

Comhairle Chontae Atha Cliath Theas

PR/0444/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0044 **Application Date:** 10-Feb-2022
Submission Type: New Application **Registration Date:** 10-Feb-2022

Correspondence Name and Address: Noeline Devaney Stream House, Main Street,
Celbridge, Co. Kildare

Proposed Development: Construction of a new two storey dwelling house,
vehicular entrance onto Westbrook Park and all
associated site works on site between existing houses.

Location: 11 Meadowview Grove, Hillcrest & 73 Westbrook
Park, Hillcrest, Lucan, Co. Dublin.

Applicant Name: Olive Mulligan and Paul Kelly

Application Type: Permission

Description of Site and Surroundings

Site Description

The site is located close to the junction of Westbrook Park and Meadowview Grove within the Hillcrest residential estate, Lucan, and comprises the site between 11 Meadowview Grove, a large two storey, semi-detached property with full-gable roof profile, and 73 Westbrook Park, a detached two storey gable fronted dwelling.

The subject site is bound to the north by No. 73 Westbrook Park, to the west by an access road for Westbrook Park, to the south by No. 11 Meadowview Grove and to the east by the rear gardens of dwellings along Hillcrest Walk.

The surrounding streetscape is generally characterised by 2 storey residential dwellings, which have a generally uniform building line, architectural form and scale.

Site Area:

Stated as 0.0383 Ha.

Proposal

The proposed development would comprise a detached 2 storey four bedroom house, provision of a new vehicular access and dished kerb; off-street car parking space.

The proposed dwelling is comprised of an entrance hall, sitting room, living room, utility room, toilet and kitchen/dining area at ground floor level and 4 bedrooms (2 of which are ensuite) and a family bathroom and hot press at first floor level. The proposed dwelling has an approximate gross floor area of 180.88sq.m.

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Zoning

The site is subject to zoning objective 'RES' – 'To protect and/or improve residential amenity'.

Consultations

Drainage and Water Services: Additional Information required.

Irish Water: Additional Information required.

Parks and Public Realm: Refusal recommended.

Roads: No objection, subject to conditions.

Heritage Officer: No report received at time of writing.

Transport Infrastructure Ireland: No report received at time of writing.

Submissions/Observations/Representations

Final date for submissions/observations – 16th March 2022.

None received.

Relevant Planning History

SD09A/0183/EP

Extension of duration of permission sought for a two storey detached dwelling house, vehicular entrance onto Westbrook Park and associated works to the side gardens of the existing two storey semi-detached houses. **SDCC Decision:** Grant Permission, subject to conditions.

SD09A/0183

Permission sought for a two storey detached dwelling house, vehicular entrance onto Westbrook Park and associated works to the side gardens of the existing two storey semi-detached houses. **SDCC Decision:** Grant Permission, subject to conditions.

Enforcement History

None recorded for the subject site.

Pre-Planning Consultation

None for this development.

Relevant Policy in South Dublin County Development Plan 2016 – 2022

Section 2.3.0: Quality of Residential Development

Policy H11 Residential Design and Layout

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Policy H11 Objective 1
Policy H13 Private and Semi-Private Open Space
Policy H13 Objective 3
Policy H14 Internal Residential Accommodation
Policy H14 Objective 1:

To ensure that all residential units and residential buildings are designed in accordance with the relevant quantitative standards, qualitative standards and recommendations contained in Sustainable Urban Housing: Design Standards for New Apartments (2015), the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), the companion Urban Design Manual and have regard to the standards and targets contained in Quality Housing for Sustainable Communities (2007), particularly the standards and recommendations that relate to internal amenity/layout, overall unit size, internal room sizes, room dimensions, aspect, sound insulation, communal facilities, storage, sustainability and energy efficiency.

