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# An Bord Pleanála



## Inspector's Report

**Appeal Reference No.:** PL28. 246636

**Development:** Elevational changes and internal alterations to 3 No. previously approved dwelling houses (change of design from that granted under Planning Ref. 07/32203).

Rear of property at 2 Westgate, Bishopstown, Cork.

### **PLANNING APPLICATION**

Planning Authority: Cork City Council

Planning Authority Ref.: 16/36793

Applicant: Denis O'Brien Developments (Cork) Ltd.

Type of Application: Permission

Planning Authority Decision: Grant subject to conditions

### **APPEAL**

Type of Appeal: Third Party v. Decision

Appellant(s): Philip McManus  
Violet Warner & Others

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Observers: Ballinaspig Firgrove Westgate Residents Association

Date of Site Inspection: 19<sup>th</sup> August, 2016

INSPECTOR: Robert Speer

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## **1.0 SITE LOCATION AND DESCRIPTION**

1.1 The proposed development site is located within the residential district of Bishopstown in the south-western suburbs of Cork City, approximately 4km southwest of the City Centre and 1km southwest of Cork University Hospital, where it occupies a backland location to the rear of existing housing along the northern side of Curraheen Road. The site itself has a stated site area of 0.245 hectares, is irregularly shaped, and includes the existing two-storey semi-detached residence at No. 2 Westgate in addition to the lands which extend to the rear of same where works are presently on-going as regards the construction of 3 No. dwelling houses. The area to the rear of the existing dwelling house is generally obscured from public view and is surrounded by the rear and side boundaries of existing housing; to the south and west by properties fronting Curraheen Road, to the east by the site boundary of the dwelling adjacent to the appeal property, and to the north by properties on Westgate Park Road. The existing site boundaries are largely defined by a combination of boundary walls, fencing and hedgerow / tree planting.

## **2.0 DESCRIPTION OF PROPOSED DEVELOPMENT**

2.1 The proposed development is described in the application documentation as comprising '*Elevational changes and internal alterations to 3 No. previously approved dwelling houses (change of design from that granted under Planning Ref. 07/32203)*' and effectively involves relatively minor changes to the house types previously approved on site pursuant to the grant of permission issued in respect of PA Ref. No. 07/32203 / ABP Ref. No. PL28.225645. Perhaps the most notable alteration is the proposed substitution of a number of rooflights within the rear elevations of each of the proposed dwelling houses with flat-roofed dormer windows.

## **3.0 RELEVANT PLANNING HISTORY**

### **3.1 On Site:**

PA Ref. No. 98/22294 / ABP Ref. No. PL28.108234. Was refused on appeal on 8<sup>th</sup> March, 1999 refusing Kevin McCarthy permission for a development comprising the demolition of existing greenhouses and outhouses and the construction of 4 No. detached houses and site development works for the following 2 No. reasons:

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- The proposed backland development of four houses on a restricted site in close proximity to existing houses would be out of character with the pattern of development in the vicinity and would seriously injure the amenities of the area and of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and development of the area.
  - The proposed access road to serve the existing house and four new houses on the site would be substandard in horizontal alignment and would seriously injure the amenities of adjoining houses.

PA Ref. No. 04/28995 / ABP Ref. No. PL28.213870. Was granted on appeal on 9<sup>th</sup> May, 2006 permitting Kevin McCarthy permission to demolish sheds and 2 No. greenhouses at side and rear of existing dwelling house and construct 3 No. dwelling houses and associated site works.

PA Ref. No. 07/32203 / ABP Ref. No. PL28.225645. Was granted on appeal on 21<sup>st</sup> May, 2008 permitting The Westgate Partnership permission for elevational changes and internal alterations to 3 No. previously approved houses while keeping to approved house sizes, locations and heights (planning register reference number 04/28995 and appeal file number PL 28.213870) including the use of the previously approved garage of house type 1 as part of the house together with associated minor revisions to site and ancillary works.

- On 14<sup>th</sup> May, 2013 a decision was made by the Planning Authority to grant The West Gate Partnership an 'Extension of Duration' of PA Ref. No. 07/32203 until 20<sup>th</sup> May, 2018.

