



An
Bord
Pleanála

Inspector's Report

ABP-308669-20

Development

Retention of variations to residence permitted under P18/384 comprising re-alignment of part of side wall, repositioning of external door and window openings, and rear elevations, 3 additional rooflights and modification of roof profile and overall ridge height.

Location

No 2 Radharc na Pairce,
Bennettsbridge Road, Kilkenny.

Planning Authority

Kilkenny County Council

Planning Authority Reg. Ref.

20/452

Applicant(s)

Frances Wallace

Type of Application

Retention Permission

Planning Authority Decision

Grant Retention Permission

Type of Appeal

Third Party

Appellant(s)

Beech Park Residents' Association

Observer(s)

Madeline Carroll

Date of Site Inspection

13th May 2021

Inspector

Phillippa Joyce

1.0 Site Location and Description

- 1.1. The appeal site is located at No. 2 Radharc na Pairce, on the western side of Bennettsbridge Road, approximately 1km southeast of Kilkenny City centre. The appeal site contains the subject dwelling, one of a pair of semi-detached dwellings, the other is at No. 1 Radharc na Pairce.
- 1.2. Adjacent to the north of the site is Fanad B & B, to the south is Beech Park estate, and on the eastern side of Bennettsbridge Road is Kilkenny Castle and grounds. The site, as outlined in red, is rectangular in configuration with a stated area of 0.029 ha. A right of way is indicated over an area to the front of Fanad B & B (stated as being under ownership of the applicant's family) through which the site can gain access to and from the public road.
- 1.3. The subject dwelling is a four bedroom, three storey dwelling with a stated floor space of 205 sqm. The semi-detached dwellings have symmetrical front elevations with regard to design and finishes. As noted at site inspection, construction work was ongoing and at an advanced stage for both dwellings.
- 1.4. From the appeal site, the ground level along Bennettsbridge Road falls in an easterly direction. Similarly, the appeal site is at a higher ground level than the Beech Park residential estate to the south. Beech Park is a cul de sac accommodating several two storey semi-detached dwellings arranged in a curved layout.

2.0 Proposed Development

- 2.1. The proposed development comprises retention permission of a number of elements, which can be summarised as follows:
 - Realignment of part of the northwestern side boundary wall of the rear garden;
 - Repositioning of the external door and window openings on the northwestern side and the rear elevations at ground floor level;
 - 3 additional rooflights on rear roof pitches; and
 - Modification of the roof profile and increase overall ridge height by 1.27m.

2.2. Further Information (FI) was requested by the planning authority during the processing of the application requiring a daylight shadow analysis, specific details on the rear garden and boundary walls, and cross section drawings of the subject dwelling in context with adjacent properties. The FI response submitted by the applicant did not alter or amend the proposed development for which retention permission was sought.

3.0 Planning Authority Decision

3.1. Summary of the Decision

3.1.1. On the 22nd October 2020, the planning authority decided to grant retention permission subject to two conditions; firstly the requirement for the development to be retained in accordance with the plans and particulars as submitted, and secondly, specification of the items for which retention permission has been granted, and that otherwise PA Ref. 18/384 (PL10.302425) pertains.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's reports are the basis for the planning authority decision. The key items from the planner's initial and FI reports are summarised as follows:

- Outline of detailed planning history and the recent enforcement history resulting in the current application;
- Alteration to the boundary wall, amended ground floor door and windows, and additional roof lights are deemed to not have an impact on adjacent properties and are considered acceptable;
- The principal height of the dwelling has increased by 1.27m from 9.495m, as permitted under PL10.302425 (PA Ref. 18/384) to 10.762m;
- In considering whether the subject dwelling's height and roof design are acceptable, reference is made to the position of the Inspector in PL10.302425 (PA Ref. 18/384) which found there to be no precedence for building height or style on Bennettsbridge Road;

- The increase in height difference between the subject dwelling and the properties in Beech Park is not considered to present any additional concerns from the height of the semi-detached dwellings permitted under PL10.302425 (PA Ref. 18/384);
- FI request seeks a daylight shadow analysis of the subject dwelling; the quantum of rear garden space; the height of boundary walls; and cross section drawings through the subject dwelling and adjacent properties;
- FI response received by the planning authority on the 25th September 2020 is noted, with the daylight shadow analysis indicating there is limited overshadowing of adjacent properties; the rear garden space is in compliance with the Development Plan standards; the heights of boundary walls at 2.1m; and cross section drawings indicating 2m height differential and no overlooking arising;
- Requirement for Appropriate Assessment screened out due to separation distance to the identified European Site, the River Nore; and
- Recommendation that retention permission is granted.

3.2.2. Other Technical Reports

None requested.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

3.4.1. Several third party observations were received by the planning authority, all in objection to the proposed development, including from 14 residents in Beech Park (named owner/ occupiers of Nos. 3, 4, 5, 7, 8, 11, 12, 14, 15, 16, 17, 18, 19, and 21 Beech Park), and from the Beech Park Residents' Association on behalf of 23 named residents of properties in Beech Park.

3.4.2. The main issues raised in the third party observations can be summarised as follows:

- Excessive height, scale and massing of the subject dwelling;

- Overshadowing of rear garden spaces and loss of light to windows, in particular for No.s 3-8 Beech Park;
- Overlooking of rear garden spaces from the rear first floor windows and from the additional roof lights;
- Out of character in design and roof profile with the adjacent houses;
- Visually injurious to the area;
- Negative impact on the amenities of Beech Park;
- Loss of privacy;
- Loss of views towards the Castle Park and treeline;
- Additional roof lights are unnecessary;
- Removal of existing screening of hedges which were required to be retained;
- Devaluation of adjacent properties;
- Emissions from chimneys;
- Noise from house parties;
- Disregard of the residents of Beech Park;
- Flagrant disregard of planning authority;
- Flouting of planning laws;
- Enforcement issues due to not complying with planning permissions; and
- Proposed development does not include the raised roof height of other semi-detached dwelling at No. 1.

