



An  
Bord  
Pleanála

## Inspector's Report ABP-302653-18

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<b>Development</b>	Change-of-use from bank to residential use, demolition of extensions, and construction of two-storey extension to rear.
<b>Location</b>	Main Street, Cloughjordan, Co. Tipperary
<b>Planning Authority</b>	Tipperary County Council
<b>Planning Authority Reg. Ref.</b>	17601435
<b>Applicant(s)</b>	Simon Horgan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	1 <sup>st</sup> Party & 3 <sup>rd</sup> Party
<b>Appellant(s)</b>	Simon Horgan Anthony Deane
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> December 2018
<b>Inspector</b>	Michael Dillon

## 1.0 Site Location and Description

- 1.1. The site, with a stated area of 0.021ha, is located at the eastern end of Main Street, Cloughjordan, Co. Tipperary. The site comprises a single-storey, flat-roofed former bank building, which is currently vacant. The three-bay façade is plastered and surmounted by a cement balustrade. The building dates from 1921. There are some single-storey flat-roofed extensions to the rear, and a small rear garden/yard, which is entirely overgrown. There is a small area to the front of the building which is separated from the pavement by steel railings.
- 1.2. The buildings on this site are in a parlous state with water pouring through the roofs. The only entirely dry room is the old strong-room which is to be retained. There is little by way of original fabric remaining within the building – some simple ceiling plasterwork and two timber doors and their frames. The windows and doors on the street are replacements of the originals.
- 1.3. To the north, the site abuts a three-storey-plus-attic house with slated roof. There is a range of two-storey outbuildings on the rear yard boundary. To the south, the site abuts a two-storey-plus-attic house with slated roof. There is a 3m high stone wall on the rear yard boundary. To the east, the site abuts a two-storey outbuilding and 3m high stone wall.

## 2.0 Proposed Development

- 2.1. Permission sought on 22<sup>nd</sup> December 2017, for redevelopment of former bank building for change-of-use to residential; to comprise the following-
  - Retention of 61m<sup>2</sup> of the existing building.
  - Demolition of 24m<sup>2</sup> of single-storey extensions to rear.
  - Construction of two-storey extension to rear with single-storey connecting corridor (105m<sup>2</sup> in total).
  - Water supply from the public mains.
  - Foul waste and surface water disposal to the public mains.
- 2.1.1. The application is accompanied by an Architectural Heritage Impact Assessment – dated 4<sup>th</sup> December 2017.

2.2. Following a request for additional information, the following was received on 13<sup>th</sup> August 2018-

- Replacement of first floor door with a window.
- New extension constructed clear of any party walls – retaining parapet detailing
- Conservation Method Statements for Scaffolding, Demolition and Render.

### 3.0 Planning Authority Decision

By Order dated 5<sup>th</sup> September 2018, Tipperary County Council issued a Notification of decision to grant planning permission subject to 10 no. conditions – the principal ones of which may be summarised as follows-

1. Development to be carried out in accordance with the plans and particulars received on 22<sup>nd</sup> December 2017 and 8<sup>th</sup> August 2018.
2. A 1m wide gap shall be provided between the parapet wall and party walls, in lieu of the 50mm gap proposed.
3. Requires supervision by a Conservation Architect of all works to the Protected Structure.
4. Relates to comprehensive record of all works.
5. Relates to submission of a method statement for all installation of plumbing, heating and electrical services.
6. Relates to submission of a C&D waste plan.
7. Requires disposal of surface water to soakways within the site.
10. Requires payment of a development contribution of €872.

### 4.0 Planning History

**Ref. 06/51/1149:** Permission refused by North Tipperary County Council, to extend and renovate bank building and for change-of-use to office space. On appeal by the 1<sup>st</sup> Party (**PL 22.220402**) permission was refused by the Board on the 21<sup>st</sup> March 2007, for one reason as follows-

The proposed development is located within the Cloughjordan Architectural Conservation area as designated in the Cloughjordan Settlement Plan. Within such areas, it is the policy of the planning authority, as set out in the current Development Plan for the area, to have regard to (a) the impact of proposed development on the character and appearance of conservation areas in terms of compatibility of design, colour and finishes and massing of built form, (b) the impact of proposed development on the existing amenities, character and heritage of these areas, and (c) the need to retain important architectural and townscape elements. It is considered that the proposed development, which involves a building of architectural heritage value in the conservation area, would detract from the architectural and historic character of the streetscape and would, therefore, contravene the policies of the planning authority, would seriously injure the amenities of the area and of property in the vicinity and be contrary to the proper planning and sustainable development of the area.

