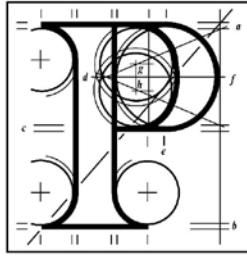


# An Bord Pleanála



## Inspector's Report

**Development:** Demolition of the existing single storey return, the partial demolition of the flat roof of the existing house and the construction of a two storey extension and single storey extension to the existing house, with one rooflight to the front elevation and two rooflights to the flat roof and all associated works at 23 Portobello Road, Portobello, Dublin 8.

### Application

Planning authority: Dublin City Council  
Planning application reg. no. 3849/15  
Applicant: Johnny O'Loughlin  
Type of application: Permission  
Planning authority's decision: Grant, subject to 7 conditions

### Appeal

Appellant: Conleth Manning  
Type of appeal: Third party -v- Decision  
Observers: Michael & Teresa Coffey and Others  
Date of site inspection: 12<sup>th</sup> April 2016  
Inspector: Hugh D. Morrison

## Site

The site is located centrally within the westernmost terrace of single storey red brick cottages on Portobello Road, which connects via Windsor Terrace to the west with Clanbrassil Street Upper (R137). This terrace is on the northern side of the Grand Canal and its principal elevations overlook the same. It is paralleled to the north by a terrace of two storey red brick dwelling houses on the southern side of St. Kevin's Road. Historically, there was a footpath that separated the rear yards to these corresponding terraces. However, today, these yards effectively abut one another. Likewise the historic pattern of centrally sited single storey returns to these cottages and dwelling houses has been largely replaced by rear extensions of individual design.

The site itself is of regular shape and it extends over an area of 113 sq m. This site presently accommodates a cottage that has been partially converted and extended upwards, with a view to providing lower and upper ground floor levels over the rear portion of the original footprint, and extended to the rear to provide a two thirds width single storey flat roof extension. The former extension has two windows in a new vertical first floor elevation under a flat roof that replaces the former pitched rear roof plane. The site also accommodates a residual rear yard and a shallow front garden.

The adjoining cottage to the east, No. 22, is the subject of a substantial full width two storey rear extension, which is under construction. The adjoining cottage to the west, No. 24, has been the subject of a half width full depth single storey rear extension under a double pitched roof.

Two rear yards to the north abut the site: Nos. 23 and 24 St. Kevin's Road. The former property has been extended to the rear of its dwelling house by means of a half width single storey extension under a mono-pitched roof, while the latter has been extended by means of a full width single storey extension under a flat roof.

## Proposal

The proposal would entail the following items:

- The demolition of the existing substantially completed single storey rear extension.
- The partial demolition of the flat roof erected over the central and rear portions of the existing cottage.
- The construction of a part two storey/part single storey rear extension to the existing cottage.

- One rooflight would be installed on the LHS of the existing front roof plane and this rooflight would connect across the ridgeline with another rooflight in the flat roof above the proposed staircase. A further rooflight would be installed in the RHS of this roof above the proposed bathroom.
- The first floor rear elevation to the two storey extension would be recessed behind the line of the ground floor elevation. The intervening flat roof between these elevations would be laid out as a green one and a timber louvred framework would be erected above the ground floor elevation to screen the first floor elevation.

In floorspace terms the proposal would entail the demolition of 15 sq m of the existing 92 sq m. To the retained 77 sq m would be added 23 sq m of new build to give a proposed total of 100 sq m.

### **Planning authority's decision**

Permission was granted subject to 7 conditions, the second condition of which states the following:

*The roof above the rear ground floor extension shall not be used as a balcony and shall not be accessed except as an emergency exit and for maintenance purposes.*

*Reason: To protect the residential amenities of the adjoining properties.*

### **Technical reports**

- Drainage: No objection, subject to conditions.

