



An
Bord
Pleanála

Inspector's Report

ABP-306176-19

Development

The indefinite retention of alterations to an existing permitted single storey house extension planning reference 15/414. The alterations consist of the following: Minor alterations to the roof profile and height, elevational alterations including additional windows to the front and rear and a minor increase in floor area at a Protected Structure (RPS 104).

Location

Coole Cottage, Dock Road, Dunmore East, Co. Waterford.

Planning Authority

Waterford City and County Council

Planning Authority Reg. Ref.

19419

Applicant(s)

Shane Statham

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Donald Palmer and Heather Whitley

Observer(s)

none.

Date of Site Inspection

3rd June, 2020

Inspector

Stephen Kay

1.0 Site Location and Description

- 1.1. The appeal site is located at the northern end of Dock Road in Dunmore East, opposite the junction with the Circular Road. The site is located c.300 metres to the north of the town centre and in close proximity to Dunmore Bay.
- 1.2. The site has a stated area of 0.0608 ha. and there is an existing residential building on the site. This building is included on the Record of Protected Structures for County Waterford and comprises an end of terrace thatched roof cottage which has been extended with the addition of a modern extension to the north. This extension comprising a link structure and new accommodation, has recently been completed and forms the basis of the application which is the subject of appeal.
- 1.3. The house on the site is notable for being constructed of mud walls and with a thatched roof and that it forms part of a terrace of thatched roofed dwellings along Dock Road. The original house on the site has been the subject of significant alterations in the past and these include new windows and reshaped window openings and some pvc rainwater goods and pvc windows added. The original form of the cottage has also been modified in the past and such that the original cottage on site comprises a six bay structure where the others in the terrace to the south comprise three bay structures.
- 1.4. The site is bounded to the south by other cottages in the terrace, to the west by the Dock Road and to the north by the coast. To the east, the site is bounded by another residential plot which is connected with the adjoining property to the south. Viewed from Dock Road the original terrace of cottages is not very visible due to their limited height and the fact that the floor level is lower than the road.
- 1.5. The stated area of the appeal site is 0.0608 ha. The stated floor area of the existing house on the site is 142 sq. metres.

2.0 Proposed Development

- 2.1. The proposed development comprises the retention of a number of amendments made to the permitted development undertaken at the site under Waterford County Council Planning Ref. 15/414. Under this reference, permission was granted for a new extension to the side (north) of the original structure with this new

accommodation proposed to be connected to the original structure at Coole Cottage by a link corridor. The site of the new extension was originally occupied by a glazed conservatory.

2.2. The main aspects of the development as constructed for which retention is sought are as follows:

- Alterations to the roof profile and height of the new extension,
- A minor increase in floor area of the development with an additional c.1.7 sq. metres constructed above the floor area permitted. This additional area is to accommodate a boiler room.
- Alterations to the permitted fenestration with additional windows proposed including in the link structure and modification of permitted windows, including the rear bedroom (bedroom 3). A new window was also added to the bedroom in the side elevation.

3.0 Planning Authority Decision

3.1. Further Information

Prior to the issuing of a Notification of Decision to Grant Permission the planning authority requested further information on the following:

- Revised plans that indicate the finished and permitted roof levels and parapet heights and revised front elevation drawing indicating the entirety of the front elevation.
- Revised plans indicating the proposed extension relative to the thatched roof, including detail of the connection and impact on the thatch.
- Details of window finishes to be submitted.
- Submission of an architectural heritage impact assessment that details the visual and physical impact of the works undertaken.

The following information and revisions to the design were submitted in response to the request for further information:

- An Architectural Heritage Impact Assessment prepared by Bluett and O'Donoghue Architects submitted which sets out the heritage significance of the building and the variations to the permitted development and the impact of these variations on the structure.
- Revised drawings submitted of the rear extension and the existing cottage.
- Details of the window materials / finishes provided on the drawings / Architectural Heritage Assessment Report.

3.2. Decision

The Planning Authority issued a Notification of Decision to Grant Permission subject to 4 no. conditions, the most significant of which are considered to be as follows:

- Condition No. 3 requires the submission of plans for the landscaping of the eastern boundary of the site within 6 weeks of the decision of the Planning Authority.
- Condition No.4 requires that the new window in the east facing elevation to the 'garden House' shall be fitted with an opaque film.