## **5.0 Policy Context**

### **5.1. Development Plan**

The relevant document is the North Tipperary County Development Plan 2010.

- The Settlement Plan for 'Service Centres', of which Cloughjordan is identified as one within the Settlement Hierarchy for the county, is included in a separate volume to the main Plan. The site is zoned 'Town/Village Centre' – "To provide and enhance the service base of the town through the provision of mixed use development including retail, office, service and community facilities". The accompanying Land Use Matrix table within section 3.0 of the Settlement Plan Guide, indicates that residential use is permitted within this zoning.
- The building on site is a Protected Structure – S599: Bank – "Terraced three-bay single-storey former bank, built c.1925. Flat roof with balustraded parapet. Lined-and-ruled rendered walls with pilasters, cornice and neo-Classical enrichments supported by four brackets. Replacement timber windows and door with overlight. Cast-iron railings and gate to site". This is

included in a separate Schedule to the County Development Plan, but for some reason has been omitted from the separate Settlement Plan for Cloughjordan. Policy LH13: Protected Structures states- “It is the policy of the Council to encourage the sympathetic restoration, re-use and maintenance of protected structures thereby ensuring their conservation and protection. In considering proposals for development, the Council will have regard to the Architectural Heritage Protection Guidelines for Planning Authorities, (DAHG 2011) or any amendment thereof, and proposals that will have an unacceptable impact on the character and integrity of a protected structure or adjoining protected structure will not be permitted”.

- The site is located within an Architectural Conservation Area. Policy LH14: Architectural Conservation Areas states- “It is the policy of the Council to ensure the enhancement and management of ACAs. Within the ACAs the Council will have regard to
  - a) The impact of the proposed development on the character, appearance and integrity of the ACA in terms of compatibility of design, colour and finishes, and massing of built form;
  - b) The impact of proposed development on the amenities, character and heritage of these areas; and,
  - c) The need to retain important architectural and townscape elements such as shopfronts, sash windows, gutters and down pipes, decorative plasterwork, etc”.

## 5.2. National Inventory of Architectural Heritage

The building is included within the National Inventory of Architectural Heritage (NIAH) – reg. no. 223040 19: Regionally Important.

## 5.3. Natural Heritage Designations

There are no natural heritage designations either within or immediately adjoining the site. The closest such is the Scohaboy Bog Natural Heritage Area (NHA), approximately 2.7km north-northwest of the appeal site. Within this bog, a smaller

section is designated the Scohaboy (Sopwell) Bog SAC (Site code 002206), the closest point of which is approximately 3.9km north-northwest of the appeal site. There is no direct surface water linkage between the site and the SAC.

## 6.0 The Appeal

### 6.1. 1<sup>st</sup> Party Grounds of Appeal

6.1.1. The appeal from Kenneth Hennessy Architects, agent on behalf of the applicant, received by An Bord Pleanála on 27<sup>th</sup> September 2018, can be summarised in bullet point format as follows-

- The appeal is against condition no. 2 only.
- This condition is overly restrictive and will seriously impact on the viability of the proposed extension.
- The best protection for Protected Structures is to ensure that they are occupied. The applicant is prepared to spend a considerable sum to preserve the old bank building.
- A 1.0m buffer to the adjacent boundary walls will severely restrict the ability to develop the rear of the property.
- The application was the subject of a detailed request for additional information: the overall design was not an issue. It is difficult to see where the final decision of the PA came from.
- Setting the extension back 1.0m will have no impact on the residential amenity of adjoining properties.
- The 50mm gap was intended to indicate to the PA that the extension was not relying on the party wall for support.
- There are currently single-storey extensions on the site which immediately abut the party walls. These structures are to be demolished, thereby exposing the party walls for much of their length. The wall could then be assessed, repaired and conserved, before the new extension is constructed.

