

Comhairle Chontae Atha Cliath Theas

PR/1497/22

Record of Executive Business and Chief Executive's Order

Reg. Reference: SD22A/0378 **Application Date:** 05-Oct-2022
Submission Type: New Application **Registration Date:** 05-Oct-2022
Correspondence Name and Address: Studio DSQ First Floor, Tower 3 Fumbally Court,
Fumbally Lane, Dublin, D08TXY8
Proposed Development: Alterations to the fenestration including the provision
of a ramp with handrail at the front (south facing)
facade at ground floor level as well as the provision
of new signage to the front of the property.
Location: 5, Dodder Park Drive, Dublin 14
Applicant Name: Healthcare Wholesale Limited
Application Type: Permission

(EW)

Description of Site and Surroundings:

Site Visit: 23rd November 2022.

Site Area: stated as 0.04275 Hectares.

Site Description:

The existing vacant shop unit is part of a semi-detached commercial building with an existing restaurant operates to the east. The shop unit is located at the south corner of a 2-storey semi-circle pitched roof group of buildings within the local centre and has a suburban character in keeping with the surrounding residential dwellings. Land uses in proximity to the site on this corner include Restaurant, Retail, Medical, Physiotherapy & Solicitors' practices. An area of car parking is located to the front of the subject unit with a laneway to the east that leads to the northern rear road of Dodder Park Drive.

Proposal:

The proposal consists of *Permission* for the following:

- Alterations to the fenestration including the provision of a ramp with handrail at the front (south facing) facade at ground floor level
- the provision of new signage to the front of the property.

Zoning

The subject site is zoned: '*Objective LC*' which seeks: "*To protect, improve and provide for the future development of Local Centre*" according to the 2022 – 2028 Development Plan.

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SEA Sensitivity Screening

- The site overlaps with FRA B 2016.

Consultations

Water Services – No report received, standard conditions.
Roads Department – No objections subject to conditions.
Public Realm Section – No report received.

SEA Sensitivity Screening – overlap is recorded in SFRA B 2016.

Submissions/Observations /Representations

No submissions have been received.

Relevant Planning History

None for subject site.

Adjacent sites

SD20A/0036 Retention permission Granted for change of use to existing ground floor unit of 60 sq.m. from office use to dental surgery with two treatment rooms and associated ancillary accommodation with access to existing first floor toilet accommodation from common stairwell.

SD09A/0326 - Permission Granted - A change of use from existing office areas at ground and first floor levels to medical consulting rooms at Unit 4.

S00A/0792 - Planning Application for the erection of a two-storey extension at No. 3 Dodder Park Drive and a first floor extension at no. 4 Didders Park Drive. No response issued by the Applicant to the request for Clarification of Additional Information.

S04A/0304, ABP Ref: PL06S.208216 - Permission Granted for a two-storey infill development to the side of existing building comprising of ground and first floor office space with signage and a one bed apartment to the side, all at no. 2 Dodder Park Drive.

Relevant Enforcement History

None recorded for subject site.

Pre-Planning Consultation

None regarding the current proposal.

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Relevant Policy in South Dublin County Council Development Plan 2022 – 2028

Chapter 4 Green Infrastructure

Section 4.1 Methodology

GI1 Objective 4: To require development to incorporate GI as an integral part of the design and layout concept for all development in the County including but not restricted to residential, commercial and mixed use through the explicit identification of GI as part of a landscape plan, identifying environmental assets and including proposals which protect, manage, and enhance GI resources providing links to local and countywide GI networks.

Section 4.2.1 Biodiversity

GI2 Objective 4: To integrate GI, and include areas to be managed for biodiversity, as an essential component of all new developments in accordance with the requirements set out in Chapter 12: Implementation and Monitoring and the policies and objectives of this chapter.

Section 4.2.2 Sustainable Water Management

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Section 11.2.1 Sustainable Urban Drainage Systems (SuDS)

Policy IE3: Surface Water and Groundwater

Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Chapter 12 Implementation and Monitoring

12.7.4 Car Parking Standards

12.11.3 Waste Management

- Provision for the storage and collection of waste materials shall be in accordance with the guidelines for waste storage facilities in the relevant Regional Waste Management Plan and the design considerations contained in Section 4.8 and 4.9 of the guidelines Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, DHLGH (2020).

To require a high quality of design and finish for new and replacement shopfronts, signage, and advertising, having regard to the requirements set out in Chapter 12: Implementation and Monitoring.

