



An  
Bord  
Pleanála

## Inspector's Report ABP-306693-20.

### Development

Permission for maintenance and repairs to the existing forge and outbuildings, which is a protected structure, renovation and extension to existing cottage and shed to include two storey residential extension to the rear of the existing cottage, which is within the curtilage of a protected structure listed in Offaly CDP 2014 - 2020 RPS ref 35-13 and NIAH ref 14814015, a new site entrance and waste water treatment system and polishing filter and all associated site works and services.

### Location

The Forge, Curragh, Geashill, County Offaly.

### Planning Authority

Offaly County Council.

### Planning Authority Reg. Ref.

19/248.

### Applicant(s)

Eimear Coughlan.

### Type of Application

Permission.

### Planning Authority Decision

Refuse.

<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Eimear Coughlan.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	14/05/2020.
<b>Inspector</b>	A. Considine.

## 1.0 Site Location and Description

- 1.1. The subject site is located approximately 1.5km to the north west of the village of Geashill, Co. Offaly, and to the north east of the Regional Road, the R420 which connects Geashill to Tullamore, approximately 12km to the north west of the site. The surrounding area is rural in its nature and the subject site is located within the eastern part of a larger farm holding, located on either side of the R420. There are a number of one-off houses located in the wider area.
- 1.2. The site has a stated area of 0.63ha and comprises a collection of existing buildings and an area of green field. The existing buildings form a courtyard and include a single storey vernacular dwelling, with part two storey element, to the west, a single storey outbuilding to the north and a forge, Protected Structure, to the east. The structures are located on the roadside of the overall site which extends to the west and north.
- 1.3. While there is are two existing access points from the regional road into the site on either side of the Forge building, access to the site will not be directly off the R420. There is a small laneway which runs parallel to the R420 and serves two existing residential properties and farm-land and it is proposed that a new access onto this laneway will be developments and which will be set back from the junction with the regional road by approximately 20m.

## 2.0 Proposed Development

- 2.1. Permission is sought, as per the public notices for the maintenance and repairs to the existing forge and outbuildings, which is a protected structure, renovation and extension to existing cottage and shed to include a two storey residential extension to the rear of existing cottage, which is within the curtilage of a protected structure listed in Offaly CPD 2014-2020 RPS ref 35-13 and NIAH Ref 14814015, a new site entrance and waste water treatment system and polishing filter and all associated site works and services at The Forge, Curragh, Geashill, Co. Offaly.
- 2.2. The application included a number of supporting documents including as follows;
  - Plans, particulars and completed planning application form
  - Letter of consent from the landowner.

- Architectural Heritage Impact Assessment
- Site Suitability Assessment
- Details of treatment plant

2.3. The Board will note that revised site notices were submitted following the submission of the response to the further information request. The submission amended the proposed design of the extension sought.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The Planning Authority decided to refuse planning permission for the proposed development for the following stated reason:

1. It is considered that the proposed development would have a negative visual impact on the curtilage, attendant grounds and setting of the Protected Structure – (The Forge, RPS REF 35-13 and NIAH REF 14814015). In particular, the proposed development significantly covers the north-west elevation, brings imbalance to, and does not complement the existing vernacular structure on the subject site. The proposal is considered to be out of scale with the Architectural Character of vernacular structure would therefore be contrary of Policy AAPHP-03 of the Offaly County Development Plan 2014-2020 which seeks to ‘ensure that new build adjoining, and extensions to, vernacular buildings are of an appropriate design and do not detract from the building’s character’. Consequently, it is considered that the proposed would not be in accordance with the proper planning and sustainable development of the area.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Reports**

The Planning report considered the proposed development in the context of the details submitted with the application, internal technical reports and the County

Development Plan policies and objectives. The report also includes an Appropriate Assessment Screening Report.

The initial Planning Report concludes that further information is required in relation to the development as follows:

1. Issues raised in relation to the DoCHG submission
2. Maps with a legible scale
3. Water supply and connection to public supply
4. Sight lines
5. Issues with planning documentation
6. letter of approval from Irish Water having regard to the location of the site within the 'Preferred 200m Irish Water Shannon-Dublin Pipeline Corridor'.