The junctions between the wall and the new extension can be flashed and detailed, so as to prevent any ingress of water.

- The boundary wall is abutted by buildings on the other side, without any gap; and it would be unreasonable to require the developer to provide a 1.0m gap

## 6.2. 3<sup>rd</sup> Party Grounds of Appeal

6.2.1. The 3<sup>rd</sup> appeal from Anthony Deane, 'Townsfild House', Cloughjordan, received by An Bord Pleanála on 27<sup>th</sup> September 2018, can be summarised in bullet point format as follows-

- The appellant's house and outbuildings are a Protected Structure, and are also located within an Architectural Conservation Area. They are located to the south of the appeal site.
- The first-floor glazing within the extension will result in a loss of privacy within the appellant's house. If such glazing was moved forward, so as to be in line with the rear elevation of the appellant's house, then there would be no potential for overlooking.
- Overlooking will be possible whilst ascending or descending the staircase and traversing the landing.
- There is a fear that the flat-roofed area will be used for amenity purposes – where there was originally a door to it from the landing area. This would result in a loss of privacy for the appellant. The PA required the replacement of the door with a window – although the ope replicates the size of a door. This would allow for the future use of the roof area for amenity purposes.
- Construction may damage the boundary wall between the appellant's property and the appeal site. A 50mm gap is insufficient. The wall is 250 years old, and of rubble masonry.
- The close proximity of the new extension will exclude air, necessary to dry out the older wall. There will be no possibility of future repair, once the new extension is constructed.

- The 1.0m gap imposed by the PA would be the minimum required for access and repair.
- There are anomalies in the drawings submitted with the application and later submitted by way of additional information – particularly conflicting boundary and elevation details.
- The reduction of the extension by 0.95m at both sides would seriously alter the nature of the extension. The PA should have sought clarification of additional information: or alternatively refuse permission. Condition no. 2, which allows the applicant to submit revised drawings, deprives the appellant of the opportunity to comment on the revised drawings.
- Such a large extension on a confined site would alter the character of the location.
- The development will impact on three Protected Structures and their curtilages.

### 6.3. 1<sup>st</sup> Party Response to 3<sup>rd</sup> Party Appeal

6.3.1. The response, received by An Bord Pleanála on 26<sup>th</sup> October 2018, can be summarised in bullet point format as follows-

- The further information response submission of 8<sup>th</sup> August 2018, dealt with the issue of overlooking of the 3<sup>rd</sup> Party appellant's property. The staircase window is not a directly opposing window. There is a significant boundary wall between the appeal site and that the 3<sup>rd</sup> Party appellant's house. There will be no loss of amenity for the 3<sup>rd</sup> Party appellant.
- A door was initially proposed to a flat-roofed area for maintenance purposes. There is no suggestion that these areas will be used for amenity or recreation.
- Construction Methodologies have not yet been fully determined – as the project is still at planning stage. There is nothing to suggest that removal of two extensions will have a destabilising impact on the boundary wall. Removal will allow for any necessary repairs. Foundations for the new extension will take into account foundations (if any) for the boundary wall. Construction will be designed to eliminate any impact on the boundary wall



through a variety of means which might include off-set foundations; mini-piling/ground beams; underpinning; raft foundations.

- It is not agreed that a 1.0m gap is required – and this is the subject of a separate 1<sup>st</sup> Party appeal.
- Surface water from the appellant’s property is collected in a valley gutter behind the boundary wall and then discharges via a hopper into the appeal site – hardly conducive to the long-term viability of the adjoining stone wall.

6.3.2. The submission is accompanied by a series of 5 no. annotated coloured photographs of the roof/boundary wall, and a drawing showing the staircase window and potential for over-looking.

