

# Comhairle Chontae Atha Cliath Theas

**PR/1511/22**

## Record of Executive Business and Chief Executive's Order

**Reg. Reference:** SD22B/0448      **Application Date:** 11-Oct-2022  
**Submission Type:** New Application      **Registration Date:** 11-Oct-2022

**Correspondence Name and Address:** David Corbally 55, Ludford Drive, Ballinteer, Dublin 16

**Proposed Development:** Garage conversion, single storey extensions to front and rear, first floor extension to side with new Dutch hip roof, attic conversion with dormer windows to rear and rooflights to front and widening of existing vehicular access.

**Location:** 4, Newlands Drive, Clondalkin, Dublin 22

**Applicant Name:** Jennifer Duffy

**Application Type:** Permission

(CS)

### **Description of Site and Surroundings:**

Site Area: 0.0599

#### Site Description:

The site is located within the established Newlands Drive residential estate in Clondalkin and contains a semi-detached two storey dwelling with hipped roof and single storey rear extension. The streetscape is characterised by houses of similar form and appearance with a mainly uniform building line. There is a street tree on the grass verge to the front of the subject site. The subject site has a relatively long rear garden.

### **Proposal:**

The proposed development consists of the following:

- Garage conversion,
- Single storey extensions to front (hipped roof).
- Single storey extensions to rear (flat parapet roof).
- First floor extension to side with new Dutch hip roof,
- 2 no. rear dormers for attic conversion.
- 3 no. rooflights to front
- Widening of existing vehicular access from c.2.6m to 4 metres.
- Proposed works measure 161.18sq.m.

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### **Zoning:**

The subject site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

### **Consultations:**

Surface Water Drainage – No report received

Irish Water – No report received

Roads Department – No report received

Parks Department – Grant with **conditions**.

### ***SEA Sensitivity Screening***

No overlap indicated for relevant environmental layers.

### **Submissions/Observations /Representations**

None.

### **Relevant Planning History**

None recorded for subject site.

### ***Adjacent sites***

**SD07A/0200:** 2, Newlands Drive, Clondalkin, Dublin 22.

Demolition of existing garage, shed, and kitchen & building of a 2 storey detached house to the side of existing structure. Also, permission for a proposed entrance to the front of the site with all associated site works.

Decision: **GRANT PERMISSION.**

**SD06A/0192:** 2, Newlands Drive, Clondalkin, Dublin 22.

2 proposed 2-storey semi-detached houses to rear: the proposed development is located in the rear garden of an existing structure; on-site provision for 4 parking spaces will be made; new western boundary wall to rear of existing structure.

Decision: **GRANT PERMISSION.**

PL06S.218464: **GRANT PERMISSION.**

**SD05A/0094:** 2, Newlands Drive, Clondalkin, Dublin 22.

2 proposed 2-storey semi-detached houses to rear: the proposed development is located in the rear garden of an existing structure; on site provision for 4 parking spaces will be made; new western boundary wall to rear of existing structure.

Decision: **GRANT PERMISSION.**

PL 06S.212638: **REFUSE PERMISSION.**

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### Relevant Enforcement History

None recorded.

### Pre-Planning Consultation

None.

### Relevant Policy in South Dublin County Council Development Plan 2022 - 2028

*Section 6.8.2 Residential Extensions*

*Policy H14 Residential Extensions*

- It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

*Policy H14 Objective 1:*

- To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

*Section 12.5.3 Density and Building Heights*

*Section 12.6 Housing – Residential Development*

*Section 12.6.8 Residential Consolidation*

*Extensions*

- The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the *South Dublin County Council House Extension Guide* (2010) or any superseding standards.

*Section 12.6.7 Residential Standards*

*Section 6.7.5 Privacy and Security*

*Section 6.7.4 Internal Residential Accommodation*

*Section 12.10.1 Energy Performance in New Buildings*

*Section 12.3.2 Appropriate Assessment*

*Section 12.3.3 Environmental Impact Assessment*

***The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.***

*Attic conversions and dormer windows:*

- Locate dormer windows as far back as possible from the eaves line (at least three tile courses).
- In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house.