### **Grounds of appeal**

#### Introduction

- Attention is drawn to Portobello, a uniquely intact, inner city, residential area of mainly 19<sup>th</sup> century red-brick houses. The previous permission for the site would have fundamentally altered its typography and, while it cannot be reversed, the current proposal would have an even greater impact upon amenity.

#### Contravention of the CDP and residential amenity

- The partially and fully implemented permissions granted to applications reg. nos. 2803/07 and 3644/12 were based on the premise that provided the proposed developments were not visible from the street-front they were acceptable. These developments have led to the destruction of the architectural integrity of the houses at Nos. 22 and 23 Portobello Road, due

to the perceived need to facilitate their expansion as dwellings with limited floorspace on restricted sites.

- Notwithstanding the CDP's requirement that inner city dwellings be accompanied by 5 – 8 sq m of private open space per bedspace, subject to a minimum of 25 sq m, the aforementioned permissions sanctioned c. 13 sq m and c. 18 sq m, respectively. While the current proposal for No. 23 would provide 22 sq m, the usability of this space would be constrained by a change in levels and the presence of a seat. This space would receive direct sunlight for only two months per annum and it would be overlooked from first floor windows in the rear elevations of terraced houses to the north.
- The separation distance between the proposal and the corresponding dwelling houses at Nos. 23 and 24 St. Kevin's Road would be far less than the CDP's 22m, i.e. the submitted plans show this distance as being 10.147m with respect to the former and 11.757m with respect to the latter. However, with the addition of a new extension to the rear of No. 23, the former dimension is really 7.272m. The proposed mitigation in the form of a timber louvred screen would be unsatisfactory, as it could be removed or, when it deteriorates in condition, not replaced, and it would be unsightly for both occupiers and neighbours.
- Appendix 25 discusses derogations from the 22m separation distance. However, these pertain to the quest for densification, which already exists on Portobello Road/St. Kevin's Road, and in situations wherein a high standard of design and layout can be achieved, yet in this pre-existing built context, the applicant only proposes to develop.
- Attention is drawn to the absence of cross sections showing the relationship between the site and No. 23 St. Kevin's Road to the rear. The appellant has prepared such cross sections, which show that while, under the original house, direct sunlight at even the winter solstice would have reached No. 23's kitchen, under the previous permission this would have ceased. Likewise, while the sunlight penetrating No. 23's rear yard and dining/living room would be reduced under the previous permission, it would reduce still further under the current proposal.
- Attention is also drawn to the absence of any day light and shadow analysis.
- The presence of the louvred screen, which would rise to a height of 5.58m at a remove of 7.27m from No. 23's kitchen return, would have an overbearing effect on the outlook from the same.
- Unlike its predecessor, the current proposal would not include any retention of the original rear elevation.

## Deficient planning application documentation

- No rear elevation of the first floor bedroom windows has been submitted.
- The submitted contiguous rear elevation view is inadequate.
- Existing and proposed works are not delineated.
- No construction information has been submitted with respect to the main roof, the “Green” roof, the external glazing, and the rooflights.
- The proposed three rooflights are not discernible from the submitted plans.
- The proposed rooflight in the front elevation would be overly large and it would lap onto the flat roof to the rear, thereby breaking the ridgeline and making visible the presence of the rear extension.

## Responses

The planning authority has not responded to the above grounds of appeal.

The applicant has responded. He begins by identifying the appellant’s main concern with lighting and he responds to this by proposing to reduce the height of the timber louvred screen by 0.5m. The applicant describes the current proposal and reviews the planning history of the site and the relevant provisions of the CDP, before responding to the above cited grounds as follows:

### Contravention of CDP

- Attention is drawn to the site’s Z1 zoning rather than Z2, which pertains to St. Kevin’s Road to the north. (It is however acknowledged that this site lies within the Grand Canal Conservation Area, although, apart from the proposed front rooflight, the proposal would not be visible from within the same). The appellant’s concern over the loss, for example, of the rear elevation to the house on the site is thus misplaced.
- A comparison between a historic map of Portobello Road and St. Kevin’s Road (1888 – 1913) and a recent aerial photograph of the same shows that the regular pattern of the original returns to corresponding rear elevations has been largely eroded. Within this context and that of the substantial rear extension presently under construction at No. 22 Portobello Road, the current proposal would be a relatively modest built form, i.e. its ground and first floor elevations would be stepped back from the emerging corresponding elevations at No. 22.