#### 6.4. **3<sup>rd</sup> Party Response to 1<sup>st</sup> Party Appeal**

6.4.1. The response, received by An Bord Pleanála on 19<sup>th</sup> October 2018, can be summarised in bullet point format as follows-

- The applicant has not demonstrated how construction can be carried out without impact on boundaries, whilst maintaining a minimal gap of 50mm. The variance of the vertical plumb of the existing rubble walls will exceed this measurement. These walls are 250 years old. Foundations will be undermined and there will be a likelihood of cracking. There will be a restriction on air around the wall, and it will not be possible to maintain the wall from the applicant’s side.
- Whilst the applicant states that the wall will be repaired at the time of construction, it will never be accessible again post-construction.
- Periodic repair has allowed this wall to survive this length of time.
- Structures on adjoining sites which abut the boundary walls were constructed long in advance of the Protected Structure designation or Architectural Conservation Area designation.
- Condition 2 is necessary to safeguard existing structures.
- Condition 2 allows the applicant to submit revised drawings to the PA, without the appellant being allowed to have any say.

## 6.5. Planning Authority Response

The response of Tipperary County Council, received by An Bord Pleanála on 26<sup>th</sup> October 2018, can be summarised in bullet point format as follows-

- The newest extension of this Protected Structure is very much welcomed.
- In granting planning permission, the PA required a minimum 1.0m gap between the new extension and the boundary wall, to allow for maintenance and conservation of same. The condition of the wall is unknown. Its preservation is of paramount importance in the context of a Protected Structure and preserving amenity of adjoining properties.

## 6.6. Observations

6.6.1. The appeal was referred by An Bord Pleanála to the following Prescribed Bodies for comment, on or before 29<sup>th</sup> November 2018-

- An Taisce.
- Development Applications Unit of Department of Culture, Heritage and the Gaeltacht.
- The Heritage Council.

6.6.2. There was one response from the DAU, received by An Bord Pleanála on 29<sup>th</sup> November 2018, which can be summarised in bullet point format as follows-

- The proposal is a positive solution to the re-use of a former bank building.
- There is no difficulty with demolition of ancillary extensions to the rear.
- The creation of an internal courtyard is acceptable.
- The development conforms with the objectives of the Cloughjordan ACA.
- More detailed instructions to the contractor for repair of balustrades, dentils or acanthus brackets may be required subject to inspection of the fabric.
- Little information is provided on the original and/or replacement joinery.
- Product information on the proposed steel windows should be submitted.

- Condition 5 should be expanded to include details of repairs to external ornamental concrete or plaster details and internal joinery.
- The combination of these conditions should provide adequate protection of the character and ensure an adequate record of the works is made.
- Condition 2 requires a slight revision to the design of the proposed rear extension. This should be attainable without affecting the architectural heritage character of the Protected Structure.

## 6.7. Further Responses

- 6.7.1. The 1<sup>st</sup> Party response (26<sup>th</sup> October 2018) to the 3<sup>rd</sup> Party appeal was circulated to the other parties to the appeal for comment – on or before 3<sup>rd</sup> December 2018.
- 6.7.2. The response of Tipperary County Council, received by An Bord Pleanála on 21<sup>st</sup> November 2018, indicated that the issue of overlooking and access to the flat roof area had been adequately addressed by alterations to the design. The issue of a gap to ensure maintenance of the boundary wall was addressed in the response of 25<sup>th</sup> October 2018.
- 6.7.3. The response of Anthony Deane, received by An Bord Pleanála on 29<sup>th</sup> November 2018, can be summarised in bullet point format as follows-
- Proposed development creates loss of privacy and amenity. Line of sight exists into the first-floor window of the appellant's dwelling. This problem could be eliminated by moving the extension towards the rear building line.
  - There is potential for unauthorised use of the flat-roofed area – notwithstanding what any planning condition may state. This could result in further loss of privacy and noise nuisance.
  - The appellant has no recourse in relation to conditions requiring future agreement with the PA. This could put the appellant at a disadvantage. The PA should have sought additional information.
  - There is an obligation on the owner of this Protected Structure to keep it in repair, irrespective of occupancy or use.
  - Permission should be refused for this development.

## 7.0 Assessment

The principal issues in this appeal relate to conservation of the built fabric of a Protected Structure and to residential amenity.