Following the submission of a response to the FI request, the final planning report concludes that proposed development is not acceptable. Planning Officer recommends that permission be refused for the proposed development generally in accordance with the submission of the Senior Executive Architect. This Planning Report formed the basis of the Planning Authority's decision to refuse planning permission.

### 3.2.2. **Other Technical Reports**

**Environment Water Services:** Further information required in relation to GSI maps and water supply.

Following receipt of the response to the FI request, the Section advised no objection subject to compliance with conditions.

**Senior Executive Architect:** The report notes a number of issues with the planning documentation and certain descriptions, lack of detail of proposed finish materials and changes to the protected structure. The report also requires that an Architectural Heritage Impact Assessment in accordance with the DoAHG guidelines be submitted which includes a Conservation Method Statement. The report also includes a number of conditions relating to supervision of works.

Following receipt of the response to the FI request, the SEA considers that the response to the FI presents a new proposal and considers 'it impossible to relate to further information request and seek for compliance'. The report further considers that the new proposal does not complement the existing buildings, covers completely the north-west elevation and brings imbalance to the place. It is recommended that a meeting with planners take place to achieve the most suitable and effective proposal.

**Edenderry Municipal District Engineer:** The Edenderry Office raises serious reservations about the proposed development from a traffic safety perspective as forward sight distances at the proposed access onto the public carriageway are restricted. Further information required seeking the moving of the entrance further west.

Following receipt of the response to the FI request, the Section advised no objections subject to compliance with conditions.

**Roads and Infrastructure:** Further information required as lines of sight are not sufficient at the proposed entrance location. The entrance is to be moved to achieve the required sightlines in the interest of traffic safety.

Following receipt of the response to the FI request, the Section advised no objections subject to compliance with conditions.

### 3.2.3. **Prescribed Bodies**

**Department of Culture, Heritage and the Gaeltacht:** The Department submitted a report in relation to the proposed development as it relates to Architectural Heritage. The report notes the general welcome to the appropriate renovation and adaption of historic building but raises some concerns about aspects of the proposed development. The report concludes that in the current case, a more traditional treatment could work better visually, than a contemporary approach. Further information is required.

Following receipt of the response to the FI request, the DoCHG did not submit a further report.

**Irish Water:** No objection to the proposed development.

### 3.2.4. **Third Party Submissions**

None

## 4.0 **Planning History**

There is no relevant planning history pertaining to the subject site.

### **Adjacent Sites:**

**PA ref: 94/413:** Planning permission granted for the construction of a dwelling house and septic tank on site to south east of the current appeal site.

## 5.0 **Policy and Context**

### 5.1. **Architectural Heritage Protection Guidelines for Planning Authorities (Department of Arts, Heritage and the Gaeltacht 2011).**

5.1.1. Given that the subject proposed development includes works to a protected structure, the '*Architectural Heritage Protection, Guidelines for Planning Authorities*' are considered relevant. These guidelines are issued under Section 28 and Section 52 of the Planning and Development Act 2000. Under Section 52 (1), the Minister is obliged to issue guidelines to planning authorities concerning development objectives:

- a) for protecting structures, or parts of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest, and
- b) for preserving the character of architectural conservation areas.

5.1.2. The guidelines provide guidance in respect of the criteria and other considerations to be taken into account in the assessment of proposals affecting protected structures. The guidelines seek to encourage the sympathetic maintenance, adaption and re-use of buildings of architectural heritage. Chapter 6 of the Guidelines deals with Development Control and Section 6.8 deals with General types of Development. Section 6.8.1 – Section 6.8.7 deal with extensions. The Guidelines accept that it will often be necessary to permit appropriate new extension

to protected structures in order to make them fit for modern living and to keep them in viable economic use. Section 6.8.2 further states that:

If planning permission is to be granted for an extension, the new work should involve the smallest possible loss of historic fabric and ensure that important features are not obscured, damaged or destroyed. In general, principal elevations of a protected structure (not necessarily just the façade) should not be adversely affected by new extensions. The design of symmetrical buildings or elevations should not be compromised by additions that would disrupt the symmetry or be detrimental to the design of the protected structure.