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- Relate dormer windows to the windows and doors below in alignment, proportion, and character.

*Overlooking and loss of privacy:*

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls, and stairways.

*South Dublin County Council House Extension Design Guide (2010)*

### **Relevant Government Guidelines**

*Sustainable Residential Development In Urban Areas - Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government (2008).

*Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department Environment, Heritage, and Local Government, (2007).

### **Relevant Government Policy**

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

*Regional, Spatial & Economic Strategy 2019 - 2031*, Eastern & Midlands Regional Assembly, 2019.

*Section 5 – Dublin Metropolitan Area Strategic Plan*, in *Regional, Spatial and Economic Strategy 2019 – 2031*.

*Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government (2008).

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

*Quality Housing for Sustainable Communities-Best Practice Guidelines*, Department Environment, Heritage, and Local Government, (2007).

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### Assessment

The main issues for the assessment are:

- Zoning and Council Policy
- Residential and Visual Amenity
- Access & Parking
- Parks & Landscaping
- Services and Drainage
- Screening for Appropriate Assessment (AA)
- Screening for Environmental Impact Assessment (EIAR).

### *Zoning and Council Policy*

The site is located in an area that is zoned 'RES' 'to protect and/or improve residential amenity.' A residential extension is permitted in principle subject to its accordance with the relevant provisions in the Development Plan 2022-2028 and the SDCC House Extension Design Guide 2010.

### *Residential & Visual Amenity*

#### *Single storey front extension*

The proposed single storey front extensions will have a hipped roof profile and will project outwards from the main front building line by c.1.5m. The 1.5m depth of projection would comply with the SDCC House Extension Design Guide 2010. The extension will have a ridge height of c.3.468m.

#### *Single storey rear extension*

The extension will have a flat parapet roof with a parapet height of c.3.626m and will be built to the boundary with the immediate neighbour to the south (No.2 Newlands Drive). The extension will have a depth of 7.8m and will span the full width of the existing dwelling. This depth is considered excessive having regard to the height of the proposed rear extension along the common boundary with the attached dwelling to the south and having regard to an extension being proportionate to the depth of the existing dwelling (from front to rear building line). The proposal represents an almost doubling of the depth of the dwelling. Having regard to these circumstances, it is considered that the maximum depth of the rear extension should be limited by **condition** to 6m.

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#### *First floor extension to side*

The first floor extension to the side will have a 'Dutch' hip roof and will match the ridge height (8.602m) of the existing dwelling. The extension will provide for an additional bedroom and bathroom. It will span a width of 2.646m and will project the full length of the existing dwelling. This element of the proposal would integrate reasonably well with the character of the existing dwelling and with the character of the area.

#### *Garage Conversion*

The existing garage will be converted into an office. The existing garage door will be replaced by a window and the front of the proposed office will project further outwards from the main front building line by c.0.87m. The proposed office will span a width of 2.571m and will project a length of c.4.495m. The proposed office will have a hipped roof over with a ridge height of c.3.468m. This element of the proposal would integrate reasonably well with the character of the existing dwelling and with the character of the area.

#### *2 no. rear dormers*

The 2 no. rear dormers will inset from both walls and will be broadly centrally placed. The dormers will be set appropriately above the eaves and below the ridge of the existing dwelling. The dormers will project outwards from the roof by c.3m and will each span a width of c.3.5m. There will be no undue overlooking. This element of the proposal would comply with the SDCC House Extension Design Guide 2010.

#### *3 no. rooflights to front*

This element of the proposal would integrate reasonably well with the character of the existing dwelling and with the character of the area.

#### *Widening of existing vehicular access from c.2.6m to 4 metres.*

The application proposes to widen the existing driveway from c.2.6m to 4 metres. In the interest of preserving on street car parking, visual amenity and protection of street trees in the event of a grant a **condition** shall be attached that this width should be limited to a maximum of 3.5 metres.

