its boundary and relocate parking for the existing house to the front of the house. This would in my opinion considerably alter the character of the front the existing house, and therefore streetscape. The character of the front of the existing house is that of a charming, almost rural Victorian house. I am not satisfied that an appropriate balance has been struck between the general desirability of allowing infill development and the need to protect the Architectural Conservation Area. As such I consider that House No. 1 as proposed would have a negative impact on the Architectural Conservation Area.

10.15 I would also be concerned that if the existing house is permitted to reduce its open space so considerably it may lead to a precedent for considerably reduced garden sizes for the other houses on the terrace. The severed front gardens are a feature of the terrace, and the character of the terrace is that of large houses and large quality open space to the front, albeit severed by the road.

As evidenced by my table in 2.12 above the existing house will have considerably less open space allocated to it than the two new houses both of which are considerably smaller.

10.16 The principle of the development, the zoning and policy provisions of the Dun Laoghaire-Rathdown County Development Plan, 2022-2028

10.17 The site is zoned A *‘To provide residential development and improve residential amenity while protecting the existing residential amenities’*. Accordingly, the provision of two new houses is acceptable in principle in land use zoning terms. Having regard to the size of the site and its location at the end of a cul-de-sac of established low density Victorian housing, I am satisfied with the contemporary style of housing proposed is in accordance with Development Plan policy which is for sensitive design in new development i.e. *‘using traditional forms that are then expressed in a contemporary manner rather than a replica of the historic building style.’* The Appellants have raised concern with the scale of the development, particularly in that it relates to the provision of two sizeable new houses and the

effect of this on the established residential amenity of houses on Shanganagh Terrace and on Mountain View Road. Mountain View Road is located behind and at a lower ground level than the appeal site (western boundary).

- 10.18 I visited the site and surrounding streets and found that the appeal site / existing house and garden is currently largely screened from the adjoining terrace and Mountain View Road by trees and mature shrubbery.
- 10.19 In terms of the development of the appeal site there are two distinct parcels within the Application site. The first is that of the side garden of the existing house. This is located within the Killiney ACA and is considered above.
- 10.20 The second parcel is located opposite the existing house and is outside the Killiney ACA. There was a former application for a house on this section of the site. It was refused largely because it was two-storey. The proposed house for this section of the site (House No. 2) is a single storey house. It has been designed to address the concerns raised in the former refusal for a house at this location in that it has been reduced from two storey to single storey and is set back at its rear away from the boundary with the back of houses on Mountain View Road. It meets the development standards set out in the current 2022-2028 DLRCC Development Plan and those set out in the Compact Settlement Guidelines, published in January 2024 in terms of room size, open space, car parking etc.
- 10.21 As regards its effect on the established residential amenity of the adjoining area, although its construction requires the removal of trees and shrubbery along the eastern and western boundary, the house design is such that it will impact as little as possible on the adjoining sites. There is considerable concern from residents on Mountain View Road because their houses have small gardens and are located at lower ground than the appeal site. Although the removal of trees will alter the character of the back of their houses, there may in fact be an improvement in terms of overshadowing and a general tidying up this part of the appeal site, which is currently very overgrown. The proposed house (House No. 2) has been designed to address overlooking concerns with the bulk of fenestration located to its front and rear and not facing the back gardens of Mountain View Road. Where there is fenestration on the western elevation, it is set back from the boundary. As regards No. 16 Shanganagh Terrace, although House No. 2 is close to their boundary there

are no windows on this elevation and the existing trees will be protected and supervised by an Arborist.

- 10.22 On balance it is considered that the current proposed House No. 2, a single storey house with the linear contemporary design, is well designed for the topography of the site and will not unduly affect the adjoining established residential amenity. Some boundary planting will remain, and its protection will be closely supervised by an Arborist. Accordingly, I concur with the Dun Laoghaire-Rathdown County Council Planning Officer that this is a suitable form of development at this location.

10.23 Traffic safety / precedent for other gardens on Shanganagh Terrace

The Appellants have raised particular concern regarding the increase in traffic arising from the addition of two houses on the already constrained terrace. I viewed the terrace, and it is indeed very narrow, and has no footpaths. It is not proposed to widen the entrance to the appeal site. Although two parking spaces are provided for each house it is clear from the drawings that there is some constraint internally with regard to the turning of vehicles within the site. It is also noted that the existing entrance is narrow (1.8 m). In my opinion, the site would accommodate parking for the existing house and proposed House No. 2 adequately. This could also be improved if the boundary of House No. 2 was extended westwards in order to provide more space to turn.

- 10.24 I consider that the increased traffic from one additional house would not materially impact traffic safety and or congestion along the terrace and could be accommodated within the existing site. The addition of two houses with limited turning provision and via the narrow existing entrance would in my opinion be less appropriate and may cause a traffic hazard.
- 10.25 As regards the gates, I note that they were closed on the day of the site visit. There is no proposal to change these gates and therefore it is a possibility that additional traffic movements to and from this property would back up outside the site, thereby causing a hazard. This possibility would negatively affect the character of the Architectural Conservation Area and would be less of a concern if the current proposal were reduced to one additional house.