- The proposal would entail a relatively minor alteration to the previously partially implemented permission and, as such, it would not pose aesthetic or conservation issues.

#### Residential amenity

- A comparison between the private open space permitted under application reg. no. 2803/07 and that now proposed shows that the latter would not only be more extensive, at 22 sq m compared with 18 sq m, but it would maintain a better relationship with the proposed rear extension and so it would be qualitatively better, too.
- Concern over separation distances and overlooking ignores the inner city context of the site and the fact that, as originally constructed, the two corresponding terraces would have been only 13m apart and first floor bedroom windows in the rear elevations to St. Kevin's Road have always overlooked the rear yards to Portobello Road.

#### Amenity of No. 23 St. Kevin's Road

- Under the current proposal, the rear elevation of the proposed extension would be 4.6m away from the common boundary with No. 23 rather than 5.988m away. However, this elevation would now be set behind a timber louvred screen and so, unlike under the previous proposal, overlooking from rear bedroom windows would be negated.
- Insofar as the current proposal would appear to decrease marginally the provision of direct sunlight to No. 23 compared with the previously permitted proposal, the applicant is prepared to reduce the height of the aforementioned louvred screen to negate this increase.
- The appellant expresses concern over the outlook that would be available from the proposed rear bedroom windows. Given that this outlook would be highly constrained without the said timber louvred screen, its presence would not cause an unacceptable loss of outlook.

#### Deficient planning application documentation

- The application was validated by the planning authority.

#### Response to response

- The appellant acknowledges that the site is zoned Z1 rather than Z2, although he considers that the Portobello Road and St. Kevin's Road share a "Portobelloish" character and the relevant CDP provisions make little difference to this appeal in practise.

- The timber louvred screen continues to be critiqued: “It is a device that limits outlook, reduces daylight ingress into the proposed bedrooms and creates an overbearing façade in close proximity to the kitchen window at No. 23 St. Kevin’s Road.
- Given that winter sunlight is a limited resource, any lessen of its availability should be avoided.
- Given that the previous permission has been partially implemented, the description of the current proposal should have been for revisions and modifications to this permission. The Board should thus assess the impact of the overall development upon No. 23 St. Kevin’s Road.

### **Observers**

- The proposal would contravene the CDP’s Z2 zoning objective.
- The proposal would not comply with the CDP’s private open space standards.
- The proposal would not comply with the CDP’s 22m separation distance standard.
- The proposal would not comply with Section 17.9.8 and Appendix 25 of the CDP insofar as it would have an overbearing effect on neighbouring dwelling houses and it would adversely affect the amenities of these dwelling houses in terms of loss of privacy and day light and sun light.

### **Consultee**

DoAHG

Support is expressed for the appellant’s case and the view is expressed that “the development as granted at No. 23 Portobello Road is excessive in scale relative to the size of the original small house, and would be likely to have an unreasonable negative impact upon amenity of the house at No. 23 St. Kevin’s Road.” The Department cites the zoning objective for Z2 in this respect.

### **Applicant’s response to consultee**

- Given the conservation remit of the DoAHG, the appropriateness of the commentary on residential amenity is questioned.
- The mis-identification of the site’s zoning is flagged.
- The relevance of streetscape concerns is questioned too, insofar as the proposal would be to the rear, save for a front rooflight.