## **4.0 PLANNING AUTHORITY DECISION**

### **4.1 Planning and Technical Reports:**

4.1.1 *Planner's Report:* States that whilst there is no objection to the minor changes proposed to the front elevations of the approved dwelling houses or to the modifications proposed to the western elevations of House Nos. 2 & 3, given the proposed rear garden depths of 7m, it was considered that the provision of the first floor box dormer windows within the rear elevations of the proposed dwelling houses would be inappropriate as they would adversely impact on the privacy and future development potential of neighbouring properties. It was also considered that the use of obscure glazing within the proposed dormer windows would not represent an acceptable solution in view of the aesthetic impact of

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same and also in terms of the need to provide for a satisfactory level of amenity for the future occupants of the proposed dwelling houses. Accordingly, it was recommended that permission could be granted for the various minor amendments to the approved housing, with the exception of the aforementioned rear dormer windows.

*4.1.2 Environment, Waste Management & Control:* No objection subject to conditions.

*4.1.3 Drainage Division:* No objection subject to conditions.

*4.1.4 Objections / Observations:*

A total of 2 No. submissions were received from interested parties and the principle grounds of objection contained therein can be summarised as follows:

- Detrimental impact on the residential amenity of neighbouring properties by reason of overshadowing, overlooking and a loss of privacy.
- The inadequacy of the proposed site boundary treatment.

*4.2 Planning Authority Decision:*

On 4<sup>th</sup> May, 2016 the Planning Authority issued a notification of a decision to grant permission for the proposed development subject to 4 No. conditions which can be summarised as follows:

Condition No. 1 – Refers to the submitted plans and particulars.

Condition No. 2 – States that permission is not granted for any of the proposed first floor rear dormer windows at House Nos. 1, 2 & 3 in the interests of residential amenity.

Condition No. 3 – Refers to construction management.

Condition No. 4 – Refers to noise levels and working hours during the construction phase.

## **5.0 GROUNDS OF APPEAL**

The grounds of appeal are summarised as follows:

*5.1 Mr. Philip McManus:*

- The grant of permission previously issued on site for the construction of 3 No. dwelling houses under ABP Ref. No. PL28.225645 (PA Ref. No. 07/32203) included conditions which referred to the height of the proposed

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houses and the submission of boundary treatment details for the written agreement of the Planning Authority prior to the commencement of development. The subject proposal includes for elevational changes and in this respect it should be noted that the lowering of the elevations was one of the changes made by the Planning Authority in its assessment of the original planning application i.e. PA Ref. No. 07/32203. Given that the gable end of House No. 1 will be only c. 3m from the northern site boundary, it is submitted that any increase in the height of that proposed dwelling house will have a corresponding negative impact on the amenity of the appellant's neighbouring property by reason of overshadowing and a loss of light.

- The ground floor windows within the northern gable of House No. 1 will have unobstructed views into the rear garden area of the appellant's property.
- It was previously agreed that the site boundary between the appellant's property and the proposed development site was to comprise a 2.4m high capped and plastered concrete wall. Therefore, given the siting of a new service road alongside the northern site boundary as part of the overall development, the finished floor level of the proposed dwelling houses, and the potential overlooking of the appellant's property as a result of the inclusion of a ground floor window within the northern gable of House No. 1, it is submitted that the provision of the aforementioned 2.4m high wall is essential to preserve the security and privacy of the appellant's dwelling house.

#### 5.2 Ms. Violet Warner & Others:

- The legitimate concerns of local residents with regard to the potential for overlooking of their properties was never taken into consideration by the Board in its previous decision to grant permission for ABP Ref. No. PL28.225645.
- Whilst the notification of the decision of grant permission issued by the Planning Authority in respect of the proposed '*elevational changes and internal alterations*' has taken some account of the concerns of local residents, this has been limited to consideration of the implications of the proposed dormer windows within the rear elevations of House Type Nos. 1, 2 & 3.
- Whilst it is accepted that permission is now in place for the development of the subject site and that this decision cannot now be reversed, it is nevertheless submitted that local residents have significant concerns as regards the inclusion of the large floor-to-ceiling windows within the rear