3.3. Planning Authority Reports

3.3.1. Planning Reports

The initial Planning Officer report on file notes the planning history of the site and the fact that under Ref. 15/414, the Planning Authority requested further information to provide for the extension to be constructed such that the roof height was below that of the eaves height of the thatched cottage and that this was proposed by way of further information prior to being permitted. Stated that the finished roof level for which retention is sought now is unclear and further information is recommended. Second report subsequent to the further information recommends a grant of permission having regard to the planning history of the site and the nature and extent of the alterations proposed.

3.3.2. Other Technical Reports

Conservation Officer – Report notes the history of the building and the fact that it is included on the RPS and NIAH and that a number of the features which were required in the original design / alterations requested (Ref. 15/414) have not been omitted. Noted that the works relate to a protected structure and that under Article 23(2) of the Act, documents indicating how the development would impact the character of the structure are required, and that no such documents have been submitted. Initial report recommends that an Architectural Heritage Impact Assessment be requested.

A second Conservation Officer Report subsequent to the submission of further information notes the contents of the submitted Architectural Heritage Impact Report which are generally agreed with. The impact of the rear extension to the main house and the significant cut into the thatch is noted and is not considered to be consistent with Condition No.8(h) of the 15/414. Stated that a retention application is not ideal in the case of a conservation project and in the event of a grant of permission a condition relating to screen hedging is recommended.

3.4. Prescribed Bodies

None

3.5. Third Party Observations

An observation from the adjoining property owner to the south and east was submitted which raised the following issues:

- That they did not object / appeal the original grant of permission as their concerns regarding height and the use of the roofs as terraces were addressed in the further information issued.
- That it has subsequently become apparent that the levels in the plans and surveys submitted with the original application (Ref. 15/414) were inaccurate.
- That there are a number of other non-compliant issues additional to the enforcement notice issued, these include the inclusion of pvc / aluminium windows and non submission of drainage details.

- That the required reductions in height / floor to ceiling heights of the extension were not complied with in the development.
- That the effect of the errors in the original plans is that the extension as constructed is a further 0.28 metres higher than the grant of permission.
- That the increase in height cannot be considered to be a minor increase in height profile as advertised. Rather the development as constructed and for which retention is sought is one third higher than the permitted layout.

4.0 Planning History

The following planning history is noted in the development:

Waterford City and County Council Ref. 15/414 – Permission granted by the Planning Authority for the extension of the existing protected structure located on the appeal site. Permission was granted following further information.

The following relates to the adjoining site to the south and east (Seaview Cottage)

Waterford City and County Council Ref. 03/116; ABP Ref.PL24.202993 – Permission granted by the Planning Authority and decision upheld on appeal for the indefinite retention and completion of store in place of demolished smoke house and indefinite retention of oil tank and enclosure on the grounds of a protected structure.(R.P.S.No.114).

Waterford City and County Council Ref. 02/203; ABP Ref.PL24.129948 – Permission refused by the Planning Authority and decision upheld on appeal for the completion and indefinite retention of store and tool shed in place of demolished smokehouse.

5.0 Policy Context

5.1. Development Plan

The site is located within the boundary of Dunmore East.

The site is zoned Residential – Medium under the provisions of the Waterford County Development Plan, 2011-2017 with the stated objective '*to protect the amenity of existing residential development and to provide for new residential development at medium density*'.

The site is located within an area that is identified in the Plan as a conservation area and the existing house on the site (Coole Cottage) is included on the Record of Protected Structures.

5.2. Natural Heritage Designations

The site is not located in any European sites. The closest such sites to the appeal site is the Lower River Suir SAC which is located c.200 metres from the appeal site at the closest point.

6.0 The Appeal

6.1. Grounds of Appeal

The following is a summary of the main issues raised in the third party grounds of appeal:

- That the appellants are the owners and occupiers of the property that has a house and open space that immediately adjoins the appeal site.
- That the alterations which are the subject of this appeal relate to a previous permission granted. The appellants considered the original permission in detail and were satisfied with the design as amended by further information. What was constructed is however is very different with significant changes in ground levels, heights of buildings and boundaries.