5.1.3. Part 2 of the Guidelines provides detailed guidance notes, with Chapter 13 dealing with Curtilage and Attendant Grounds and Section 13.5 relates to Development within the Curtilage of a Protected Structure and Section 13.8 of the Guidelines relate to Other Development Affecting the Setting of a Protected Structure or an Architectural Conservation area and the following sections are relevant:

- Section 13.8.1
- Section 13.8.2
- Section 13.8.3

## 5.2. National Inventory of Architectural Heritage

5.2.1. The National Inventory of Architectural Heritage (NIAH) is a unit within the Department of Environment, Heritage and Local Government engaged in compiling an evaluated record of the architectural heritage of Ireland. Where an NIAH survey of a particular area has been published, relevant planning authorities will be provided with information on structures within the area of that survey. The planning authority can assess the content of, and the evaluations in, an NIAH survey with a view to the inclusion of structures in the RPS according to the criteria outlined in these guidelines.

5.2.2. The Forge/Smithy, which is included within the subject application site, is a protected structure and is listed on the NIAH, NIAH ref 14814015 – Regional Rating.



**Description:** Detached gable-fronted single-bay single-storey former forge, built c.1870, with two-bay side elevation, outshot to east and return abutting outbuilding to rear. Fronts onto road within a farmyard. Pitched slate roof with terracotta ridge tiles and timber bargeboards. Random coursed limestone walls with tooled stone quoins. Casement windows with stone sills. Horseshoe-shaped opening to gable-front with ashlar voussoirs and timber battened double doors. Timber battened door to rear return. Random coursed stone outbuildings to site with pitched slate and corrugated-iron roofs. Cast-iron pump to site. Yard bounded by rendered wall.

**Appraisal:** This attractive forge, commonly erected in the nineteenth century, still punctuates the landscape of Ireland. This example retains its original form and features, the most impressive of which is the horseshoe-shaped gable opening which gives it a certain architectural distinctiveness. The attention to detail in the ashlar voussoirs of the opening is particularly remarkable. Notable are the nail heads and groove of the horseshoe. The intact character of the complex has survived due to the retention of outbuildings and ornate water pump. Together, these structures create an aesthetically pleasing site.

### 5.3. Development Plan

5.3.1. The Offaly County Development Plan 2014 – 2020, is the relevant policy document relating to the subject site.

5.3.2. Chapter 1 of the Plan deals with Core Strategy, Settlement Strategy and Part V Housing Strategy. The following policies are relevant:

**Policy: Reuse of Existing Structures as Dwellings in the Open Countryside**

**SSP – 22:** It is Council policy to favourably consider all applications (i.e. 'Local Need' requirement will not apply) for the refurbishment and/or reuse of older building stock subject to the following criteria;

- The reuse will normally only be considered appropriate where the structure is an important element in the landscape or of local architectural merit or historic interest.
- The external walls and roof are substantially intact.
- The design of the proposal does not erode the siting and design qualities of the building which makes it attractive in the first instance.
- The size of any extension takes account of the siting and size of the existing building.
- The design, scale and materials used in the refurbishment and/or extension are in keeping and sympathetic with the existing structure.
- Mature landscape features are retained and enhanced, as appropriate.
- That normal planning considerations i.e. road safety, amenities, public health, design etc. shall take precedence over the 'principle' of encouraging such development.

**Policy: Refurbishment of Derelict Dwellings in the Open Countryside**

**SSP-23:** It is Council policy to encourage the sensitive refurbishment of existing derelict dwelling houses which have fallen derelict provided that the refurbishment provides for quality design, scale, form, material and finishes and does not detract negatively from the original character of the derelict of the dwelling.

The existing derelict dwelling house must:

- Exhibit all the essential characteristics of a dwelling house;
- Be in use, or have last been used, as a dwelling house.

5.3.3. The subject site includes a protected structure and in this regard Chapter 7 of the CDP is relevant in that it deals with Heritage and Landscape. Section 7.18 deals with Built Heritage while sections 7.19 and 7.20 deals with Architectural and Archaeological Heritage Policies and Objectives.

In terms of Architectural Conservation, Section 7.18.3 states in relation to Alterations / Extension of Protected Structures:

The Council will ensure that the alteration or extensions to protected buildings and structures will only be permitted if the proposals are in keeping with the character of the building and preserve the architectural and historic features of the building or structure. The Planning & Development Act 2000, as amended, removes exempted development rights where works to a protected structure will materially affect the character of the structure. Planning permission will be required where such works are proposed.