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elevations of the proposed dwelling houses which will directly overlook their properties in contravention of the City Development Plan. Although the aforementioned windows were granted permission under ABP Ref. No. PL28.225645, it is submitted that they can be reconsidered by the Board in its determination of the subject appeal on the basis that the proposed development concerns 'elevational changes'. Therefore, the Board is requested to acknowledge the appellants' concerns as regards overlooking and to impose a condition in any grant of permission which will require the developer to utilise an alternative form of fenestration (such as rooflights) in place of the aforementioned large windows.

- In its determination of ABP Ref. No. PL28.225645 the Board imposed a condition whereby the details of all site boundary treatment were to be agreed with the Planning Authority prior to the commencement of development, however, the developer's response to the inclusion of this condition simply states that *'the existing boundary fences are to be retained and improved where necessary'* whilst *'The boundary fences shall be augmented by planting as outlined in the Landscaping and Planting Plan'* with *'laurel hedging to be planted along the perimeter of the site to provide for the new builds and for the existing adjacent houses'*. It is considered that this response is inadequate and vague given that adequate screening should be provided to protect the privacy of adjacent residents. Therefore, the Board is urged to impose stricter conditions in relation to the provision of suitable boundary treatment in order to preserve the privacy of adjacent residents.
- The development as permitted by the Planning Authority will seriously injure the amenities and depreciate the value of properties in the area.

## **6.0 RESPONSE TO GROUNDS OF APPEAL**

### **6.1 Response of the Planning Authority:**

None received.

### **6.2 Response of the Applicant:**

None received.

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## **7.0 OBSERVATIONS:**

### **7.1 Ballinaspig Firgrove Westgate Residents Association:**

- States that it is in support of the appellants and that it concurs with their concerns that the development is in conflict with the objectives of the Cork City Development Plan.
- Raises concerns with regard to the proposed boundary fencing as the residents of adjoining properties were assured that a solid boundary fence would be erected. In this respect it is considered that the submitted proposal will provide neither privacy nor security and will require on-going maintenance.

## **8.0 POLICY CONTEXT**

### **8.1 National and Regional Policy:**

The ‘Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009’ note that in general, increased densities should be encouraged on residentially zoned lands and that the provision of additional dwellings within inner suburban areas of towns or cities, proximate to existing or due to be improved public transport corridors, has the potential to revitalise areas by utilising the capacity of existing social and physical infrastructure. Such developments can be provided either by infill or by sub-division. In respect of infill residential development potential sites may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites or sites assembled from a multiplicity of ownerships. In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and the privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.

### **8.2 Cork City Development Plan, 2015-2021:-**

#### **Land Use Zoning:**

The proposed development site is located in an area zoned as ‘Residential, Local Services and Institutional Uses’ with the stated land use zoning objective ‘To protect and provide for residential uses, local services, institutional uses, and civic uses, having regard to employment policies outlined in Chapter 3’.

#### **Explanatory Note: ‘Residential, Local Services and Institutional Uses’:**

The provision and protection of residential uses and residential amenity is a central objective of this zoning, which covers much of the land in the suburban



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area. However other uses, including small scale local services, institutional uses and civic uses and provision of public infrastructure and utilities are permitted, provided they do not detract from residential amenity and do not conflict with the employment use policies in Chapter 3 and related zoning objectives. Small scale 'corner shops' and other local services such as local medical services, will be open for consideration. Schools, third level education institutes, and major established health facilities are located within this zone and appropriate expansion of these facilities will be acceptable in principle. The employment policies in Chapter 3 designate particular locations for offices, office based industry, major retailing development and these uses are not generally permitted in this zone (Chapter 3: Enterprise and Employment). New local and neighbourhood centres or expansion of same are open for consideration in this zone provided they meet the criteria for such centres set out in Chapter 4.