## Planning history

### Site

- 2803/07: Alterations to house incorporating first floor extension over reduced level ground floor also single storey extension to rear: Permitted subject to conditions, including one that required that the lower half of first floor rear elevation bedroom windows be obscure glazed.
- Pre-application consultation occurred on 29<sup>th</sup> September 2015.

### Adjoining residential properties

- No. 22: 3644/12: Demolition of single storey rear kitchen/bathroom annex, removal of existing rear terrace wall and rear pitched roof only, construction of a new two storey rear extension comprising kitchen, living room and court yard at ground level and additional bedroom and roof garden at first floor level: Permitted.
- No. 24: 2270/00: Erection of single storey rear extension: Permitted.

### Elsewhere in the vicinity

- No. 17: 2023/14: Internal alterations and rear first floor bedroom extension to previously altered and extended cottage: Refused at appeal (PL29S.243210) on the grounds of residential amenity, i.e. over development that would be overbearing and that would lead to overshadowing of neighbouring property.

## Development Plan

Under the Dublin City Development Plan 2011 – 2017, the site is shown as lying within an area that is zoned Z1, wherein the objective is “To protect, provide, and improve residential amenities.” This site is also shown as lying within an area that is encompassed within the Grand Canal Conservation Area. It is accompanied to the north by an area, which includes St. Kevin’s Road, that is zoned Z2, wherein the objective is “To protect and/or improve the amenities of residential conservation areas.” Section 17.9.8 and Appendix 25 address extensions and alterations to dwelling houses.

## Assessment

I have reviewed the proposal in the light of the CDP, relevant history, and the submissions of the parties, the observers, and the consultee. Accordingly, I consider that this application/appeal should be assessed under the following headings:



- (i) Legalities,
- (ii) Conservation,
- (iii) Occupier amenity,
- (iv) Neighbour amenity, and
- (v) AA.

**(i) Legalities**

- 1.1 The appellant critiques the submitted plans on a variety of grounds that range from the omission of plans, the submission of inadequate plans, and the absence of relevant information from plans. He concludes on the basis of this critique that the application should have been invalidated.
- 1.2 The applicant has responded by stating that the application was validated by the planning authority. I note in this respect that the validation function is one that the planning authority alone exercises and so it is not open to the Board to review the exercise of this function.
- 1.3 Nevertheless, I have reviewed the submitted plans in the light of the appellant's critique and I conclude that they do illustrate the proposal sufficiently well to enable an assessment and decision to be made with confidence.
- 1.4 The appellant also critiques the description of the proposal on the basis that it should have referred to the preceding permission granted to application reg. no. 2803/07, which was partially implemented but which now has expired. The view is expressed that the current proposal would represent revisions/modifications to this earlier permitted proposal.
- 1.5 The latter critique appears to have arisen in response to the applicant's comparison of his proposal with its predecessor wherein he described the latter as being a relatively minor alteration to the former. This comment was made in the context of a consideration of the impacts of the two proposals. A comparison of the existing and proposed plans indicates that the latter would entail considerable demolition and reconfiguration of the former and the ultimate new build outcome would be markedly different in its design from that which it would replace. In these circumstances, I am satisfied that the description of the proposal accurately conveys a sense of the works now envisaged.
- 1.6 I, therefore, conclude that there are no legal impediments that prevent the Board from assessing and deciding upon the proposal in the normal manner.