5.3.4. Section 7.18.4 deals with vernacular structures and states that the Council will seek to retain these structures where feasible.

5.3.5. The following policies and objectives are considered relevant in relation to the subject appeal:

**Policy AAHP-01:** It is Council policy to ensure that the alteration or extensions to protected buildings and structures will only be permitted if the proposals are in keeping with the character of the building and preserve the architectural and historic features of the buildings or structures.

**Policy AAHP-02:** It is Council policy to encourage the retention, sympathetic maintenance, and appropriate re-use of the vernacular buildings, in both the towns and rural areas of the county, including the retention of the original fabric, such as windows, renders, shop fronts, gates, yards, boundary walls and other significant features where possible, to discourage the replacement of good quality vernacular buildings with modern structures;

**Policy AAHP-03:** It is Council policy to ensure that new build adjoining, and extensions to, vernacular buildings are of an appropriate design and do not detract from the building's character.

**Objective AAHO-02:** It is an objective of the Council to protect all structures listed in the Record of Protected Structures, that are of

special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest throughout the county.

5.3.6. Chapter 8 of the CDP deals with Development Management Standards and Section 8.8 deals with extensions stating that 'proposed extensions to residential dwellings should complement the main house'.

#### 5.4. **Natural Heritage Designations**

The site is not located within any designated site. The closest Natura 2000 site is the River Barrow and River Nore SAC (Site Code: 002162) which is located approximately 8.2km to the south of the site. Raheenmore Bog SAC (& pNHA)(Site Code 000582) lies approximately 9.5km to the north of the site. In addition to the above, the following sites are within 15km of the site:

- The Charleville Wood SAC (& pNHA)(Site Code 000571) lies approximately 11.6km to the west of the site.
- The Slieve Bloom Mountains SAC (& pNHA) (Site Code 000412, and the Slieve Bloom Mountains SPA (Site Code: 004160) are located approximately 12.7km to the south west of the site.
- The Daingean Bog NHA, (Site Code 002033), and the Grand Canal pNHA are located approximately 4.3km and 4.6km to the north of the site.
- The Raheen Lough pNHA, (Site Code 000917), is located approximately 3.5km to the south of the site.

The Hawkswood Bog NHA (Site Code 002355) and Clonad Wood pNHA (Site Code 000574) lie approximately 9.6km to the west of the site while the Screggan Bog NHA (Site Code 000921) and Pallas Lough pNHA (Site Code 000916) lie approximately 13.2km to the west of the site.

#### 5.5. **EIA Screening**

Having regard to nature and scale of the development, together with the brownfield nature of the site, 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 and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

This is a first party appeal against the decision of the Planning Authority to refuse planning permission for the proposed development. The submission is presented in six chapters including an introduction, planning history and description of development, planning policy, grounds of appeal and a conclusion. The issues raised are summarised as follows:

- There is a significant onus on all involved to achieve a successful design solution to allow the reuse of this complex of buildings as a family home.
- The proposed extension sits outside the courtyard and would not be visible to those viewing the courtyard.
- The location of the extension to the west of the house allows the room layout of the existing dwelling to remain intact with little intervention.
- The form of the proposed extension is vernacular in style with a pitched roof mirroring the existing dwelling. The glass corridor will separate the old and the new and ensure that both parts read as separated chapters in the story of the overall building.
- It is considered that the scale of the proposed extension would complement the existing buildings on site in accordance with Policy AAPHP-03 and in refusing the application, the Council has failed to encourage the sensitive refurbishment of the dwelling in accordance with Policy SSP-23.
- The applicant complies with the policy requirements for local need as set out in the CDP, however, her first preference is to renovate the existing dwelling. The NPF encourages the development of brownfield land and sites with heritage constraints over greenfield sites.
- The Conservation Officers did not comment on the amended scheme, which is disappointing, especially as the changes to the scheme were as a result of

conservation comments. It is considered that the final design fully responds to the Senior Executive Architect's comments.

The appeal includes a number of enclosures and it is requested that the Board grant planning permission for the proposed development.