### 7.1. Development Plan

- 7.1.1. The relevant document is the North Tipperary County Development Plan 2010. The site is zoned 'Town/Village Centre' – "To provide and enhance the service base of the town through the provision of mixed use development including retail, office, service and community facilities". Residential use is permitted within this zoning.
- 7.1.2. The building on site is a Protected Structure – S599: Bank – "Terraced three-bay single-storey former bank, built c.1925. Flat roof with balustraded parapet. Lined-and-ruled rendered walls with pilasters, cornice and neo-Classical enrichments supported by four brackets. Replacement timber windows and door with overlight. Cast-iron railings and gate to site". This is included in a separate Schedule to the County Development Plan, but for some reason has been omitted from the separate Settlement Plan for Cloughjordan. I would consider that the omission of the Protected Structure from the Settlement Plan is a printing error, and the inclusion in the County Development Plan Appendix is conclusive. Policy LH13: Protected Structures states- "It is the policy of the Council to encourage the sympathetic restoration, re-use and maintenance of protected structures thereby ensuring their conservation and protection. In considering proposals for development, the Council will have regard to the Architectural Heritage Protection Guidelines for Planning Authorities, (DAHG 2011) or any amendment thereof, and proposals that will have an unacceptable impact on the character and integrity of a protected structure or adjoining protected structure will not be permitted". The development involves the reuse and renovation of a building which has lain idle for a number of years. The redevelopment is welcomed by the Development Applications Unit of the Department of Culture, Heritage and the Gaeltacht. Passing time has resulted in further deterioration of the building fabric – as indicated in the photographs submitted with the Architectural Heritage Impact Assessment (& Photographs), and those taken on the date of site inspection by this Planning Inspector. Deterioration has reached such a stage as to question the value of retaining any of this building – apart from

the façade. The street-front portion of the Protected Structure (the original banking hall) will be retained, as will the strong-room behind it. The strong-room is the only dry room: water is pouring in through roofs and windows elsewhere within the building. Flat-roof and pitched-roof extensions, to the rear of the building, are to be removed (24m<sup>2</sup>); and this is considered acceptable.

7.1.3. The site is located within an Architectural Conservation Area. Policy LH14: Architectural Conservation Areas states- “It is the policy of the Council to ensure the enhancement and management of ACAs. Within the ACAs the Council will have regard to

- a) The impact of the proposed development on the character, appearance and integrity of the ACA in terms of compatibility of design, colour and finishes, and massing of built form;
- b) The impact of proposed development on the amenities, character and heritage of these areas; and,
- c) The need to retain important architectural and townscape elements such as shopfronts, sash windows, gutters and down pipes, decorative plasterwork, etc”.

The important section of the building is to be retained, ensuring that there will be no alteration to the character, appearance or integrity of the ACA. The new-build section will be located to the rear of the single-storey former bank building, and will not be visible from the street; directly in front of the building. The few remaining important elements of the architectural fabric are to be retained. The Development Applications Unit of the Department of Culture, Heritage and the Gaeltacht was concerned that conditions attached to the Notification of decision to grant planning permission were not sufficiently detailed in relation to works to be carried out to repair/replace original internal and external fabric. Having regard to the parlous condition of both internal and external fabric of this building, I would consider that any works to save what remains of the building cannot happen too soon. I would be satisfied that it would be possible to attach appropriate conditions to any grant of permission, requiring compliance with best architectural conservation practices.