- That while an outright refusal might not be feasible, that the Board try to internalise the negative impacts arising to within the site.
- That the relationship between the appeal site and the appellants open space and the 'smokehouse' building located at the northern end of their property is such that there is potential for significant impacts on amenity. The alterations in levels on the appeal site by c.0.84 metre between the application (15/414) and the as constructed means that there would significant amenity impacts arising.
- That the issue of levels on the appellant's property has never been properly detailed in application drawings. The height of the extension was originally proposed to be 0.84 lower than the 'smokehouse' building but is now the same height post construction.
- The inaccuracies in ground and finished floor levels were grossly inaccurate resulting in significant amenity issues arising.
- That there are specific objectives contained in the County Plan relating to Dunmore East that are relevant. These are DO8 (regarding preservation of coastal views and vistas) and DO9 regarding the retention of historical architectural design features.
- That the changes to the previously permitted FFL and overall heights are such that it would constitute a discordant visual feature from the public road. In addition to the hedge to the front, it is requested that the front elevation be faced with Dunmore stone that is a feature of the area.
- That the scale and levels of the development is such that it has a significant negative impact on the residential amenity of the appellant due to overlooking and overbearing visual impact.
- That the main concern relates to the very significant variations between the as permitted layout (15/414) and what was constructed and such that the Planning Authority could be deemed to be negligent in their obligations to oversee the works as set out in the Architectural Heritage Protection Guidelines for Planning Authorities.

- Requested that the following conditions would be attached in the event that the Board is considering a grant of retention permission.
 - That the patio to the side and rear of the extension would be constructed at the same level as the footpath located in Seaview Cottage between the smokehouse and the site boundary.
 - That a two metre retaining wall be constructed along the entire southern boundary of the property.
 - That the sun room be constructed as per the pre compliance drawing submitted to the Planning Authority in August, 2016.
 - That the front wall to the extension be constructed in Dunmore Stone.
 - That the roof of the extension shall be finished in sedum and shall not be used as a seating area or terrace.
 - That all windows and doors shall be finished in timber.

6.2. Applicant Response

The following is a summary of the main issues raised in the response received from the first party:

- That the detailed references to the development plan and the Guidelines on Architectural Heritage are unclear and if anything demonstrates that the design approach in the project is in accordance with good practice.
- That the assertions regarding the raising of the ground level are refuted and evidence in the form of existing vegetation would support this. The boundary wall between the two properties has not been altered in any way.
- That the visual impact of the development on views and vistas were assessed as part of the response to further information and were considered acceptable by the Planning authority.
- That contrary to the statement of the appellants, the 'smokehouse' building on their site is not a historic structure but rather a modern building built about 15 years ago. It replaced a smaller historic structure. The retention of the replacement structure was eventually granted on the basis of being a shed.

- That the height of the smokehouse building was inaccurately indicated on the plans submitted with Ref. 15/414.
- With regard to the suggested conditions, these seek to alter aspects of the project which do not form part of the current application and which were completed previously.

6.3. **Planning Authority Response**

None on file.

7.0 **Assessment**

7.1. The following are considered to be the main issues in the assessment of this appeal:

- Design and Impact on Character of Protected Structure,
- Impact on Visual Amenity,
- Impact on Residential Amenity,
- Other Issues,
- Appropriate Assessment.

7.2. **Design and Impact on Character of Protected Structure**

7.2.1. As part of the response to the request for further information, the first party submitted an Architectural Heritage Impact Assessment Report prepared by Bluett and O'Donoghue Architects. This assessment addresses the impact of the main alterations to the design on the character and setting of the cottage and on the streetscape and wider views, including from the east across the harbour.

7.2.2. With regard to the basic changes to the height of the structure and the changes to the parapet line and basic roof profile, I note and would generally agree with the assessment contained in the Conservation Report that the design as constructed has a simpler roof profile that, notwithstanding the slightly increased overall height, does not detract from the setting of the protected structure, Coole Cottage. Similarly,

I do not consider that the change to the footprint arising from the incorporation of the boiler room into the extension has any negative impact on the character or setting of the protected structure.