*Other Relevant Sections / Policies:*

*Chapter 6: Residential Strategy:*

*Objective 6.1: Residential Strategic Objectives:*

- a) To encourage the development of sustainable residential neighbourhoods;
- b) To provide a variety of sites for housing to meet the various needs of different sections of the population;
- c) To continue to work with the Approved Housing Bodies and to actively engage with all key stakeholders in the provision of housing;
- d) To continue to regenerate and maintain existing housing;
- e) To encourage the use of derelict or underused land and buildings to assist in their regeneration;
- f) To promote high standards of design, energy efficiency, estate layout and landscaping in all new housing developments;
- g) To protect and, where necessary, enhance the amenities and the environment of existing residential areas.

*Chapter 16: Development Management:*

*Section 16.59: Infill Housing:*

To make the most sustainable use of existing urban land, the planning authority will consider the appropriate development of infill housing on suitable sites on a case by case basis taking into account their impact on adjoining houses, traffic safety etc. In general, infill housing should comply with all relevant development plan standards for residential development, however, in certain limited

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circumstances; the planning authority may relax the normal planning standards in the interest of developing vacant, derelict and underutilised land. Infill proposals should:

- Not detract from the built character of the area;
- Not adversely affect the neighbouring residential amenities;
- Respect the existing building line, heights, materials and roof profile of surrounding buildings;
- Has an appropriate plot ratio and density for the site;
- Adequate amenity is proposed for the development.

## **9.0 ASSESSMENT**

From my reading of the file, inspection of the site and assessment of the relevant local, regional and national policies, I conclude that the key issues raised by the appeal are:

- The principle of the proposed development
- Overall design and layout / visual impact
- Impact on residential amenity
- Appropriate assessment

These are assessed as follows:

### **9.1 The Principle of the Proposed Development:**

9.1.1 The proposed development is described in the public notices as comprising '*Elevational changes and internal alterations to 3 No. previously approved dwelling houses*' and effectively involves minor changes to the house designs previously approved on site under PA Ref. No. 07/32203 / ABP Ref. No. PL28.225645. Accordingly, I am satisfied that the subject application can be reasonably described as amending an extant grant of permission and, therefore, there is no need to revisit the wider merits and overall principle of the development of the dwelling houses already approved on site.

### **9.2 Overall Design and Layout / Visual Impact:**

9.2.1 With regard to the overall design of the proposed elevational changes and internal changes, in my opinion, these alterations are relatively minor and do not give rise to any significant impact in terms of visual amenity.

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### **9.3 Impact on Residential Amenity:**

9.3.1 Concerns have been raised in the grounds of appeal that the proposed development will have a detrimental impact on the residential amenity of the neighbouring properties primarily by reason of overlooking with an associated loss of privacy. In this regard, specific reference has been made in the appeal lodged by Mr. Philip McManus to the proximity of House No. 1 (i.e. House Type No. 1) to the northern site boundary, the finished floor level and overall height of that proposed dwelling house, and the positioning of a ground floor window within the north-facing gable of said dwelling relative to his property. In addition, wider concerns have been raised as regards the adequacy of the proposed boundary treatment details.

9.3.2 Having reviewed the available information, I would suggest at the outset that it is necessary to review the background to the proposed development and in this respect I would refer the Board in the first instance to its determination of ABP Ref. No. PL28.213870 wherein it approved the construction of 3 No. dwelling houses on site subject to conditions. Notably, Condition No. 2 of that grant of permission specified that all the proposed dwelling houses should be moved back from their respective rear site boundaries in order to achieve a minimum rear garden depth of 7m whilst the proposed dormer (rear) bathroom windows and the rear rooflights were to be replaced by rooflights with a cill height of 1.4m above first floor level. The rationale for the inclusion of this condition was to protect the amenity of adjoining residential properties and to ensure the provision of an adequate standard of private amenity space for the future occupants of the proposed dwelling houses. Subsequently, in the assessment of ABP Ref. No. PL28.225645 (which sought permission for elevational changes and internal alterations to the 3 No. dwelling houses previously approved under ABP Ref. No. PL28.213870) the reporting inspector noted that the revised proposal had achieved the minimum rear garden depths of 7m and that the lowest cill height of the rooflights proposed within the rear elevations of each of the proposed dwelling houses was 1.4m above first floor level thereby according with the requirements of Condition No. 2 of the grant of permission issued for ABP Ref. No. PL28.213870.