#### *Access & Parking*

No report received to date. Notwithstanding this, in the event of a grant standard roads conditions shall be attached in the event of a grant including for the widened vehicular entrance to be limited to 3.5m.

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### Standard Roads Conditions

- 1.The vehicular access points shall be limited to a width of 3.5 meters.*
- 2.The 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.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.*
- 4.Any gates shall open inwards and not out over the public domain.*

It is considered appropriate to attach the above **conditions** in the event of a grant.

### ***Parks & Landscaping***

A report was received from the Parks Department recommending a grant with **conditions**. An extract taken from the Parks report states the following:

*Public Realm do not have an issue with Garage conversion, single storey extensions to front and rear, first floor extension to side with new Dutch hip roof, attic conversion with dormer windows to rear and rooflights to front, we do not allow for the reduction of the grass margin to be included as part of the works for the widening of the existing vehicular access. The following condition is recommended to be applied:*

### ***Conditions:***

- 1.Proposed/Potential Reduction of grass margin to facilitate the widening of the driving entrance.*

*The Public Realm Section would not be in favour in allowing a resident to remove or reduce a grass margin which are in the public domain to accommodate the provision of a driving entrance. We believe this sets an unwanted precedent and grass margins should be retained where possible in the urban setting.*

*Grass margins in urban areas provide a full range of ecosystem services such as regulating the water cycle by promoting infiltration, thus facilitating regeneration of ground-water stocks and evapotranspiration. In addition, they mitigate the heat-island effect through transpiration and evaporation and provide cooler. Another important ecosystem service is habitat provision for some urban fauna species. Grass margins are very important as they allow space and a growing medium for trees to be planted.*

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Notwithstanding the report from the Parks Department, it is considered that the partial removal of a section of the grass verge will not have a significant adverse impact on biodiversity. However, is it considered appropriate to attach a tree bond and tree protection measures by **condition** in the event of a grant for the street tree on the grass verge in front of the subject site.

### *Services & Drainage*

No reports have been received from Surface Water Drainage or Irish Water. Notwithstanding this it is considered that standard drainage **conditions** shall be attached in the event of a grant.

### *Screening for Appropriate Assessment (AA)*

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 house extension.

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.

### *Screening for Environmental Impact Assessment (EIAR)*

Having regard to the modest nature of the proposed 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.

### *Other Considerations*

#### **Development Contributions**

- Extension measuring 161.18sq.m less 15.024sq.m. for reduced depth of rear extension = 146.156sq.m. . Dormer (non-habitable).
- No previous extension. New extension will be built on footprint of existing s.s rear extension.
- 40sq.m. exemption remains.
- Assessable area is 106.156sq.m.



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### Development Contributions

<b>Planning Reference Number</b>	SD22B/0448
<b>Summary of permission granted &amp; relevant notes:</b>	Residential Extension – 146.156sq.m.
<b>Are any exemptions applicable?</b>	Yes
<b>If yes, please specify:</b>	The first 40 square metres of an extension to a house (including garages and conversion of attic to habitable areas) shall be exempt (subsequent extensions or extensions above 40 square metres to be charged at the residential rate per square metre). This exemption will not apply to development for which retention permission is sought.
<b>Is development commercial or residential?</b>	Residential
<b>Standard rate applicable to development:</b>	104.49
<b>% reduction to rate, if applicable (0% if N/A)</b>	0
<b>Rate applicable</b>	€104.49
<b>Area of Development (m2)</b>	146.156
<b>Amount of Floor area, if any, exempt (m2)</b>	40
<b>Total area to which development contribution applies (m2)</b>	106.156
<b>Total development contribution due</b>	€11,092.24

<b>SEA Monitoring Information</b>	
<b>Building Use Type Proposed</b>	<b>Floor Area (sq.m)</b>
Residential – extension	146.156sq.m.
<b>Land Type</b>	<b>Site Area (Ha.)</b>
Brownfield/Urban Consolidation	0.0599

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### **Conclusion**

Having regard to the 'RES' land-use zoning of the area, the relevant policies and objectives of the South Dublin County Development Plan 2022 – 2028, and the recommendations and the South Dublin House Extension Design Guide 2010, the development seeking permission would accord with the proper planning and sustainable development of the area.