## **6.2. Planning Authority Response**

The Planning Authority submitted a response to the first party appeal requesting that the Board support the decision to refuse.

## **6.3. Observations**

None.

## **7.0 Assessment**

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature of existing uses on and in the vicinity of the site, the nature and scale of the proposed development and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. Principle of the development
2. Heritage & Visual Impacts
3. Roads & Traffic
4. Site Suitability Issues
5. Other Issues
6. Appropriate Assessment

### **7.1. Principle of the development**

7.1.1. The proposed development seeks to renovate and extend an existing cottage on a large rural site, approximately 1.5km outside the village of Geashill in Co.

Offaly. The cottage comprises part of a complex of buildings on the site, including

the Forge building, which is a protected structure. The buildings are laid out on the site to form a courtyard which fronts onto the public road, with the cottage located opposite the Forge building. There is a stone outbuilding which runs between the cottage and the Forge, creating the U-shaped courtyard. The proposed development also proposes maintenance and repairs to the existing forge and out-buildings.

7.1.2. The existing cottage is a single storey vernacular structure which includes a two storey element to the northern end of the building. The structure runs perpendicular to the public road to the south. The development proposes an extension to the cottage on the site, as well as refurbishment works to provide a permanent residence for the applicant / appellant. In the course of the PAs assessment of the proposed development, the design of the extension was altered. I propose to consider the merits of both proposed designs further below.

7.1.3. The Offaly County Development Plan 2014-2020 includes policies and objectives which relate to the reuse of existing structures as dwellings in the open countryside, Policy SSP-22, as well as the refurbishment of derelict dwellings in the open countryside, Policy SSP-23. The Plan actively supports the sensitive refurbishment of existing derelict dwelling houses provided that the refurbishment provides for quality design, scale, form, material and finishes and does not detract negatively from the original character of the dwelling.

7.1.4. Chapter 7 of the CDP is also relevant in that it deals with Heritage and Landscape. Section 7.18 deals with Built Heritage while sections 7.19 and 7.20 deal with Architectural and Archaeological Heritage Policies and Objectives. The following policies and objectives are considered relevant in relation to the subject appeal:

**Policy AAHP-01:** It is Council policy to ensure that the alteration or extensions to protected buildings and structures will only be permitted if the proposals are in keeping with the character of the building and preserve the architectural and historic features of the buildings or structures.

**Policy AAHP-02:** It is Council policy to encourage the retention, sympathetic maintenance, and appropriate re-use of the vernacular buildings, in both the towns and rural areas of the county, including the retention of the original fabric, such as windows, renders, shop fronts,

gates, yards, boundary walls and other significant features where possible, to discourage the replacement of good quality vernacular buildings with modern structures;

**Policy AAHP-03:** It is Council policy to ensure that new build adjoining, and extensions to, vernacular buildings are of an appropriate design and do not detract from the building's character.

**Objective AAHO-02:** It is an objective of the Council to protect all structures listed in the Record of Protected Structures, that are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest throughout the county.

7.1.5. In addition to the CDP requirements, I am mindful of the requirements of National Guidelines as they relate to heritage. As the subject site includes a protected structure, the '*Architectural Heritage Protection, Guidelines for Planning Authorities*' are considered relevant. These guidelines are issued under Section 28 and Section 52 of the Planning and Development Act 2000. Under Section 52 (1), the Minister is obliged to issue guidelines to planning authorities concerning development objectives:

- a) for protecting structures, or parts of structures, which are of special architectural, historical, archaeological, artistic, cultural, scientific, social, or technical interest, and
- b) for preserving the character of architectural conservation areas.

7.1.6. In addition, Chapter 13 of the Guidelines deal with Curtilage and Attendant Grounds, Section 13.5 relates to Development within the Curtilage of a Protected Structure which advises that 'proposals for new development within the curtilage of a protected structure should be carefully scrutinised by the planning authority as inappropriate development will be detrimental to the character of the structure'. The guidelines provide that the relationship between the protected structure and the street should not be damaged and new works should not adversely impact on views of the principle elevations of the protected structure.