9.3.3 Therefore, on the basis of the foregoing, it would appear that the Board has previously required each of the proposed dwelling houses approved on site to have a minimum rear garden depth of 7m with any fenestration within the rear elevations of same to comprise rooflights with a minimum cill height of 1.4m above first floor level in order to preserve the residential amenity of neighbouring properties.

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9.3.4 Having established the parameters by which the Board has previously determined that permission can be granted on site for the proposed housing scheme without giving rise to any undue overlooking of neighbouring properties, it is necessary to review the submitted proposal having regard to same in order to ascertain whether or not the proposed revisions to the individual house designs can be similarly held to avoid impacting on the amenity of adjacent residences by way of overlooking. In this respect I would advise the Board that although the proposed design changes are generally relatively minor in nature, certain aspects of the proposal will require more in-depth consideration.

9.3.5 From a review of the submitted plans and particulars, it is apparent that the finished floor levels of each of the proposed dwelling houses will be 200mm above those previously approved under ABP Ref. No. PL28.225645, however, given the separation distances between the proposed units and adjacent housing, I am inclined to suggest that this increase in floor levels is unlikely to result in any significant additional overlooking or overshadowing of neighbouring property. In this regard it should be noted that there will be approximately 35m of separation between the front elevations of House Nos. 2 & 3 and the rear elevations of those residences to the north along Westgate Park Road which is considerably in excess of the 22m separation traditionally deemed to be adequate between opposing first floor windows as set out in Section 7.4 of the *'Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009'*. Similarly, there will be a separation distance of 25m between the rear elevations of the proposed dwellings and those properties to the south along Curraheen Road (*N.B.* There are no first floor windows proposed within either the south or north-facing gables of House No.1).

9.3.6 With regard to the proposed revisions to the fenestration treatment at first floor level within the rear elevations of the 3 No. dwelling houses, it is of relevance to note that each of the dwellings has maintained a rear garden depth of 7m which is consistent with the Board's previous approval of ABP Ref. Nos. PL28.213870 & PL28.225645 as outlined in the preceding paragraphs. Accordingly, this garden depth will ensure that the proposed dwellings enjoy an acceptable standard of open space provision and will also serve to increase the separation distance from the adjacent properties along Curraheen Road.

9.3.7 In relation to the rooflights proposed within the rear elevations of each of the dwelling houses, it is apparent from a review of the submitted drawings that the internal sill level of same (in all instances) is 1.4m above first floor level and

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therefore accords with the requirements of Condition No. 2 as previously imposed in respect of ABP Ref. No. PL28.213870. In effect, the design of these rooflights is such that it avoids the direct overlooking of adjacent properties.

9.3.8 However, the proposed inclusion of a number of box dormer (bedroom) windows within the rear elevations of the dwelling houses is of particular concern given that the Board has already determined that the provision of a dormer window (in addition to rooflights with a cill height of less than 1.4m above first floor level) within the rear elevations of the proposed dwelling houses is unacceptable in its consideration of ABP Ref. No. PL28.213870. In this regard I am inclined to concur with the Planning Authority that due to the limited rear garden depth, the inclusion of these dormer windows would give rise to an unacceptable degree of overlooking of the rear garden areas of adjacent properties which would in turn have a detrimental impact on the residential amenity of same by reason of a loss of privacy with an associated likely devaluation of property. I am also in agreement with the case planner that any proposal to glaze the box dormer windows in obscure glass in order to avoid overlooking would be inappropriate given the likely diminution in the level of amenity expected to be enjoyed by occupants of the rooms in question. Furthermore, whilst I would acknowledge the submission by the applicant that the proposed dormer windows are seemingly necessitated in order to comply with Building Regulations, in my opinion, any such requirement would not preclude the applicant from exploring alternative design solutions or house types which would not give rise to overlooking concerns (*N.B.* The Board is advised that the existing construction undertaken on site to date has included rooflights in place of the proposed dormer windows, however, I would suggest that any issues of enforcement in this regard are a matter for the Planning Authority and thus I do propose to comment further on same). Therefore, on balance, I am of the opinion that the proposed rear box dormer windows would adversely impact on the residential amenity of adjacent properties by reason of overlooking and thus amended proposals omitting same should be submitted for the written agreement of the Planning Authority as a condition of any grant of permission.