Policy H15 Privacy and Security
Policy H15 Objective 3
Policy H15 Objective 4
Section 2.4.0: Residential Consolidation – Infill, Backland, Subdivision & Corner Sites
Policy H17 Residential Consolidation
Policy H17 Objective 1
Policy H17 Objective 2
Policy H17 Objective 5

Section 7.1.0: Water Supply & Wastewater
Policy IE1 Water & Wastewater
Policy IE1 Objective 7

Section 7.2.0: Surface Water & Groundwater
Policy IE 2 Surface Water & Groundwater
Policy IE2 Objective 5

Section 11.3.0: Land Uses
Section 11.3.1 (iv): Dwelling Standards
Table 11.20: Minimum Space Standards for Houses
Section 11.3.1 (v): Privacy
Section 11.3.2: Residential Consolidation
Section 11.3.2 (i): Infill Developments:

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Development on infill sites should meet the following criteria:

- *Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual.*
- *A site analysis that addresses the scale, siting and layout of new development taking account of the local context should accompany all proposals for infill development. On smaller sites of approximately 0.5 hectares or less a degree of architectural integration with the surrounding built form will be required, through density, features such as roof forms, fenestration patterns and materials and finishes. Larger sites will have more flexibility to define an independent character.*

Section 11.3.2 (ii): Corner/Side Garden Sites

Development on corner and/or side garden sites should meet the criteria for infill development in addition to the following criteria:

- *The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings,*
- *The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings,*
- *The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings,*
- *Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings, and*
- *Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain.*

Section 11.4.2: Car Parking Standards

Section 11.8.1: Environmental Impact Assessment

Section 11.8.2: Appropriate Assessment

Relevant Government Guidelines

Project Ireland 2040 National Planning Framework, Government of Ireland, 2018.

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Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government (2009).

Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage and Local Government, (2009).

Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage and Local Government, (2007).

Wastewater Treatment and Disposal Systems Serving Single Houses Environmental Protection Agency (November 2009)

The Planning System and Flood Risk Management - Guidelines for Planning Authorities, Department of the Environment, Heritage and Local Government & OPW, (2009)

Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities DoEHLG (2009)

OPR Practice Note PN01 Appropriate Assessment Screening for Development Management (March 2021)

Planning Note

There are a number of deficiencies and discrepancies in the information provided by the Applicant:

- **Site Location Map** – The Site Location Map appears to show a structure located in the corner of the site adjacent to the boundary with Nos. 9 and 11 Meadowview Grove. However, as no Existing Site Layout Plan is included with the drawing pack, the status of this structure is unknown. In this regard, the Applicant should be requested to clarify whether this structure exists on the subject site. If the Applicant intends to demolish this structure, demolition drawings (elevations) should be provided and the Applicant may be requested to provide amended statutory notices.
- **Site Layout Plan** – The Site Layout Plan (Drawing No. P01) does not include the street trees along Westbrook Park or separation distances to surrounding properties. No detail is provided in relation to the proposed boundary treatment, particularly adjacent to adjoining properties. In this regard, the Applicant should be requested to provide a detailed Site Layout Plan which outlines the proposed boundary treatment.

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- **Contiguous Elevations** – The Contiguous Elevation (Drawing No. -P06) does not include principal dimensions.

The Applicant should be requested to provide ADDITIONAL INFORMATION in the form of revised drawings to correct the above outlined deficiencies and discrepancies.

Assessment

The main issues for assessment are

- Zoning and Council Policy
- Visual Impact and Residential Amenity
- Access and Parking
- Drainage and Water Services
- Parks and Public Realm
- Environmental Impact Assessment
- Appropriate Assessment.

Zoning and Council Policy

The proposed development is consistent with zoning objective 'RES' – 'To protect and/or improve residential amenity'. New residential development is permissible in principle under this zoning objective. The proposed development is permissible in principle, subject to its being in accordance with the relevant provisions of the South Dublin County Development Plan 2016 – 2022, with specific reference to section 11.3.2.

Residential Consolidation – Infill Sites

Under section 11.3.2 (ii) of the South Dublin County Development Plan 2016 - 2022, development on infill sites should meet certain criteria for development. These are assessed below:

'Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual'.

The site is considered to be of sufficient size to accommodate an additional dwelling, in principle and the Planning Authority is satisfied that the proposal generally accords with the provisions of the *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009*.

'Significant site features, such as boundary treatments, pillars, gateways and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street'.

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A concern arises in relation to the existing street tree located on the public footpath adjacent to the subject site. The tree is not shown on the Site Layout Plan, therefore a reasonable assumption is made that the Applicant is proposing to remove a tree which is located on lands outside their ownership. In this regard, the Applicant should be requested to provide ADDITIONAL INFORMATION in relation to the existing tree, noting that it is the preference of the Parks and Public Realm Department that this tree be retained.

'Where the proposed height is greater than that of the surrounding area a transition should be provided (see Section 11.2.7 Building Height)'.