7.1.7. Section 13.7 of the Guidelines relate to Development within the Attendant Grounds and advises when dealing with applications for works within the attendant grounds of a protected structure, the planning authority should consider a number of



criteria including would the development affect the character of the protected structure, would the protected structure remain the focus of its setting and what effect would the scale, height, massing, alignment or materials of a proposed construction have on the protected structure and its attendant grounds, amongst others.

7.1.8. Section 13.8 of the Guidelines also relate to Other Development Affecting the Setting of a Protected Structure or an Architectural Conservation area. I consider that Section 13.8 of the Guidelines is relevant including the following:

- Section 13.8.2 as it relates to new development both adjacent to, and at a distance from, a protected structure which can affect its character and special interest and impact on it in a variety of ways, and
- Section 13.8.3 and the extent of the potential impact of proposals which will depend on the location of the new works, the character and quality of the protected structure, its designed landscape and its setting, and the character and quality of the ACA.

7.1.9. Overall, I am satisfied that the principle of the proposed development is acceptable and generally accords with the policies and objectives of the County Development Plan. Site specific issues are discussed further below.

## **7.2. Heritage & Visual Impacts:**

Original Proposal:

7.2.1. The original proposal sought to carry out internal works to the cottage which included the removal of the chimney and an internal cross wall in order to create a large open living room which included a dining area. Other works to the existing cottage include the removal of the small corner block located to the northern end of the cottage, and adjacent to the shed which forms the north eastern side of the courtyard. The development sought to construct a new two storey element in this area with a connection into the shed to form a new guest bedroom, with access from the proposed extension. The originally proposed two storey element included the main entrance to the house, a large kitchen / diner and utility at ground floor level, with access to the new guest bedroom in the shed at this level, and a master suite at

first floor level. Access to the existing first floor room of the cottage was also proposed at this level.

7.2.2. The DoCHG raised a number of concerns in relation to the above proposal, notably to do with the removal of the cross wall and chimney and the detailing of the yard elevation which was considered likely to be discordant within the yard and that the roof of the extension would constitute a discordant element in an otherwise intact vernacular setting. The PA sought further information in relation to the issues raised.

7.2.3. In addition to the DoCHG report, the Councils Senior Executive Architect also raised a number of concerns with the proposed development including the level of detail and information submitted in terms of the existing protected structure, and proposed works to be undertaken on it. A number of conditions also appear to be recommended in the report.

7.2.4. In terms of the original proposed extension design, I would concur with the concerns raised by the Department and the Councils Architect. While I acknowledge that the proposed works do not directly affect the protected structure on the site, the Forge, having regard to the design, scale, form, material and finishes of the two storey extension, I consider that the works would detract negatively from the character of the vernacular cottage. In addition, I would consider that the visual impacts associated with the original proposed extension to the house would also have a negative impact on the setting of the protected structure and the complex in which it sits.

Amended Proposal:

7.2.5. Following a request for further information, the applicant submitted an alternative design for an extension to the cottage. The amended proposal provides for a single storey extension which will reflect the scale of the existing cottage and will connect to the existing building by way of a glazed link. The flat roofed glazed link is proposed to minimise the impact on the existing structure and to clearly separate the new from the old. This extension proposal places the new element outside of the courtyard complex and locates it to the north west (rear) of the cottage. In addition, the amended proposal retains the existing chimney and cross wall within the existing cottage.

7.2.6. In terms of limited works to the Forge, Protected Structure, the Board will note that the original proposed works included repairs and repointing to maintain the building structure particularly around the eaves level where water damage has resulted in the degradation of the lime mortars in the stone work. In time, the aspiration is to restore the forge and adapt the use to be complimentary to the dwelling house. In response to the FI request, the applicant advises that permission is no longer being sought for any repairs or alterations to the Forge and existing shed.

7.2.7. In response to the amended proposal, the Councils Senior Executive Architect considers that the proposal now creates a completely different form that does not complement existing buildings, it covers completely north west elevation and brings imbalance to the place. Issues are also raised in relation to the extended driveway and the future of existing buildings on the site. A meeting with the applicant is recommended in order to assist the applicant to achieve the most suitable and effective proposal. No assessment of the amended proposal is provided. It is on the basis of this report that the PA refused permission for the proposed development.

7.2.8. In principle, I consider that the amended proposal greatly reduces the possible loss of historic fabric of the cottage, and that the scale and design complements the original structure more appropriately. I also accept that the nature of the proposed development generally accords with the policies of the Offaly County Development Plan.