### **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.
  - a) 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.
  - b) The depth of the proposed single storey rear extension shall be reduced from 7.8m to 6m.  
REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained and to protect residential amenity.
2. (a) External Finishes.  
All external finishes shall harmonise in colour or texture that is complementary to the house or its context.  
REASON: In the interest of visual amenity.
  - (b) Restriction on Use.  
The house and the proposed extension shall be jointly used as a single dwelling unit for residential purposes and shall not be sub-divided or used for any commercial purposes, and the extension shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

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REASON: To prevent unauthorised development.

(c) Drainage - Irish Water.

(i) The water supply and drainage infrastructure, shall comply with the requirements of Irish Water.

(ii) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. All new precast surface water manholes shall have a minimum thickness surround of 150mm Concrete Class B.

(iii) All drainage works for this development shall comply fully with the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interests of public health, the proper planning and sustainable development of the area and in order to ensure adequate water supply and drainage provision.

(d) 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.

(e) Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, 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 only be operated on the site between 7.00 hours and 19.00 hours weekdays and between 9.00 hours and 13.00 hours on Saturdays. No works shall take place 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

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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.

### 3. Tree Protection.

a) The existing street tree(s) in the adjoining grass verge(s) to the front of the site shall be retained and protected, both above and below ground, from damage during construction works.

b) No building materials, machinery, soil or debris shall be stored or deposited on the grass verges at any time during the construction of the proposed development.

c) Any damaged roadside margins shall be reinstated.

REASON: In the interests of visual amenity and of protecting existing trees from inappropriate storage, mixing or application of cement-based products or other phytotoxic materials that are likely to have a detrimental effect upon tree(s) in the grassed margin.

### 4. Tree Bond.

A maximum of two weeks from the date of the Commencement Notice and prior to the commencement of works on site, a Bond or bank draft to the value of €1, 500 shall be lodged with South Dublin County Council as a security for the protection of the existing street tree in the grassed margin during the course of the development works.

This bond will be released twelve months after the completion of all site works once it has been ascertained that the tree specified for retention has been preserved in its prior condition and has suffered no damage and the developer has complied with the requirements of the Planning Authority in relation to tree protection.

REASON: In the interest of tree protection and the proper planning and sustainable development of the area.

### 5. Vehicular access.

1. The vehicular access points shall be limited to a width of 3.5 meters as measured from the common boundary with the dwelling to the north.

2. The 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. 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

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expense. The footpath and kerb shall be dished and widened to the full width of the proposed widened driveway entrance.

4. Any gates shall open inwards and not out over the public domain.

REASON: In the interest of proper roads planning and proper planning and sustainable development.

### 6. Financial Contribution.

The developer shall pay to the Planning Authority a financial contribution of €11,092.24 (Eleven Thousand and Ninety Two Euros and Twenty Four Cents), in respect of public infrastructure and facilities benefiting development within 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 2021 - 2025, made under Section 48 of the Planning and Development Acts 2000-2011 (as amended).

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed in writing by the Council. Contributions due in respect of permission for retention will become payable immediately on issue of the final grant of permission. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

REASON: The provision of such facilities will facilitate the proposed development. It is considered reasonable that the payment of a contribution be required, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

NOTE RE: CONDITION - Please note that with effect from 1st January 2014, Irish Water is now the statutory body responsible for water services. Further details/clarification can be obtained from Irish Water at Tel. 01 6021000 or by emailing customerservice@water.ie.

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 is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The applicant is advised that, in order to use the attic conversion as a habitable room, it must comply with the Building Regulations.

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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.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

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**REG. REF. SD22B/0448**

**LOCATION: 4, Newlands Drive, Clondalkin, Dublin 22**

  
\_\_\_\_\_  
**Jim Johnston,**  
**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:** 30/11/22\_\_\_\_\_

  
\_\_\_\_\_  
**Gormla O'Corrain,**  
**Senior Planner**