## **(ii) Conservation**

- 2.1 A degree of confusion surrounds the zoning/designation of the site in the submissions received from the parties, the observers, and the consultee. To be clear, the CDP shows Portobello Road as zoned Z1 (sustainable residential neighbourhoods) and St. Kevin's Road as zoned Z2 (residential neighbourhoods – conservation areas). The respective zoning objectives accent residential amenities and the amenities of residential conservation areas, respectively. The CDP also shows the former Road as lying within the designation of the Grand Canal Conservation Area and the latter Road as lying partially within this Area. This designation does not simply include the canal and its towpath but roads on either side. Frontage development along these roads is also included and, as the band of designation is of even width, other development is included, too. The CDP does not elucidate the rationale behind this wider designation. I therefore infer that the streetscape context provided by the said frontage development is deemed to be important in defining the visual envelope of the canal itself.
- 2.2 The appellant draws attention to the architectural integrity of the original red brick cottage on the site and how that was undermined by the permission previously granted and how it would be undermined still further by the current proposal insofar as, for example, none of the rear elevation would be retained. He also draws attention to the common "Portobelloish" character of St. Kevin's Road and Portobello Road and so he contends that the distinction in the zonings of these Roads and their respective zoning objectives should not be emphasised.
- 2.3 The applicant has responded by drawing attention to historical maps and a recent aerial photograph of Portobello, a comparison of which shows that the regular pattern of the original returns to corresponding rear elevations has been largely eroded by replacement rear extensions of individual design. He also draws attention to the two storey rear extension to No. 22 Portobello Road, which is presently under construction. This extension was permitted under application reg. no. 3644/12. The current proposal would neither extend as far north as this extension nor would it be as high.
- 2.4 While I accept the commonality of character noted by the appellant, I observed during my site visit that St. Kevin's Road exhibits a greater consistency of streetscape than Portobello Road and so the conservation interest and aesthetic quality of the former appears to exceed that of the latter. This difference may explain the separate zoning of the two Roads. I consider that the accompanying objectives do make a difference insofar as aesthetic considerations that impinge on that which is of conservation interest can be afforded greater weight in the case of the former Road rather than the latter one.

- 2.5 The appellant refers to the rear elevation of the cottage and the loss of both the line of this elevation and its fabric under the current proposal. However, in the light of the foregoing discussion of zoning and the importance of the front streetscape of the cottage only, I do not consider that this elevation or its line need necessarily be retained or replicated on conservation grounds.
- 2.6 The appellant accepts that, unlike the flat roof/two storey rear extension to the cottage at No. 22, the proposal would not exceed the existing ridgeline. However, he expresses concern that insofar as the proposed front rooflight would connect across this ridgeline with a roof light in the proposed flat roof, the presence of the rear extension would be visible from public vantage points to the front of the cottage.
- 2.7 During my site visit, I observed that the front roof plane to the cottage is at a shallow pitch and that it is partially concealed behind a parapet. I also observed the presence of rooflights on steeper front roof planes elsewhere on the row of cottages that make up Portobello Road. I note that the proposed rooflights that would connect with one another across the ridgeline would admit light to the hall and staircase. I note, too, that their combined presence would “give the clue” as to the presence of the flat roof/two storey rear extension.
- 2.8 Given the importance of the front streetscape and given, too, the opportunity to retain the existing front roof plane and ridgeline intact and to thereby wholly conceal the current proposal, I consider that the proposed front rooflight should be omitted and that the rooflight within the proposed flat roof should be sited to the rear of the existing ridgeline and be of a type that would be flush with the upper surface of this roof. (The same type of rooflight should be installed above the proposed first floor bathroom). In this respect, I acknowledge that optimum lighting of the hall and staircase would not ensue. However, the retained rooflight as well as the existing fanlight above the front door would, in my view, provide adequate lighting. These matters could be conditioned.
- 2.9 I conclude that as the front streetscape of the cottage is of conservation interest, the proposed front rooflight should be omitted and the existing ridgeline should not be breached or exceeded in height by the rooflights proposed for the flat roof.

### **(iii) Occupier amenity**

- 3.1 The appellant expresses concern that the proposed provision of private open space would be sub-standard and that the proposed timber louvred screen would restrict unduly the outlooks from glazed openings to the first floor bedrooms. He, therefore, considers that the amenity afforded by the proposed alterations and extensions to the cottage would be unsatisfactory.