The Contiguous Elevations (Drawing No. P06) do not include principal dimensions. In this regard, the Applicant should be requested to provide ADDITIONAL INFORMATION demonstrating the proposed height in relation to the surrounding properties, noting that if the proposal exceeds the prevailing height in the area, a transition should be included, alternatively the design should be revised to reduce the height to match that of surrounding properties.

'Subject to appropriate safeguards to protect residential amenity, reduced open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops.'

It is noted that the proposed dwelling includes adequate car parking and private amenity space, in line with the requirements set out in the respective sections of the Development Plan.

'Proposals to demolish a dwelling(s) to facilitate infill development will be considered subject to the preservation of the character of the area and taking account of the structure's contribution to the visual setting or built heritage of the area.'

The proposed development does not require the demolition of an existing dwelling. However, the Site Location Map and satellite imagery appear to show an existing structure located adjacent to the boundary with Nos. 9 and 11 Meadowview Grove. As previously outlined the Applicant should be requested to clarify the use and status of this structure.

Whilst in general the proposed development adheres to the content of Section 11.3.2 (i) of the Development Plan, ADDITIONAL INFORMATION is required to demonstrate that the existing street tree will be retained and that the proposed height either provides an appropriate transition or matches that of the receiving context.

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Residential Consolidation - Corner/Side Garden Sites

In relation to infill development on Corner/Side Garden Sites such as the subject site, Section 11.3.2(ii) of the Development Plan outlines the following criteria:

'The site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings'.

The Planning Authority is satisfied that the subject site is of sufficient size to accommodate a dwelling. However, as previously indicated the Site Layout Plan is deficient in that separation distances to surrounding properties have not been indicated. In this regard, the Applicant should be requested to provide ADDITIONAL INFORMATION in the form of a revised Site Layout Plan.

'The dwelling(s) should generally be designed and sited to match the building line and respond to the roof profile of adjoining dwellings'.

The proposed dwelling has been sited to match the building line of dwellings along Westbrook Park. To the rear, the proposed dwelling projects approximately 2m beyond the rear building line of No. 73 Westbrook Park. A concern arises in relation to the potential overbearing impact of the dwelling on adjacent properties. However, having regard to the separation distance from the adjoining property, the proposed development is on balance considered acceptable.

It is noted that the dwelling is approximately 1.3m to the boundary with No. 11 Meadowview Grove. However, owing to the north facing orientation of the rear amenity space of No. 11 Meadowview and the minimal fenestration in the south eastern elevation of the proposed dwelling, the Planning Authority considers there will be no significant adverse impact on the visual and residential amenity of No. 11 Meadowview Grove.

'The architectural language of the development (including boundary treatments) should respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings'.

In general the siting and architectural language of the proposed development responds to the character of the streetscape and receiving context. It is noted and welcomed that the fenestration pattern and levels appear to match that of No. 73 Westbrook Park and the materiality appears to take its cue from the architectural language along the streetscape. However, as previously noted ADDITIONAL INFORMATION is required in relation to the proposed boundary treatment and the height of the proposed development in relation to adjacent properties to facilitate a complete assessment as to whether the proposal successfully assimilates into the receiving context.

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'Where proposed buildings project forward of the prevailing building line or height, transitional elements should be incorporated into the design to promote a sense of integration with adjoining buildings'.

It is noted that the proposed dwelling matches the prevailing building line along Westbrook Park. However, as previously noted ADDITIONAL INFORMATION is required in relation to the proposed height, noting that if the proposal exceeds the prevailing height in the area, a transition should be included, alternatively the design should be revised to reduce the height to match that of surrounding properties.

'Corner development should provide a dual frontage in order to avoid blank facades and maximise surveillance of the public domain'.

As the subject site is bound to the north and south by residential dwellings, it is not necessary to provide dual frontage. It is welcomed that glazing has been minimised to the side elevations, to prevent overlooking of adjacent properties. It is noted that the majority of the first floor windows to the side elevations relate to bathrooms or ensuite bathrooms, in this regard it is considered that a CONDITION should be attached requiring the application of opaque glazing to further mitigate against the potential for overlooking.

Whilst the Planning Authority accepts the principal of the proposed dwelling at the subject site, ADDITIONAL INFORMATION is required to demonstrate compliance with Section 11.3.2(ii) of the Development Plan and to facilitate a complete assessment of the proposal in the context of the receiving environment and potential to impact on the visual and residential amenity of surrounding properties.