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Policy EDE1: Overarching Support sustainable enterprise and employment growth in South Dublin County recognising the County's role in the Dublin region as a driver of economic growth

Policy EDE4: Urban Growth, Regeneration and Placemaking Support urban growth and regeneration through the promotion of good placemaking to attract employees and employers and to provide a competitive advantage to the County and diverse investment opportunity.

Policy IE1: Overarching Policy Ensure that development occurs within environmental limits, having regard to the requirements of all relevant environmental legislation and the sustainable management of our natural capital.

Policy IE2: Water Supply and Wastewater

Policy IE3: Surface Water and Groundwater

Policy IE4: Flood Risk

Policy IE7: Waste Management

Policy IE8: Environmental Quality

12.4.3 Riparian Corridors

12.5 Quality Design and Healthy Placemaking

12.7.4 Car Parking Standards

Table 12.26: Maximum Parking Rates (Residential Development)

12.7.5 Car Parking / Charging for Electric Vehicles (EVs)

12.7.6 Car Parking Design and Layout

12.11.1 Water Management

12.3.1 Appropriate Assessment

12.3.2 Ecological Protection

12.3.3 Environmental Impact Assessment

12.4.1 Green Infrastructure Definition and Spatial Framework

12.4.2 Green Infrastructure and Development Management

12.5 Quality Design and Healthy Placemaking

12.5.1 Universal Design -

Provision of wayfinding and signage at appropriate levels, particularly in the public realm;

12.5.4 Public Realm: (At the Site Level)

Promote greater connectivity and permeability throughout the development through the provision of a network of well-connected public spaces and streets, with materials, and signage that is easily interpreted by all;

12.5.5 Healthy Placemaking and Public Realm: (At the Neighbourhood Level)

Table 3.18: Key Principles for Healthy Placemaking and Public Realm at Neighbourhood level

12.5.7 Signage – Advertising, Corporate and Public Information

Development proposals that include signage should take account of the following:

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- *In general, signs on a building should only advertise goods or services that are associated with the premises and no more than two advertising signs should be erected on any elevation;*
- *Signs should generally be limited to the ground floor of a building unless located directly over the entrance to a major commercial or retail building;*
- *Signs should be simple in design and integrate with the architectural language of the building and not obscure any architectural features;*
- *Signs should be proportionate to the scale of the building to which they are attached and sensitive to the surrounding environment;*
- *Signs attached to Protected Structures and in Architectural Conservation Areas should be in keeping with the character of the building and adhere to best practice conservation principles (see Section 12.3.8 Architectural Conservation Areas);*
- *Any sign or associated structure should not create an obstruction to pedestrian or cyclist movement or create a traffic hazard;*
- *Careful consideration should be given to the materials used in the construction of a sign and the methods used to light it.*

Table 3.19: Signage

12.11.4 Environmental Hazard Management (iii) Lighting External lighting schemes and illuminated signage on commercial and industrial premises, sports grounds, and other community facilities, should be designed, installed and operated so as to prevent nuisance to adjoining occupiers and road users, in the interests of amenity and public safety.

South Dublin County Council Shopfront Design Guidelines

2. Overall Guiding Principles - 2.1 The Shopfront in context

The shopfront is not an independent entity. It is an integral part of the building to which it relates, and, as part of that building, to the adjoining building and shopfronts in the streetscape. Therefore, the starting point for the design of the shopfront must be its architectural context – its relationship to the building overhead and to adjoining buildings. Care must be taken not to detract from the overall character of shopfronts which are part of a protected structure or located within an Architectural Conservation Area. Shopfronts located along a Main Street of a town or Village are an integral part of the overall character and therefore any works that would detract or result in the removal of original architectural features within an Architectural Conservation Area or a protected structure will not be permitted. Where new buildings or alternatives to existing shopfronts are proposed, they should complement the existing character of the street in relation to proportions, materials, colours and details. (Corporate retail image – with standardised shopfront design, corporate colours and materials – is rarely appropriate in a historic streetscape. Compatibility with individual buildings and with the street scene will be considered more important than external uniformity between the branches of one company). Corporate retail and

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institutions must cooperate with the Local Authority in modifying their standard 'corporate' lettering or signage or adapt their standard shopfront designs to ensure the character of the host building and streetscape are maintained and enhanced

Relevant Government Guidelines

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

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority, (2010).