- 3.2 The applicant has responded by drawing attention to the greater quantitative and qualitative provision of private open space that would arise under the current proposal compared with its predecessor. Thus, in relation to the former, 22 sq m rather than 18 sq m would be provided, and, in relation to the latter, the space would be rectangular in plan-view rather than a “L” shape and it would connect with the extended cottage via expansive glazed doors.
- 3.3 The applicant has also responded to the concern over outlook by drawing attention to the limited outlook that would be afforded to the glazed openings in the absence of the said screen, due to the proximity of adjoining and adjacent dwelling houses.
- 3.4 I consider that the proposal would afford the opportunity to extend and modernise the cottage in a manner that would increase significantly the amenities that it affords to occupiers. Thus, while the original area of private open space in the rear yard would contract, its relationship with the main living space would be enhanced considerably and, along with this, its utility. The introduction of a first floor would enable an additional bedroom to be provided. While the proposed screen would restrict the outlook available from the resulting two bedrooms, this loss needs to be weighed against the utility of a second bedroom and the privacy and lighting properties that this screen would afford.
- 3.5 I conclude that the proposal would represent a net increase in the overall amenity afforded by the cottage, whether the baseline for comparison is the original cottage or that which was envisaged under permitted application reg. no. 2803/07.

#### **(iv) Neighbour amenity**

- 4.1 The appellant expresses concern over the proximity of the proposal to his residential property at No. 23 St. Kevin’s Road and to the loss of light that would ensue to his property as a result. In the absence of a day light and shadow analysis from the applicant, he has submitted a cross section that shows the direct sunlight available to his property at mid-day during the summer and winter solstices. This cross section illustrates how such sunlight would have been reduced by the proposal permitted under application reg. no. 2803/07 and how it would be reduced further by the current proposal. He also expresses concern over the proposed timber louvred screen, which would be overbearing.
- 4.2 The applicant has responded to the applicant’s concern by drawing attention to the proximity of the partially constructed single storey rear extension from the common boundary and comparing this with what is now proposed for the wholly two storey rear extension, i.e. 1.1m as against 3.333m (3.133 to the front of the

screen). He also responds to the cross section by proposing a reduction of 0.5m in the height of the timber louvred screen to maintain the lighting levels that would have pertained under permitted under application reg. no. 2803/07.

4.3 With respect to proximity, I consider that the two storey portion of the existing cottage is the more pertinent point of comparison, as the said single storey extension has a flat roof and is largely concealed behind the common boundary wall. This distance is 5.988m. I also consider that while the reduction in the height of the screen would be of some benefit in lighting terms it would not be sufficient to restore direct sunlight to the appellant's kitchen window at mid-day during the winter solstice.

4.4 During my site visit, I observed through the appellant's kitchen window the first floor windows of the existing two storey portion of the cottage on the site. The relationship between these windows was uncomfortable. I, therefore, consider that, in principle, the proposed introduction of the timber louvred screen would be welcome, as it would negate the opportunity for overlooking/sense of being overlooked. I note that this screen would be installed proud of the proposed rear elevation. This manner of installation and its overall height would cause the screen to be unduly prominent.

4.5 Turning to the issue of lighting, I consider that the loss that would have resulted under the permitted application reg. no. 2803/07 should not be exceeded under the current proposal. Accordingly, the proposed first floor should not extend beyond the line of the original rear elevation and the timber louvred screen should be sited in a position that would not prejudice lighting.

4.6 To insist that the line of the original rear elevation be respected would reflect the Board's decision under appeal ref. no. PL29S.243210, wherein a first floor extension beyond the original rear elevation of the cottage at No. 17 Portobello Road was refused, on the grounds of residential amenity. It would, however, be *prima facie* at variance with application reg. no. 3644/12, wherein a first floor extension beyond the original rear elevation of the cottage at No. 22 Portobello Road was permitted. I have read the case planner's report on this application and from it have gleaned that there was a 4m high outbuilding that abutted the common boundary with this site and the appellant's residential property. Thus, the application proposed the demolition of this outbuilding in tandem with the construction of a two storey rear extension. Accordingly, the baseline considerations that pertained to this site differ from those that pertain to the current appeal site and so I consider that No. 22 does not establish a precedent that must now be followed.