## 7.2. Layout & Design

- 7.2.1. The site is a constrained one – arising from the necessity to retain the single-storey former banking hall at the front of the site, and the limited area for extension to the rear. The site, as is evident from photographs, is sandwiched between two much taller buildings. Single-storey extensions to the rear are of little architectural merit and are to be demolished – with the exception of the strong-room. The rear of the site is at a slightly lower level than the front of the site. The result of this is, that any two-storey extension to the rear will not be so visible from the street (over the flat roof of the single-storey banking hall). The applicant has opted for a flat-roofed extension to the rear – to reduce the height of the extension as much as possible. I would see no difficulty with the height of this proposed building.
- 7.2.2. The concern of the 3<sup>rd</sup> Party appellant relates to overlooking and loss of privacy. There is a first-floor window in the rear of his house which is located close to the site boundary. There is an attic-level window also, but this is located further away from the common boundary. A single-storey building within the 3<sup>rd</sup> Party appellant's property, protrudes into the appeal site – surrounded by existing buildings within the appeal site on three sides. The roof-water from this mono-pitch structure drains into the appeal site. This roof has a high parapet wall on the site boundary. This parapet wall serves to limit views into the 3<sup>rd</sup> Party appellant's site. The additional information submission addressed the issue of over-looking. This arises largely from a floor-to-ceiling staircase window. The lower element of the staircase window is not at issue in this instance. The views into the 3<sup>rd</sup> Party appellant's property would be limited. A staircase is not the same as a habitable room. The 3<sup>rd</sup> Party appellant has suggested that the extension be brought forward to the rear building line of his house, but this is not an option before the Board for consideration. The difficulty could be overcome by requiring the upper half of the staircase window to be in permanently obscured glazing: this could be effected by way of condition.
- 7.2.3. The 3<sup>rd</sup> Party appellant has argued that the flat-roof area of the old bank building could be used for amenity purposes by future occupants. There was originally a door proposed onto the flat-roof area of the strong-room, at first floor level. This was amended by way of additional information submission, to a window down to floor level. I would be satisfied that the use of this flat roof area, as an amenity for the

future occupants, could affect the amenity of the 3<sup>rd</sup> Party appellant; but more importantly, the amenity of the house to the south. The applicant has indicated that this window will be used only for access to the roof for maintenance purposes. This is entirely reasonable, particularly in relation to flat-roofs on the old part of the building. It would be possible to attach a condition to any grant of planning permission, requiring that the flat roofs of the building not be used for amenity purposes – and that access should only be for the purposes of maintenance. There is a small courtyard area within the development, and small rear garden area for outdoor amenity use.

### 7.3. **1<sup>st</sup> Party Appeal**

- 7.3.1. The applicant has appealed against condition no. 2 of the Notification of decision to grant planning permission. This condition required that the parapet wall be set back a minimum of 1.0m from party walls. It is not clear from the condition, but it is assumed, that reference is to both northern and southern boundary walls – notwithstanding that most emphasis has been placed on the northern boundary wall; perhaps arising from the engagement of the owner of that property in the planning process. In this instance, I note that there are existing extensions built against the boundary walls to north and south. In particular, a pitched-roof extension to the rear likely pre-dates the bank building itself. I would see no difficulty with construction of the proposed extension hard against the boundary walls. The applicant has indicated that demolition will allow for examination of the boundary walls and facilitate any necessary repair. The new extension will be constructed, so as to exclude ingress of rainwater. This would appear to be reasonable, and would be in no way be unusual, for extensions to the rear of buildings on narrow plots.
- 7.3.2. Condition no. 2 should be removed; it is not necessary for the preservation of older building fabric within the curtilage of this Protected Structure.

### 7.4. **Other Issues**

#### 7.4.1. Parking

There is no on-site parking provision for this residential development. The bank building on the site never had any associated parking. Commercial buildings, such

as this one, relied on on-street parking. The change-of-use to residential will not have any significant impact on parking within the centre of Cloughjordan.

#### 7.4.2. Water & Drainage

The existing bank building is connected to the public mains water supply and to the public mains sewerage. The applicant proposed to continue this arrangement. The application was circulated by the PA to Irish Water, but there does not appear to have been any response received. Condition 7 of the Notification of decision to grant planning permission required the provision of soakways to deal with surface water run-off. There is a small garden area to the rear of the proposed two-storey extension, which could accommodate such a soakway. A condition such as this is reasonable, in order to treat surface water run-off in accordance with the Sustainable Drainage Systems (SuDS) requirements, and should be repeated in any grant of planning permission from the Board.

#### 7.4.3. Waste

The proposed development will generate construction and demolition waste. Condition 6 of the Notification of decision to grant planning permission required submission of a Waste Management Plan to the planning authority for agreement. A similarly-worded condition should be attached to any grant of permission from the Board.