Traffic and Transport Assessment Guidelines, National Roads Authority, (2007)

Waste Management Plan for the Dublin Region 2005-2010, Dublin City Council, Dun Laoghaire-Rathdown County Council, Fingal County Council and South Dublin County Council, (2005)

Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities, Department of the Environment, Heritage, and Local Government, (2009)

Regional Planning Guidelines for the Greater Dublin Area 2010-2022, Dublin Regional Authority & Mid-East Regional Authority (2010)

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

Assessment

The main issues for assessment are:

- Zoning and council policy,
- Visual impact,
- Water Services and Drainage,
- Access and Roads,
- Appropriate assessment,
- Environmental Impact Assessment.

Zoning & Council Policy

The proposed site is subject to zoning objective *LC* which seeks: *“To protect, improve and provide for the future development of Local Centre”* according to the 2022 – 2028 Development Plan. The development is external façade upgrades to a commercial unit with a surrounding mixed-use area, including residential, retail, and commercial services. The upgrading of an existing commercial shopfront is acceptable in principle at this location, subject to Development Plan Policies.

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As the proposal relates to a shopfront and signage, there would be no impact on green infrastructure.

Signage Policy

The proposed signage would be on a building.

12.5.7 Signage – Advertising, Corporate and Public Information

Development proposals that include signage should take account of the following:

- *In general, signs on a building should only advertise goods or services that are associated with the premises and no more than two advertising signs should be erected on any elevation.*
- *The proposal only demonstrates the main sign over the front entrance of the shopfront, this is considered acceptable.*
- *Signs should generally be limited to the ground floor of a building unless located directly over the entrance to a major commercial or retail building;*
- *Sign is limited to the ground floor, this is acceptable.*
- *Signs should be simple in design and integrate with the architectural language of the building and not obscure any architectural features;*
- *The proposed sign is simple in design and the building is not protected. The area is within a Local Centre zoning, the proposal is therefore acceptable.*
- *Signs should be proportionate to the scale of the building to which they are attached and sensitive to the surrounding environment.*
- *The proposal is sensitive to the surrounding environment within the Local Centre.*
- *Signs attached to Protected Structures and in Architectural Conservation Areas should be in keeping with the character of the building and adhere to best practice conservation principles (see Section 12.3.8 Architectural Conservation Areas);*
- *The proposal is not within an Architectural Conservation Areas.*
- *Any sign or associated structure should not create an obstruction to pedestrian or cyclist movement or create a traffic hazard;*
- *The proposal would cause no obstruction to pedestrian or cyclist movement or create a traffic hazard.*
- *Careful consideration should be given to the materials used in the construction of a sign and the methods used to light it.*

The proposal is for a healthcare wholesale ltd and is considered in accordance with *12.5.7 Signage – Advertising, Corporate and Public Information* the sign is appropriate at this location as *set out in Chapter 12: Implementation and Monitoring*'. And is in keeping with Council Policy.

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Visual Impact

Given the subject area is zoned LC and the proposed development location is on Dodder Park Road, it is considered that the proposed development is acceptable in terms of visual impact. The subject application is for alterations to the fenestration by placing two large symmetrical windows and centrally placing the entrance door. Also included is a ramp with a handrail at the ground floor level's front (south-facing) facade. The upgrade to the shopfront and signage is welcomed by the Planning Authority, as the unit is vacant at present. It is considered that painting and removing the existing front steel cage elements of the shopfront would allow visual improvements. No digging or soil disturbance is anticipated. The commercial use signage is consistent with the County Development Plan Policies and Objectives.

Access and Roads

The shop front is amply recessed back from the main road with a public car park buffer to the south of the site.

The Roads Department report states the following:

Access & Roads Layout:



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There is no formal parking arrangement existing, or proposed, serving this unit (which will have commercial use).

A ramp is proposed as described above. It is not fully dimensioned. The context of how the ramp will sit among the parking arrangement is not known.

A revised layout (fully dimensioned) is required showing a parking arrangement that includes a mobility impaired space.

No Roads objections subject to the following conditions:

1. **A revised layout (fully dimensioned) is required showing a parking arrangement that includes a mobility impaired space.**
2. Any boundary walls 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.
3. Any vehicular access point shall not exceed a width of 3.5 meters.
4. Any gates shall open inwards and not outwards over the public domain.
5. 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.
6. If applicable, the entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

This advice from the Roads section is considered reasonable. As such, appropriate visitor carparking spaces should be designated within the adjoining parking court. Likewise, non-designated car space identified on the submitted drawings is directly outside the entrance to the unit which poses a safety concern. Therefore, in addition to the designated spaces, there should be a clearway space provided for safe ingress / egress into the commercial unit. It is recommended that this can be attached as a **condition**.

Services & Drainage

The proposal relates to external façade upgrades, the area of hardstanding to the south shall be addressed. In addition, the site overlaps with FRA B 2016 regarding surface water drainage/ flood risk.