Visual Impact and Residential Amenity

The proposed development provides for a detached 2 storey, four bedroom house with a vehicular access point and off-street car parking.

To the rear, the building appears to project approximately 2m beyond the rear building line of No. 73 Westbrook Park. The Planning Authority is concerned that this projection beyond the building line may result in overbearing of adjacent properties. However having regard to the separation distance from the adjoining property, the proposed development is on balance considered acceptable.

Minimal fenestration is proposed in the side elevations at first floor level, which protects the visual and residential amenity of adjacent properties. However, to further mitigate against the potential for overlooking a CONDITION should be attached requiring the application of opaque glazing to the first floor windows of the side elevations.

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In relation to privacy, Section 11.3.1(v) of the Development Plan states:

'Section 10 of the Urban Design Manual (2009) addresses privacy and amenity. A separation distance of 22 metres should generally be provided between directly opposing above ground floor windows to maintain privacy. Reduced distances will be considered in respect of higher density schemes or compact infill sites where innovative design solutions are used to maintain a high standard of privacy.'

The Planning Authority is satisfied that a separation distance of 22m has been provided to properties to the rear of the proposed dwelling along Hillcrest Walk and fenestration has been minimised to the side elevations.

Internal Layout of Proposed Dwelling

The internal layout and floor areas of the proposed living rooms and bedrooms accords with the recommendations in Chapter 5 of the '*Quality Housing for Sustainable Communities: Best Practice Guidelines (2007)*', regarding a four bedroom house.

Private Amenity Space

The minimum standard private open space for a four bedroom house, outlined in Table 11.20 of the County Development Plan, is 70sq.m. The proposed rear amenity space exceeds this requirement.

Access and Parking

The proposed development includes a new vehicular entrance and gate piers to the front of the property, to provide car parking on-curtilage.

The Roads Department has assessed the proposed development and indicated no objection to the proposed development, subject to the following conditions:

- The vehicular access points shall be limited to a width of 3.5 meters.
- Footpath and kerb shall be dished and widened, and the dropped crossing shall be constructed to the satisfaction of South Dublin County Council and at the applicant's expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.
- The boundary walls and gates at vehicle access points shall be limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles.
- Any gates shall open inwards and not out over the public domain.

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- All vehicles parked in the driveways must exit the site in a forward direction. No vehicles to reverse onto the public roadway at any time.
- Applicant to submit details of discussions with Parks in resolving Tree conflict with access point.

Drainage and Water Services

The Drainage and Water Services Department and Irish Water have assessed the proposed development and indicated that the following ADDITIONAL INFORMATION is required to facilitate a complete assessment of the proposed development:

- The Applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. SuDS (Sustainable urban Drainage Systems) features for the proposed development may include but are not limited to the following:
 - Permeable Paving
 - Rain Gardens
 - Planter boxes with overflow connection to the public surface water sewer.
 - Grasscrete
 - Green Roofs
 - Water Butts
- There is no watermain drawing submitted. Submit a drawing showing existing watermain layout of proposed development. Submit a drawing showing the distance between proposed development and existing 6" watermain south of same.
- Obtain a confirmation of feasibility letter from Irish Water regarding watermain layout and submit same to Water Services Planning Authority South Dublin County Council.
- Obtain a confirmation of feasibility letter from Irish Water regarding waste water layout and submit same to Water Services Planning Authority South Dublin County Council.

Parks and Public Realm

The Parks and Public Realm Department have assessed the proposed development and have recommended a refusal on the following basis:

'There are concerns with the absence of information submitted in relation to the existing street tree adjacent to the subject site. The development would require the removal of a mature street tree to construct the proposed access. Public Realm Section do not approve of street tree removal to facilitate access to new development'.

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The Report of the Parks and Public Realm Department concludes that:

'The Public Realm Section has assessed the proposed development in accordance with the CDP and best practice guidelines and recommends refusal unless it can be proven there is no impact on the existing street tree adjacent to the site on Westbrook Park.

Reason: Construction of the driveway would require removal of a mature street tree which contributes to amenity and biodiversity and is an important part of the local green infrastructure'.

It is considered that the Applicant should be afforded the opportunity by way of a request for ADDITIONAL INFORMATION to address the concerns of the Parks and Public Real Department and demonstrate that there will be no impact on the existing street tree adjacent to the site on Westbrook Park.