### **7.3. Roads & Traffic**

7.3.1. The proposed development is to include a new access to the site off the existing lane which runs parallel to the public road. This new access was proposed immediately adjacent to an existing entrance off the lane which provides access to the family landholding. Issues were raised in relation to the available sight distances at the entrance to the subject site by Offaly County Council Roads section.

7.3.1. The amended proposal is that the proposed development site will utilise the existing entrance onto the lane. The Board will note that the receiving access road provides access to a further residential property and the applicants family

landholding. The road surface is approximately 3m in width and is generally in good condition.

7.3.2. I am generally satisfied that the road network can accommodate the development of a house without any undue impacts to existing road users. The Board will note no objection from the Roads Section of Offaly County Council and in this regard, I have no objections to the proposed development.

#### 7.4. **Site Suitability Issues**

Waste Water:

7.4.1. In terms of wastewater, the applicant proposes to install an Oakstown BAF 6PE treatment system and polishing filter to service the house. Having considered the information provided with regard to the proposed development, I am satisfied that the applicant submitted a robust and complete site assessment regarding its suitability in terms of the treatment and disposal of wastewater generated on the site. The site assessment appears to have been carried out by a suitably qualified professional and the submitted plans identify the location of the wastewater treatment system for the house.

7.4.2. The Site Assessment Report notes that the bedrock was not encountered in the trial pit, which was dug to 1.2m bgl, while the water table was identified at 1m bgl, likely to rise in the winter and evidence of mottling at 0.7m deep. The assessment identifies that the site is located in an area where there is a Groundwater Protection Scheme and categorises the site as being a locally important aquifer (LI) with moderate vulnerability. A Groundwater Protection Repeal of R1 is indicated. The soil is described as till derived from limestones and clay. The bedrock type is Dinantian Upper Impure Limestones. \*T tests were carried out on the site at a level of 850mm bgl, yielding an average value of 163.67, and a \*T result of 41.06. \*P tests were also carried out at the site at a level of 0.4m bgl, yielding an average value of 143.00 and a \*P result of 36.94. The report concludes, recommending a packaged wastewater treatment system and polishing filter with trench at an invert level of -0.40m.

7.4.3. I am satisfied that the applicant has submitted a robust and complete site suitability assessment regarding the suitability of the proposed site in terms of the

treatment and disposal of wastewater generated on the site. I am further satisfied that the site appears capable of accommodating the development in the context of wastewater treatment and disposal. I am therefore satisfied that the development, if permitted, is unlikely to result in a public health hazard or impact on the quality of ground or surface waters in the area.

Water Supply:

7.4.4. The original proposal was that the development would continue to use the existing well on the site for water supply. However, following a request for further information, whereby the PA advises that there was a public watermain located along the road to the front of the site, revised proposals to connect to same were submitted. There is no objection to this.

7.4.5. In addition to the above, the Board will note that the subject site lies in proximity to the Preferred 200m Irish Water Shannon-Dublin Pipeline Corridor. A letter from Irish Water was provided which advises that the site lies outside the preferred corridor area and that there is no objection in this regard, to the proposed development.

## 7.5. Other Issues

### 7.5.1. Works to the Forge Protected Structure

The further information request from the PA sought additional details in terms of the materials and techniques to be employed and a reasoning for the intervention. A more advanced Heritage Impact Assessment is required together with a Conservation Method Statement in relation to the protected structure.

The Board will note that the response to the FI request eliminated the proposed maintenance and repair works to the forge and outbuildings. The limited works are advised in the submitted Heritage Impact Assessment as comprising repairs and repointing work to maintain and the forge building structure particularly around the eaves level where water damage has resulted in the degradation of the lime mortars in the stone work. In terms of the sheds, the works proposed include the removal of the existing asbestos roof and to re-roof same using a riven slate / fibre cement

slate. A condition in relation to monitoring and supervision of works at the site should be included in any grant of permission.

#### **7.5.2. Development Contribution**

The subject development is liable to pay development contribution, a condition to this effect should be included in any grant of planning permission.