A report has not been submitted from the drainage department; it is deemed that standard conditions can be obtained by **condition**.

Green Infrastructure

The subject application provides for external façade upgrades with signage and none to the footprint of the subject commercial unit on an established suburban commercial/residential site. The site boundary is located within a Primary GI Corridor as identified in the Green Infrastructure Strategy Map (Figure 4.4 and fully detailed in Appendix 4 of the South Dublin

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County Development Plan 2022-2028). A **condition** for surface water shall include for SuDS measures in the form of water butts.

Parks

Parks have no comments/conditions or objections on the subject proposal, and this is noted.

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 façade upgrade.

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.

Environmental Impact Assessment

Having regard to the modest nature of the development, and the distance of the site from nearby sensitive receptors, 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.

Development Contributions

The proposal for the followings:

- Alterations to the fenestration
- provision of a ramp with handrail
- provision of new signage to the front of the property

Development contributions do not apply and are Nil.

Conclusion

Having regard to the provisions of the South Dublin County Council Development Plan and the overall design and scale of the development proposed it is considered that, subject to the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Recommendation

I recommend that a decision be made pursuant to the Planning & Development Act 2000, as amended, for the reasons set out in the First Schedule hereto, to Grant Permission for the said development in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule hereto, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the conditions set out hereunder in the Second Schedule is hereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons

1. Development in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety fully in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.
2. External Finishes.
All external finishes shall harmonise in colour or texture that is complementary to the surrounding commercial units / house or its context.
REASON: In the interest of visual amenity.
3. Prior to the commencement of development, the following should be submitted to the Planning Authority for written agreement:
 1. A revised layout (fully dimensioned) is required showing a parking arrangement that includes a mobility impaired space.
 2. Any boundary walls 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.
 3. Any vehicular access point shall not exceed a width of 3.5 meters.
 4. Any gates shall open inwards and not outwards over the public domain.
 5. 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.
 6. If applicable, the entrance apron shall be dished and widened to the full width of the proposed widened driveway entrance and shall be constructed to the satisfaction of South

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Dublin County Council's Road Maintenance Department, and at the applicant's expense.

Planning Note: there should be a clearway space provided for safe ingress / egress into the commercial unit.

REASON: in the interest of safety and the proper planning and sustainable development of the area.

4. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

5. The disposal of surface water shall accord with the requirements of the Planning Authority as follows:

(a) The surface water generated by the development (roof and pavements) shall not be discharged to the sewer but shall be infiltrated locally, to a soakpit or similar. There shall be no overflow to the public network. The soakpit shall be designed to BRE Digest 365,

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shall be at a min. 5m from the house and shall have no impact on neighbouring properties.

(b) If the applicant does not consider a soakpit a feasible solution, the applicant shall prove that by submitting a report signed by a Chartered Engineer, showing an infiltration test (with results, photos, etc), and shall propose an alternative SuDS measure for the written agreement of the Planning Authority thereafter for build-out

(c) Any changes to the 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. Where unbound material is proposed for hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath.

REASON: In accordance with GI4 Objective 1 of the County Development Plan 2022-2028 and the South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

6. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

7. Noise Tones During Evening and Night.

Clearly audible and impulsive tones at noise sensitive locations during evening and night time as determined in S.I. No. 140/2006 - Environmental Noise Regulations 2006 (currently 19:00 – 07:00). shall be avoided irrespective of the noise level.

REASON: In the interest of public health by the prevention of unacceptable levels of noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

8. Restrictions on Signage.

Notwithstanding the provisions of the Planning and Development Regulations 2001, or any statutory provision amending or replacing them, no further advertisement signs (including any signs installed to be visible through windows), advertisement structures, banners, canopies, flags, or other projecting elements shall be displayed or erected on the development or within the curtilage of the site, unless authorised by a grant of planning permission.

REASON: To protect the visual amenities of the area and in the interest of the proper planning and sustainable development of the area.

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NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

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REG. REF. SD22A/0378

LOCATION: 5, Dodder Park Drive, Dublin 14



**Deirdre Kirwan,
Senior Executive Planner**

ORDER: A decision pursuant to Section 34(1) of the Planning & Development Act 2000, as amended, to Grant Permission for the reasons set out in the First Schedule above, in accordance with the said plans and particulars, subject to the condition(s) specified in the Second Schedule above, the reasons for the imposition of the said condition(s) being as set out in the said Second Schedule is hereby made.

Date: 29/11/22


**Gormla O'Corrain,
Senior Planner**