10.27 Ability of applicants to carry out the development / concern regarding drainage links and trees outside the application boundary

The Appellants have raised considerable concern about the proposed links to the foul sewer link on Church Lane and the watermain on Shanganagh Terrace, both of which are shown outside the application site boundary.

I note that the Councils Drainage Department assessed these issues and had no concerns, subject to Conditions attaching to permission. I note also blocked up former pedestrian entrances from the rear of the appeal site and from other properties along Shanganagh Terrace to Church Lane / the Church to the rear of them (north) indicating that historically these properties had a right of way to the lane.

10.28 The Appellants have raised concern about tree protection zones being outside the application boundary. The application drawings prepared by Charles McCorkell, Arboricultural Consultancy, show the spread and potential root ball of various trees that are to be protected. Condition No. 12 attaching to the permission from DLRCCC requires that a qualified arborist supervise the development. This would ensure the protection of retained trees on the site. It includes protection for trees on adjoining sites, the roots of which may extend inside the application boundary. This is standard practice and is intended to afford maximum protection to the trees.

10.29 The issue of bin storage was raised by the Appellants. It was addressed in the DLRCCC Planner's Report, which states that this can be accommodated within the curtilage of the individual houses. This can be addressed by way of Condition.

10.30 Conclusion

10.31 On the basis of the above, I consider it appropriate that House No.1 on the northern section of the site should be refused due to a lack of quality open space attributable for the existing house, No. 15 Shanganagh Terrace, and due to the detrimental impact of the proposal on the existing house and on the streetscape. It is considered that this would be contrary to the Architectural Conservation Zoning of this section of the site and not be in the best interests of the proper planning and sustainable development of the area.

10.32 As regards House No. 2, on the southern section of the site, I concur with the Planning Authority's decision that this single storey detached house has been designed so that it will provide high quality accommodation for the future occupants while at the same time not materially negatively impacting the streetscape and the established residential amenity of the existing adjoining residents. It would therefore be in the best interests of the proper planning and sustainable development of the area.

11.0 Recommendations

I recommend a split decision

(a) refuse permission for House No. 1 (northern section of the site).

(b) grant permission for House No. 2 (southern section of the site).

For the reasons and considerations and subject to the Conditions set out below. (I note that the Further Information which was submitted by the applicant on 6 October 2023 related only the provision of open space for House No. 1 which I recommend should be refused. There is therefore no need for Condition 1 to require compliance with the plans and particular submitted as Further Information in this instance.

12.0 Reasons and Considerations

The proposed House No. 1 by reason of its scale and siting relative to the existing adjoining house, No. 15 Shanganagh Terrace, with an unacceptably low provision of quality open space for the existing dwelling would be detrimental to the existing house, would detract from the character of the Killiney Architectural Conservation Area and set an undesirable precedent for future development in the area.

It is considered that subject to compliance with the conditions set out below, the proposed development of House No. 2 is compatible with the Dun Laoghaire-Rathdown Development Plan 2022-2028 A (Residential) Zoning and would be generally acceptable in terms of design, traffic safety, residential and visual

amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 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 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.

- 2 The subdivision of the application site shall be revised to provide two sites, one for the existing house and one for House No. 2 enlarged to include more of the site on the western boundary. This will allow for turning of cars within the boundary of the individual sites. The revised site layout shall include a planting / landscaping and car parking plan for the proposed and existing house and shall provide dedicated bin storage for each of the two properties. This shall be agreed with the Planning Department prior to commencement to development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of traffic safety and clarity.

3. An acceptable naming / numbering for House 2, in both Irish and English, shall be submitted for the written agreement of the Planning Authority prior to the commencement of development or the erection of any advertising hoardings on site. In this regard, the use of street name(s) reflecting local place names or local history would be acceptable.

Reason: In the interest of orderly development.

4. The proposed dwelling shall be used as a single dwelling unit only and shall not be sub-divided in any manner or used as two or more separate habitable units.

Reason: To prevent unauthorised development.

5. 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 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.

6. All necessary measures shall be taken by the Applicants and Contractor to avoid conflict between construction activities and pedestrian/vehicular movements on Shanganagh Terrace.

Reason: To protect the amenities of the area and in the interests of road safety.

7. All public services to the proposed development, including electrical, telephone cables and equipment shall be located underground throughout the entire site. Provision shall be made for broadband connectivity in the development.

Reason: In the interest of orderly development.

8. Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included

to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

Reason: In the interest of orderly development.

9. The four car parking spaces serving the residential units (existing and proposed) shall be provided with functional electric connections to allow for the provision of future electric vehicle charging points. Details of how it is proposed to comply 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 sustainable transportation.

