



An  
Bord  
Pleanála

**Inspector's Addendum  
Report  
PL27.247385**

**Re: File PL27.247385**

- 1.1. For clarification: Following the completion of my report and recommendation in relation to PL27.247385 on the 9<sup>th</sup> of February 2017, it was noted that the Planning Authority response to Section 132 and the applicant's response to Section 131 were not on file. Subsequently the correspondences were brought to my attention for my consideration.
- 1.2. The response to the appeal from the Planning Authority provides a context to the planning history on the site including the permission granted under Reg. Ref. 13/8091. That permission provided for *'alterations to existing building namely change of use from commercial to domestic for one portion of the building, removal of front door/window and replacement with a single window, enlargement of existing window to the rear elevation conversion of a part of existing outbuilding to facilitate additional toilet, demolition of existing flat roofed extension to the rear.'*
- 1.3. It is noted in the submission that the outbuildings to the rear of the dwelling were not included in the calculation for development contributions under that permission.
- 1.4. Condition no. 3 of Reg. Ref. 13/8091 specified that;
  3. *This outbuilding shall be used for private domestic use only and shall not be used for human habitation or for any commercial purpose.*  
*Reason: To safeguard the residential amenities of adjoining properties.*
- 1.5. It is stated by the Planning Authority that the applicant did not comply with that condition as the outbuilding was converted for use as habitable accommodation.

- 1.6. Condition no. 2 refers to development contributions. Details of the basis of the calculation of the contribution are set out in the submission. The information provided is the same as that detailed in the Planner's report on file.
- 1.7. Condition no. 3 refers to the payment of a security bond of €1,000. In response to the appealing of this condition the Planning Authority state that it is standard practice to attach such a condition and particularly having regard to the planning history on the site where there were issues of non-compliance with a previous grant of permission under Reg. Ref. 13/8091 it was considered appropriate to attach the condition.
- 1.8. Condition no. 4 requires that works be completed within a timeframe. The Planning Authority considers this appropriate as the application requires works to be carried out to regularise an existing unauthorised development on site.
- 1.9. In relation to condition 4(b) the works originally proposed were recommended for refusal and permission was granted on the basis of the revised plans submitted on the 19<sup>th</sup> of July 2016 which clearly indicated the existing kitchen/dining area in the converted outbuilding converted into a lounge.
- 1.10. The Planning Authority request that the Board uphold the appealed conditions.
- 1.11. The appellant Mr Patrick Byrne submitted a response to the appeal submission from the Planning Authority. The appellant states that current proposal does not provide for additional floor area and the previous approval related to a replacement of floor area and not new floor area.
- 1.12. The appellant considers that none of the area subject of the current application can be considered development aside from the 5.4sq m bathroom.
- 1.13. In relation to the permission granted under Reg. Ref. 13/8091 Mr Byrnes states that it is incorrect of the Planning Authority to stated that he did not comply with condition no. 3 of that permission.
- 1.14. Regarding condition no. 2 the appellant reiterates his point that the development contribution has been charged retrospectively.

- 1.15. In relation to condition no. 3 the bond of €1,000 is considered unreasonable and unnecessary. The appellant reiterates his statement that there was no previous non-compliance with conditions regarding Reg. Ref. 13/8091.
- 1.16. Regarding condition no. 4 the appellant considers the previous installation of a small kitchenette for private domestic use purposes did not contravene a previous permission. The condition requiring the removal of the existing kitchen/dining area would lead to unnecessary cost and inconvenience to the appellant.
- 1.17. The appellant requests that the Board positively consider his appeal in relation to the conditions.
- 1.18. Accordingly, I have read the content of the submissions and provided a summary of the contents above. I am satisfied that they do not raise any new matters. Accordingly, the submissions do not result in the requirement to alter the content of my Inspector's Report dated the 9<sup>th</sup> of February 2017.

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Siobhan Carroll,

Planning Inspector

15<sup>th</sup> of February 2017