#### **7.5.3. Appropriate Assessment**

The site is not located within any designated site. The closest Natura 2000 site is the River Barrow and River Nore SAC (Site Code: 002162) which is located approximately 8.2km to the south of the site. Raheenmore Bog SAC (& pNHA)(Site Code 000582) lies approximately 9.5km to the north of the site.

Overall, I consider it is reasonable to conclude on the basis of the information available that the proposal individually or in combination with other plans or projects, would not adversely affect the integrity of a Natura 2000 site having regard to the nature and scale of the proposed development and separation distances involved to adjoining Natura 2000 sites. It is also not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European Site.

### **8.0 Recommendation**

I recommend that planning permission be granted for the proposed development for the following stated reason and subject to the following stated conditions.

### **9.0 Reasons and Considerations**

Having regard to the pattern of permitted development in the area, to the provisions of the Offaly County Development Plan 2014-2020, and to the layout and design as submitted, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character and setting of The Forge Protected Structure, or the visual amenities associated with the structure and would be acceptable in terms of traffic safety and convenience. 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 29<sup>th</sup> day of November 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. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and the protection of the heritage of the site.

3. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the extension in the interest of residential amenity.

4. The developer shall comply with the following requirements in relation to the proposed restoration of the cottage within this complex and includes a protected structure, The Forge, which shall be carried out in accordance with

the document: “Architectural Heritage Protection – Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011):

- (a) the replacement of any brickwork or any works of re-pointing shall be undertaken so that it matches the original existing wall finish and shall be in accordance with current Conservation Guidelines issued by the Department of Arts, Heritage and the Gaeltacht,
- (b) the existing roof slates, chimney stacks and pots shall be retained, any replacement roof slates shall match the existing,
- (c) where possible the remaining rainwater goods and bargeboard shall be repaired and reused, the replacement rainwater goods and bargeboard shall match the original in terms of design and materials,
- (d) replacement windows fronting onto the courtyard shall be modelled on surviving windows and shall match them in dimensions, opening mechanism, profiles and materials;

Detailed elevation drawings to a scale of not less than 1:50, showing these amendments, 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 site which includes a protected structure.

5. An architectural impact statement and conservation plan for the cottage and the overall complex which includes protected structure, The Forge, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The development shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.

**Reason:** To ensure that these elements of the historic complex are maintained and protected from unnecessary damage or loss of fabric.



6. All trees and hedgerows within and on the boundaries of the site shall be retained and maintained, with the exception of the following:
- (a) Specific trees, the removal of which is authorised in writing by the planning authority to facilitate the development.
  - (b) Trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeon's report, and which shall be replaced with agreed specimens.

Retained trees and hedgerows shall be protected from damage during construction works. Within a period of six months following the occupation of the proposed development, any planting which is damaged or dies shall be replaced with others of similar size and species, together with replacement planting required under paragraph (b) of this condition.

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

7. A schedule of landscape maintenance shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This schedule shall cover a period of at least three years and shall include details of the arrangements for its implementation.

**Reason:** To provide for the satisfactory future maintenance of this development in the interest of visual amenity

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

**Reason:** To ensure adequate servicing of the development, and to prevent pollution.

9. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

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

10. (a) The treatment plant and polishing filter shall be located, constructed and maintained in accordance with the details submitted to the planning authority on the 30<sup>th</sup> day of May 2019, and in accordance with the requirements of the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009. No system other than the type proposed in the submissions shall be installed unless agreed in writing with the planning authority.
- (b) Certification by the system manufacturer that the system has been properly installed shall be submitted to the planning authority within four weeks of the installation of the system.
- (c) A maintenance contract for the treatment system shall be entered into and paid in advance for a minimum period of five years from the first occupancy of the dwellinghouse and thereafter shall be kept in place at all times. Signed and dated copies of the contract shall be submitted to, and agreed in writing with, the planning authority within four weeks of the installation.
- (d) Surface water soakways shall be located such that the drainage from the dwelling and paved areas of the site shall be diverted away from the location of the polishing filter.
- (e) Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner and that the polishing filter is constructed in accordance with the standards set out in the EPA document.

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

11. The developer shall pay to the planning authority a financial contribution 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. 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 An Bord Pleanála 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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A. Considine

Planning Inspector

29<sup>th</sup> of June, 2020