Screening for Environmental Impact Assessment

Having regard to the modest nature of the proposed development, and the distance of the site from nearby sensitive receptors, there is no 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.

Screening for Appropriate Assessment

The subject site is not located within nor within close proximity to a European site. The proposed development is located within an established residential area and comprises of a single dwelling. Having regard to:

- the small scale and domestic nature of the development,
- the location of the development in a serviced urban area, and
- the consequent absence of a pathway to the European site,

it is considered that the proposed development would not be likely to have a significant effect individually, or in-combination with other plans and projects, on the Natura 2000 network and appropriate assessment is not therefore required.

Conclusion

The proposed development is acceptable in principle having regard to the zoning objective of the subject site and the policies and objectives of the South Dublin County Development Plan. However, ADDITIONAL INFORMATION is required to ensure that the proposal will not have an

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adverse impact on the visual and residential amenity of surrounding properties. Furthermore, ADDITIONAL INFORMATION is required in relation to the access and parking arrangements and the drainage and water services infrastructure to facilitate a complete assessment of the proposed development.

Recommendation

I recommend that **ADDITIONAL INFORMATION** be requested from the applicant with regard to the following:

1. The Applicant is requested to provide revised drawings to address the following deficiencies and discrepancies in the information provided with the Planning Application:
 - Site Location Map – The Site Location Map appears to show a structure located in the corner of the site adjacent to the boundary with Nos. 9 and 11 Meadowview Grove. However, as no Existing Site Layout Plan is included with the drawing pack, the status of this structure is unknown. In this regard, the Applicant is requested to clarify whether this structure exists on the subject site. If the Applicant intends to demolish this structure, demolition drawings (elevations) should be provided and the Applicant may be requested to provide amended statutory notices.
 - Site Layout Plan – The Site Layout Plan (Drawing No. P01) does not include the street trees along Westbrook Park or separation distances to surrounding properties.
 - Boundary Treatment and Landscape Plan - No detail is provided in relation to the proposed boundary treatment, particularly adjacent to adjoining properties. In this regard, the Applicant is requested to provide a detailed Site Layout Plan which outlines the proposed boundary treatment. Where applicable, the Applicant should provide dimensions and elevational drawings of any proposed boundary walls or fences and provide details of any proposed planting to the boundaries in the form of a detailed Landscape and Planting Plan.
 - Contiguous Elevations – The Contiguous Elevation (Drawing No. -P06) does not include principal dimensions.The applicant is also requested to revise the vehicular access points to a maximum width of 3.5 meters and demonstrate the protection and retention of the street tree.
2. The Applicant is requested to revise the proposed design as follows:
 - The height of the proposed dwelling should be revised to ensure it matches or sits below that of adjacent properties. Alternatively, if the proposal exceeds the prevailing height in the area, a transition should be included.In revising the proposed design, the Applicant is requested to provide a complete set of site layout, plan, elevational and sectional drawings demonstrating the proposed revisions at the appropriate scale as outlined in the Planning and Development Regulations 2001 (as amended).

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3. The Applicant has not proposed any SuDS (Sustainable Drainage Systems) features for the proposed development. SuDS (Sustainable urban Drainage Systems) features for the proposed development may include but are not limited to Permeable Paving, Rain Gardens, Planter boxes with overflow connection to the public surface water sewer, Grasscrete, Green Roofs and Water Butts.

The Applicant is requested to:

- submit a drawing showing existing and proposed watermain layout of proposed development, showing the distance between proposed development and existing 6" watermain south of same.
- obtain a confirmation of feasibility letter from Irish Water regarding watermain layout and submit same to the Drainage and Water Services Department of South Dublin County Council.
- to obtain a confirmation of feasibility letter from Irish Water regarding waste water layout and submit same to Drainage and Water Services Department of South Dublin County Council.

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REG. REF. SD22A/0044

LOCATION: 11 Meadowview Grove, Hillcrest & 73 Westbrook Park, Hillcrest, Lucan, Co. Dublin.

Colm Harte

**Colm Harte,
Senior Executive Planner**

ORDER: I direct that **ADDITIONAL INFORMATION** be requested from the applicant as set out in the above report and that notice thereof be served on the applicant.

Date:

6/4/22

Ea Rk

Eoin Burke, Senior Planner