- 7.2.3. The inclusion of windows in the west facing elevation of the link structure is contrary to the intention of Condition No.8(d) attached to Ref. 15/414 which required the submission of a revised north elevation that showed the omission of the windows along the link corridor. The inclusion of the windows to this link corridor structure in the completed design is justified by the first party on the basis of solar gain (given the east – west orientation of the corridor). The Architectural Heritage Impact Assessment states that the increased light and transparency arising from the inclusion of these windows serves to highlight the contrast with the original structure and I would agree with this assessment. Similarly, the use of render to this front elevation to the extension is in my opinion an appropriate design response and one that shows a clear break with the original structure. The suggestion of the appellants that the front elevation should be faced with stone is not in my opinion appropriate and would only serve to make the extension more visually prominent relative to the existing protected structure and terrace of which it forms part.
- 7.2.4. The revisions to the sun room extension to the rear of the original cottage is an element of the works that was highlighted by the Councils Conservation Officer who highlights the potential negative impact arising from the changes to the thatch arising from the increased height of the extension to the rear of the original house. The detail submitted with regard to this element of the development is, however rather confusing. While it would appear that the height of this sunroom was reduced on foot of the further information submitted for Ref. 15/414, and Condition No.8(h) required that revised plans be submitted that clearly indicated that the flat roof of the sun room is below the level of the thatch, Drg. No.008 submitted as part of the further information response to the current application indicates Section H-H through the area of the sunroom and appears to indicate the thatch / roof line remaining as previously proposed under Ref. 15/414. This however is clearly not the situation on the ground where the thatch line has been raised to allow for the construction of the sun room (see Photograph No.7 attached to the Architectural Heritage Impact Assessment). In terms of the impact of this alteration on the character of the protected structure, I note the comment of the first party that this sun room replaces

a previous conservatory that had the same height and footprint. The alteration of the thatch in this location is clearly not ideal in terms of the preservation of the character of the original structure, however on the basis of the information available, it is difficult to determine the extent of any additional works that have been undertaken in this area over and above those that were previously undertaken to accommodate the original conservatory. The statement in the Architectural HIA that the structure as built is flashed into the wall of the cottage below the eaves line does not appear to reflect the situation as constructed, and there is no detailed assessment provided regarding the impact of the change in the line of the thatch above the sunroom is provided. On balance, given that there was previously a structure (conservatory) in this location which is to the rear of the structure, some alteration to the thatch line, while not good conservation practice, is considered to be acceptable in this instance.

- 7.2.5. The revisions to the fenestration from the layout permitted under ref. 15/414 are relatively limited and in the case of the changes to the sunroom and the bedroom at the rear of the cottage the extent of glazing is proposed to be reduced. An additional window has been added to the bedroom in the east facing elevation of the extension as constructed. These alterations are not in my opinion of such significance that they alter the impact on the character or setting of the protected structure. Similarly, I note the fact that the windows installed in the extension as constructed are aluclad finish rather than traditional timber. Contrary to the contention of the appellants I do not consider that this is necessarily inappropriate given their position in the new build extension that is of contemporary design. Similarly, the new windows to the sunroom and adjoining bedroom are located in what is not an original part of the cottage and while it would be preferable that these were in timber, I do not consider this of such significance to require that the existing windows should be removed.

7.3. Impact on Visual Amenity

- 7.3.1. The increase in height as constructed can be summarised as the height of the link part of the new extension increasing from 3.00 metres AD (c.2.45 metres above ground level) to c.3.185 metres AD and in the case of the main part of the extension, from a permitted 3.45 metres AD to 3.61 metres AD. The extent of the overall

increase in height from that originally permitted under Ref. 15/414 is therefore relatively limited.

- 7.3.2. The development has an impact on views from the road and the terrace of houses and secondly the impact of the development on views from the east, including from across the harbour. From the road, the existing terrace of cottages is largely hidden from view by virtue of being located at a significantly lower level than the road. Only the thatched roofs are clearly visible from the road. The extension as constructed is more visually prominent in the streetscape due to the vehicular entrance to the site giving clear views in and also the fact that the landscaping of the site has not been completed or had the chance to mature. Relative to the existing cottage, the extension is not of significant height and, while I note the concerns expressed by the Planning Authority in the original application regarding the height of the extension and particularly the link structure, I do not consider that the scale as constructed is such as to have a significant negative impact on the visual amenity of surrounding properties or views from the public road.
- 7.3.3. The response to further information submitted to the planning authority addressed the issue of the impact of the proposed development on the visual amenity of the wider Dunmore area and the harbour area in particular. Views from the opposite side of the harbour are presented and I do not consider that the permitted development is visually prominent or such that it would have a negative impact on visual amenity in these views. I do not therefore consider that the proposed retention of the additional height of the development would have any material impact on the visual amenity of the harbour area or other locations with views of the development from the eastern side.