10. The surface water runoff generated by the development shall not be discharged to the public sewer but shall be infiltrated locally to separate soakaways provided for each proposed dwelling with their own property curtilage, as detailed in the application, in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems (SuDS) of the County Development Plan 2022-2028. The soakaways shall be designed to BRE Digest 365 and shall not have an overflow. The offset distance for infiltration from adjacent buildings or structures will be at the professional judgement of a suitably qualified engineer and shall ensure the proposed system has no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a report signed by a Chartered Engineer showing an infiltration test (with results, photos, etc) and shall propose an alternative SuDS measure.

Reason: In the interest of public safety, orderly development, and the proper planning and sustainable development of the area. Tree Protection and Retention of Arborist

11. Prior to the commencement of development, the developer shall appoint a qualified arborist as an Arboricultural Consultant for the entire period of construction. (a). The applicant shall inform the planning authority in writing of the appointment and name of the Consultant and their brief, prior to any mobilisation of plant, machinery or construction equipment. The Consultant's brief shall be as follows: - The developer shall ensure protection of all trees on site during construction works by ensuring the erection of tree protective fencing on site according to BS 5837:2012 and according to drawing 221016-P-11 dated December 2022; the protective fencing should be located outside the drip line of the trees as per the drawing by Arborist Mr. McCorkell, and so instruct his/her contractors. (b). Prior to the commencement of development, and or any Site Clearance operations, the applicant shall erect Protective Fencing around all retained trees, in accordance with Figs, 2 or 3 of BS 5837: 2012 and drawing 221016-P-11 by Charles McCorkell, or as agreed with Dlr Parks+Landscape Services. Notices shall be fixed to the fencing, stating that the trees within the fence area are protected within the fence exclusion zone. There shall be no incursions of machinery or storage of materials, equipment, spoil or soils within the fenced zone, unless by prior written agreement with Dlr Parks+Landscape Services. (c). The Arboricultural Consultant shall certify, in writing, to the Planning Authority when s/he is satisfied that all Protective Fencing is fully erected, and that the notices are attached thereto, and that s/he has given a Toolbox Talk to the contractor's supervisory staff regarding Tree Protection measures. (d). Site Visits: the Arboricultural Consultant shall inspect the site at a minimum of bi-monthly intervals, to ensure full implementation of the Method Statement and Protection Plan, and to make any necessary adjustments thereto, in the light of on-going assessments during construction. (e). Ground protection measures shall be adhered to, as specified in Appendix C of the Tree Survey Report, using cellular confinement system (cellweb) etc. as needed and appropriate, to protect trees for retention from any kind of site traffic during works and within the RPAs of the trees. (f). All Tree Works (felling, removal, surgery, etc.) recommended in the original Tree Report shall be undertaken by a suitably qualified and insured Tree Surgeon, in accordance with British Standard BS 3998:1989 Recommendations for tree work and with current

Health and Safety requirements. If the recommendations for Tree Works are more than 12 months old, at commencement stage, the Arboricultural Consultant shall review and update (as necessary), the original recommended Works, and submit an updated report to and for the agreement of the Planning Authority. All Tree Works shall be completed before occupation of any dwellings. (g). At Practical Completion of the development, the Consultant shall carry out a Post-construction Arboricultural Assessment of all retained trees, making recommendations for any necessary and additional Tree Works. The Consultant shall submit to Dlr Parks and Landscape Services - for its consideration - a signed Arboricultural Completion Certificate stating that all Tree Works were satisfactorily completed in accordance with his/her recommendations, including any additional items arising from the Post-construction Assessment.

Reason: To ensure and give practical effect to the retention, protection and sustainability of trees during and after construction of the permitted development, and to verify that protection measures are in place.

12. The following shall be strictly adhered to in the proposed development. (a) Prior to undertaking any works to be carried out on the public road/footpath, the Applicant shall obtain a Road Opening Licence from DLRCC Municipal Services Department - Road Maintenance & Roads Control Section. (b) All necessary measures shall be taken by the Applicant and Contractor to avoid conflict between construction traffic/activities and traffic/road users, particularly pedestrians and cyclists, on the public road/footpath, during construction works. (b) The Applicant shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties as a result of the site construction works and repair any damage to the public road arising from carrying out the works.

Reason: In the interest of public safety, orderly development and the proper planning and sustainable development of the area.

13. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

14. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority.

Reason: In the interests of public health and surface water management.

15. Prior to commencement of development, the developer shall enter into a waste / or wastewater connection agreement with Uisce Eireann.

Reason: In the interest of public safety.

16. The developer shall pay to the planning authority a financial contribution of in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition 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.

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.

17. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of security shall be as agreed with the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

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.

Vanessa Langheld

Planning Inspector

3 March 2023