4.7 If the proposed timber louvred screen is to be consistent with the aforementioned lighting objective, then it should be set back in tandem with the

first floor extension. Likewise, if its previously discussed prominence is to be eased, then it should be reduced in height to 1.25m above the parapet/dwarf wall. Thus, this screen would be sited in a recessed position on the roof over the projecting single storey element of the rear extension, thereby greatly reducing its visual impact.

4.8 I, therefore, conclude that the proposal should be setback at first floor level to reflect the line of the original rear elevation and that the timber louvred screen should be resited in tandem with this set back. (As a corollary of this revision the proposed first floor accommodation should be reconfigured to provide a double bedroom only). Neighbour amenity would thereby be safeguarded.

#### **(v) AA**

5.1 The site is neither in nor near to a Natura 2000 site. The nearest such sites are in Dublin Bay (SAC and SPA). The proposal would be linked to these sites via the combined foul and surface water public sewerage network that discharges to the Ringsend WWTP. Periodic storm water surges through this Plant can lead to a decrease in the water quality of the Bay. However, the Conservation Objectives of the said Natura 2000 sites do not refer to water quality. Furthermore, the scale of water treatment occurring at the Plant is such that the contribution of the proposal would be negligible.

5.2 Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

#### **Recommendation**

In the light of my assessment, I recommend that the demolition of the existing single storey return, the partial demolition of the flat roof of the existing house and the construction of a two storey extension and single storey extension to the existing house, with one rooflight to the front elevation and two rooflights to the flat roof and all associated works at 23 Portobello Road, Portobello, Dublin 8, be permitted.

#### **Reasons and considerations**

Having regard to the provisions of the Dublin City Development Plan 2011 – 2017 and the planning history of the site, it is considered that, subject to modifying conditions, the proposal would accord with the relevant Z1 zoning objective for the site and the streetscape considerations that arise from its location within the Grand Canal Conservation Area. Thus, subject to the setback of the proposed first floor extension and a reduction in the size and height of the proposed timber louvred

screen, the proposal would be compatible with the residential amenities of the area. Likewise, subject to the omission of the rooflight proposed for the front roof plane, the proposal would be compatible with the visual amenities of the said Conservation Area. The amenities afforded by the altered and extended cottage to future occupiers would be satisfactory and no Appropriate Assessment issues would arise. The proposal would thus accord with the proper planning and sustainable development of the area.

### **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by An Bord Pleanála on the 15<sup>th</sup> day of February, 2016, 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 proposed development shall be amended as follows:
  - (a) The proposed rooflight in the front roof plane shall be omitted.
  - (b) The rooflight over the staircase proposed for the flat roof shall be set behind the ridgeline and it shall be installed flush with the upper surface of this roof. The rooflight over the bathroom proposed for the flat roof shall likewise be installed flush with this upper surface.
  - (c) The first floor shall be setback to coincide with the line of the original rear elevation to the cottage. Internally, the two proposed bedrooms shall be reconfigured to provide a double bedroom only.
  - (d) The proposed timber louvred screen shall be 1.25m in height above the parapet/dwarf wall and it shall be installed 1.3m forward of the first floor glazed openings. The proposed green roof shall be retained between these openings and this screen.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual and residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed rear extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

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. Site development and building works shall be carried only out between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

7. The roof above the rear ground floor extension shall not be used as a balcony and it shall not be accessed except as an emergency exit and, in the case of the green portion, for maintenance purposes.



Reason: For the avoidance of doubt and to protect the residential amenities of adjoining properties.

Hugh D. Morrison

Inspector

3<sup>rd</sup> May 2016