7.4. Impact on Residential Amenity

- 7.4.1. The basis of the objection raised by the third party appellant relates to the issue of residential amenity and concerns that the development as completed give rise to a loss of residential amenity for their property. In particular, the third party submission contends that the change in ground level which has arisen on completion of the development has resulted in overlooking of their property and a loss of amenity from overlooking and overbearing visual impact. With regard to the layout of the

appellant's property and the potential impact on amenity arising, I refer the Board to the aerial views submitted with the application (tabbed on the appeal file) which give a good impression of the as constructed layout and the relationship of the appeal site to the appellants property which comprises the cottages to the south of Coole Cottage and a large garden area that extends north and includes a roughly triangular shaped piece of land located to the east of the appeal site. .

- 7.4.2. With regard to the comments regarding the change in ground level, I note that the third party allege that the extent of such changes relative to the ground levels indicated in the original application drawings is c.0.82 metre. This is refuted by the first party, who note the fact that the existing vegetation on site has not been disturbed and that the boundary wall between the two properties has not been altered in any way. The first party also highlight that the representation of the height of the smokehouse building on the appellants property was incorrectly indicated in the previous application (Ref. 15/414), and that it is this inaccuracy in the previous plans, rather than an increase in height or change in ground levels, that results in the development being completed at approximately the same height as the Smokehouse building.
- 7.4.3. From my inspection of the site I don't see any clear indication that the ground levels were raised, at least not in the immediate vicinity of the boundary with the third party appellant's property. In this regard I note that the tree and associated planting at the south east corner of the enclosed courtyard does not appear to have been disturbed. Based on the submitted plans (Drg. No.004 submitted as part of the FI Response) the FFL of the extension is indicated to be only 100mm higher than that originally permitted. I do however note the fact that in the as permitted layout the courtyard area would appear to be split level with the area closest to the link corridor and extension at a lower level and accessed via steps. There is therefore some lack of clarity with regard to what the original ground level on the site was and what if any changes have occurred. It is therefore considered appropriate that the existing layout would be assessed in terms of its impact on residential amenity.
- 7.4.4. With regard to the amenity implications arising from the alterations to the building design for which retention permission is now sought, the increased height of the extension and link structures are not in my opinion such that they have any material impact on residential amenity. The alterations to the windows proposed comprise

changes to both the front and rear elevations to the link, changes to the fenestration to the extension to the rear of the original house, the replacement of a permitted door adjoining this in the rear elevation of the original house with a window and the addition of a new east facing window in the area of the extension labelled 'garden house'. Given the location of these windows relative to the boundary with the appellants property to the east, the only element which I consider may impact on the amenity of third party property is the new east facing window in the 'garden house' room given its proximity to the boundary. I therefore consider that in the event of a grant of permission that this window would be fitted with opaque glazing.

- 7.4.5. The location of the Smokehouse building serves to screen the appellant's property from the area to the north of the extension and from the path to the eastern side of the extension. Further south in the vicinity of the courtyard, as noted above, I do not consider that there is a clear indication that the ground levels closest to the boundary have been raised. I do not therefore consider that significant additional issues of overlooking or overbearing visual impact arise compared with the originally permitted layout. I also note the fact that the Smokehouse building located on the appellants property is a relatively recent structure (permitted under Ref. 03/116; ABP Ref.PL24.202993) and that this development was permitted on the basis of it being used as a shed or store. It is also noted that no overlooking of habitable accommodation on the appellants property would arise on foot of the development as constructed and that existing screen planting on the appellant's property provides significant screening to their garden. In stating this, the current layout is such that some overlooking of the appellants garden would still be possible from the enclosed courtyard on the eastern side of the extension and it is therefore considered appropriate that additional landscaping and screen planting would be provided along the eastern boundary of the site from a position at the south east corner of the extension and running south as far as the sunroom. This sunroom structure is indicated in the submitted plans as having a FFL that is lower than that previously permitted under Ref. 15/414 as well as having a reduced extent of glazing from that previously permitted. I do not therefore consider that additional issues of overlooking or other loss of amenity arise in relation to this structure.