9.3.9 In respect of the specific concerns raised by Mr. McManus as regards the proximity of the ground floor window within the north-facing gable wall of House No. 1 to his property, whilst I would accept that this window will be moderately higher than was previously approved due to the increase in the finished floor level of the proposed development, it is of relevance to note that a similar window was approved under ABP Ref. No. PL28.225645 and that it serves a utility room which would not typically be expected to give rise to undue overlooking such as

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would be associated with a window serving a more commonly used living space. Furthermore, it should be noted that some degree of overlooking is not to be unexpected in an urban context and in this regard I would also draw the Board's attention to the provisions of Class 1 of Part 1 (Exempted Development – General) of Schedule 2 of the Planning and Development Regulations, 2001, as amended, which refers to the erection of extensions to dwelling houses. Column 2 of this class sets out a series of conditions and limitations in respect of the construction of such domestic extensions and Item No. 6(a) of same states the following:

*'Any window proposed at ground level in any such extension shall not be less than 1 metre from the boundary it faces'.*

9.3.10 Whilst the subject proposal does not concern the construction of an extension by way of exempted development it is comparable in that it requires consideration to be given to the positioning of a ground floor window relative to an adjoining site boundary and in this respect I would advise the Board that the ground floor utility room window in House No. 1 is considerably in excess of the minimum separation distance specified in Column 2 of Class 1 of the Regulations. Furthermore, it is noteworthy that any views available from the aforementioned window towards the appellant's property will be effectively screened by the existing hedging along the boundary line in addition to any further supplementary boundary treatment. Accordingly, notwithstanding the difference in floor / ground levels between the application site and the adjacent property, on the basis of the foregoing, in my opinion, the ground floor window serving the utility room within the northern elevation of House No. 1 will not result in any significant overlooking of the appellant's property.

9.3.11 With regard to the concerns expressed in the grounds of appeal as regards the provision of suitable boundary treatment in order to protect the amenities of neighbouring properties, whilst it would be open to the Board to impose a condition pertaining to same, on the basis that the subject application is inherently linked to the implementation of ABP Ref. No. PL28.225645 and as Condition No. 8 of that grant of permission already requires details of the boundary treatment to be agreed in writing with the Planning Authority, I am inclined to suggest that the imposition of any further condition in this regard is not warranted.

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9.3.12 Therefore, on the basis of the forgoing, I am satisfied that, subject to appropriate conditions, the submitted proposal will not adversely impact on the residential amenity of neighbouring properties.

**9.4 Appropriate Assessment:**

9.4.1 Having regard to the nature and scale of the proposed development, the nature of the receiving environment, the availability of public services, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

**10.0 CONCLUSIONS AND RECOMMENDATION**

Having regard to the foregoing I recommend that the decision of the Planning Authority be upheld in this instance and that permission be granted for the proposed development for the reasons and considerations and subject to the conditions set out below:

**REASONS AND CONSIDERATIONS**

Having regard to the planning history of the site, to the nature and scale of the proposed development, and to the pattern of development in the area, it is considered that, subject to compliance with 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.

**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 submitted on the 6<sup>th</sup> day of April, 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.

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**Reason:** In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 21<sup>st</sup> day of May, 2008 under An Bord Pleanála Reference Number PL28.225645 (planning register reference number 07/32203), and any agreements entered into thereunder.

**Reason:** In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. The proposed development shall be amended as follows:
  - a) The first floor dormer windows within the rear elevations of House Type Nos. 1, 2 & 3 shall be omitted and replaced by rooflights which shall have a cill height of 1.4 metres above first floor level.

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 residential amenity.

Signed: \_\_\_\_\_

Robert Speer  
Inspectorate

Date: \_\_\_\_\_