#### 7.4.4. Development Contribution

Condition 10 of the Notification of decision to grant planning permission required the developer to pay a contribution of €872, in accordance with the Tipperary County Council Development Contributions Scheme 2015-2019. The applicant has not appealed this condition. A similarly-worded condition should be attached to any grant of planning permission to issue from the Board.

#### 7.4.5. Environmental Impact Assessment

Having regard to the nature and scale of the proposed development, and to the nature of the receiving environment, 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 stage, and a screening determination is not required.



#### 7.4.6. Appropriate Assessment

The application was screened by Tipperary County Council for appropriate assessment, and it was concluded that appropriate assessment was not required. Having regard to the limited extent of the development on a built-up site within a town centre, and to the proximity of 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 an European site.

### 8.0 **Recommendation**

I recommend that permission be granted for the Reasons and Considerations set out below, and subject to the attached conditions.

### 9.0 **Reasons and Considerations**

Having regard to the proposal to conserve the deteriorating fabric of a Protected Structure, and to the limited extent of the proposed two-storey extension to the rear; it is considered that the proposed development would be in the best interests of the retention of the maximum amount of original fabric of the Protected Structure, would not be detrimental to the residential amenities of the area, and would in accordance with the proper planning and sustainable development of the area.

### 10.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application; as amended by further plans and particulars submitted on the 13<sup>th</sup> day of August 2018; except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement, and shall be implemented in accordance with the agreed particulars.

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

2. The upper half of the staircase window shall be in permanently obscured glazing.

**Reason:** To eliminate potential overlooking of adjoining property, in the interest of residential amenity.

3. The landing window onto the flat-roof of the existing strong-room, shall only be used for access for maintenance purposes. The flat-roofed areas of the former bank (which are to be retained), shall not be used for amenity purposes, by occupants or visitors.

**Reason:** To prevent overlooking of adjoining property to the north and south, in the interest of residential amenity.

4. Water supply and drainage arrangements; including the attenuation and disposal of surface water to soakways, within the boundaries of the site; shall comply with the requirements of the planning authority for such works and services.

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

5. All service cables to the building shall be run underground.

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

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of Environment, Heritage and Local Government in July 2006.

**Reason:** In the interests of sustainable waste management.

7. A schedule (and appropriate samples) of all materials to be used in the external treatment of the development, to include- plasterwork, roofing materials, windows, doors and rainwater goods, shall be submitted to and agreed in writing with, the planning authority, prior to commencement of

development.

**Reason:** To ensure an appropriate standard of development and conservation.

8. The applicant shall comply with the following requirements in relation to the restoration of the Protected Structure, which shall be carried out in accordance with the document- “Architectural Heritage Protection – Guidelines for Planning Authorities”, published by the Department of Environment, Heritage and Local Government in 2004:

- (a) the replacement/repair of any plasterwork on the façade of the building (including the balustrade), and

- (b) the retention of the two original timber doors and their doorcases in the eastern wall of the banking hall.

Details of the procedures to be followed, in order to comply with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In order to ensure an appropriate standard of restoration works for this Protected Structure.

9. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site, and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and façades structure and/or fabric,
- (b) All repair works to the Protected Structure shall be carried out in accordance with best conservation practice, as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities”, issued by the Department of Environment, Heritage and Local Government in 2004. The repair works shall retain the maximum amount of surviving historic fabric *in situ*, including structural elements, plasterwork (plain and decorative) and joinery; and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal,

catalogued, and numbered to allow for authentic re-instatement.

(c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) and skirting boards, shall be protected during the course of refurbishment.

**Reason:** To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

10. The developer shall pay to the planning authority, a financial contribution in respect of public infrastructure and facilities benefitting development in 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 made under section 48 of the Planning and Development Act, 2000, as amended. The contribution shall be paid prior to the commencement of development, or in such phased payments as the planning authority may facilitate, and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act, 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Michael Dillon,  
Planning Inspectorate.**

**11<sup>th</sup> December 2018.**