7.4.6. The potential use of the flat roof of the extension as a terrace is raised as a concern by the appellants and any such use of the roof would clearly lead to a significant loss of amenity for the appellant's property. I note however that no access to the flat roof is indicated on the submitted plans and no such access was available at the time of inspection of the site. In the event of a grant of permission a condition specifically restricting access to and use of the flat roof could be attached. This flat roof was proposed to be a sedum roof under Ref. 15/414 and the appellants suggest that this should be required by way of condition. In principle, I would agree with this suggestion as it would soften the view of the extension when viewed from the public road. Such a finish is not however included in the current application and it is not clear from the information presented that the roof as constructed would be capable of supporting a sedum roof.

7.5. Other Issues

- 7.5.1. I note that in the third party submission made to the planning authority that there was reference to drainage issues and a lack of compliance regarding previously proposed water supply and drainage issues. The current proposal was not the subject of a report from either the council's water services section or from Irish Water, and Condition No.5 attached to the original application (Ref. 15/414) required the applicant to consult with the district engineer regarding details of the surface water drainage system and provision of soakaways within the site. It is not clear from the information on file whether this condition was complied with.
- 7.5.2. I note that Condition No. 2 of the Notification of Decision to Grant Permission issued by the Planning Authority requires the payment of a development contribution of €85 which reflects the additional floor area of 1.7 sq. metres relative to that permitted under Ref. 15/414. Under condition No.2 attached to Ref. 15/414 a contribution of €2,800 was required in accordance with the s.48 contribution scheme.

7.6. Conclusion

- 7.6.1. In conclusion, while there is some lack of clarity with regard to the relationship of what has been constructed on site and which forms the basis for the current application for retention and the development as permitted under Ref. 15/414, notably with regard to ground levels, building heights and the thatched roof profile in the vicinity of the sunroom, on the basis of the information presented and from an inspection of the site I do not consider that significant changes to ground levels or finished floor levels have occurred. Notwithstanding this, my assessment of the alterations to the originally permitted design are not such as have a significant additional negative impact on the character and setting of the protected structure on site or adjoining protected structures or on the visual amenities of the area. In addition, on the basis of the information presented and my inspection of the site, I do not consider that the alterations to the originally permitted design are such that, with mitigation in the form of screen planting and landscaping to the eastern boundary, they would have a significant negative impact on residential amenity.
- 7.6.2. The suggested revisions to the design included in the third party appeal are noted, as are the comments of the first party regarding the extensive scope of these changes and the view that they go considerably beyond the development before the Board for consideration. For the reasons set out in the assessment above I do not consider that the changes set out by the appellants are required or justified.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. Having regard to the above, it is recommended that permission be granted based on the following reasons and consideration and subject to the attached conditions.

9.0 Reasons and Considerations

Having regard to the residential zoning objective for the area, the pattern of development in the area and the previous permission on the site it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health, and would not have a negative impact on the character or setting of the protected structure on site or adjoining protected structures or the character of the conservation area in which the site is located. The proposed development would, therefore, be 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 the further plans and particulars submitted on the 21st day of October, 2019 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. Except as may otherwise be required in order to comply with the following conditions, all relevant conditions attaching to Waterford County Council Ref. 15/414 shall be complied with in the development.

Reason: In the interests of clarity.

3. Within 2 months of the date of this permission, the window in the east facing elevation serving the 'garden house' as indicated in Drg No.004 received by the Planning Authority on 21st day of October, 2019 shall be glazed with obscure glass.

Reason: To prevent overlooking of adjoining residential property.

4. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to the planning authority for written agreement within 3 months of the date of this permission. This scheme shall include the following:
 - (a) the establishment of screen planting along the eastern boundary of the site from the south east corner of the extension to a position at least as far south as the sunroom.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

5. The flat roof of the permitted extension shall not be used as a balcony or terrace and no access to this area shall be undertaken save for maintenance purposes.
Reason: To prevent overlooking of adjoining residential property and to protect residential amenity.

6. The developer shall pay to the planning authority a financial contribution of €85 (eighty five euro) in respect of public infrastructure and facilities benefiting 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 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. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

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.

Stephen Kay
Planning Inspector

11th June, 2020