4.0 **Planning History**

Appeal Site (No. 2 Radharc na Pairce) and Adjacent Site (No. 1 Radharc na Pairce)

PA Ref. 18/384, PL10.302425

Permission granted on 17th January 2019 to Sarah and Frances Wallace for amendments to previously permitted design for 2 semi-detached houses (permitted

on foot of PA Ref. 16/421, PL10.247496) at lands on the southern side of Fanad House, Bennettsbridge Road.

The amendments included alterations to the design of the roof for habitable accommodation, revisions to and additional provision of windows in the front and side elevations, provision of front door canopies, and revision of the forecourt area.

Of note, include Condition 2 omitting a sunroom from the southern dwelling (No. 1) and requiring agreement with the planning authority for revised drawings, and Condition 3 requiring the retention and maintenance of existing hedgerow boundaries with No.s 3, 4, and 5 Beech Park.

PA Ref. 16/421, PL10.247496

Permission granted on 14th March 2017 to Pat Wallace for 2 two storey houses, boundary wall treatment, turning bay and separate entrance at lands on the southern side of Fanad House, Bennettsbridge Road.

This is the parent permission for the semi-detached dwellings, presently being implemented.

Adjacent Site (No. 1 Radharc na Pairce)

PA Ref. 19/155

Permission granted on 2nd May 2019 to Sarah Wallace for a single storey extension to the rear and side of the southern unit of the semi-detached dwellings.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The applicable development plan is the Kilkenny City and Environs Development Plan 2014-2020. The site is located on lands zoned as Existing Residential with the stated objective 'To protect, provide and improve residential amenities'. Dwellings are a permitted use class.
- 5.1.2. The residential use at the site was established under the parent permission PA Ref. 16/421, PL10.247496, the design of which being amended subsequently under PA Ref. 18/384, PL10.302425. In principle, the parent permission constituted an infill

development, and the applicable policy pertains to the current proposal being for an amended design.

5.1.3. Section 11.8.9 Infill Development, as relevant, states:

'In the wider City and suburban areas infill...development will...have to pay particular attention to the local character of the area in terms of blocks, plots and buildings.

Development will only be considered if it:

- *Will not detract from the character of the area,*
- *Will not be detrimental to the residential amenities of the area,*
- *Will not be prejudicial to the proper planning and development of the area.'*

5.1.4. Other relevant Development Plan standards for houses include 11.4.4 Separation Distance between Houses, and 11.7.1 Private Open space. The former guides that in general there should be adequate separation between opposing first floor windows, traditionally the standard is 22m between 2 storey dwellings. The latter requires 4 bedroom houses (such as the subject dwelling) should be provided with an of private open space measuring 60-75 sqm.

5.2. Natural Heritage Designations

5.2.1. The appeal site is not located in or immediately adjacent to a European Site, a Natural Heritage Area (NHA) or a proposed NHA (pNHA). The River Nore is located to the northeast of the site, flowing in a southerly direction.

5.2.2. The European Site designations in proximity to the appeal site include (measured at closest proximity):

- River Barrow and River Nore SAC (002162) is c.8.5m to the northeast (separated by Bennettsbridge Road); and
- River Nore SPA (004233) is c.400m to the northeast.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The third party appeal is laid out under a number of headings, the main issues raised therein can be summarised as follows:

- Planning History:
 - Overview provided of the planning history to date, commencing in 2006, whereby permissions have been granted and/ or refused by the planning authority and/ or An Bord Pleanála for two residences of varying scale and height on lands previously associated with Fanad Guesthouse;
 - Current application is limited in its scope due to the unauthorised nature of development submitted to have been undertaken in the adjacent property, No. 1;
 - Increased roof height of the other semi-detached dwelling at No. 1, is submitted as being unauthorised as a permission to regularise same does not exist;
 - Disputes the planning authority's position that the increased roof height of No. 1 has been permitted under PA Ref. 19/155, as the public notices for that application only referred to the sunroom extension;
- Site Boundary:
 - Objection to the amendment of the northwestern boundary wall with Fanad Guesthouse as this will allow vehicular access into the rear of that property from Beech Park thereby facilitating potential future development;
- Windows and Doors:
 - Accepts that the repositioning windows and door of No. 2 and the additional rooflights 'do not cause particular concern';
 - Highlights the inclusion of the sunroom at No.1 in the plans, and requests that in the instance of a grant of retention permission for the amended windows and door, that it be stipulated that the sunroom is not included within such a decision;
- Roof Profile and Ridge Height:
 - Refutes the applicant's submission that the 1.27m height difference between the permitted and proposed dwelling height is an 'immaterial deviation', and critical of the planning authority's assessment and acceptance of same;

- Planning authority has given undue regard to the fact that the increase in roof height had already been undertaken, and that it would be an inconvenience and expense to undo same;
- Planner's assessment does not analyse the poor design outcome whereby a semi-detached dwelling is permitted with a ridge height higher than the permitted level of the other;
- Grant of retention permission by the planning authority is inconsistent with previous decisions by the planning authority and An Bord Pleanála in respect of the height of the semi-detached dwellings; and
- Increased ridge height of the semi-detached dwellings is visually out of context, does cast shadows and deprive daylight to surrounding houses.

6.2. Applicant Response

6.2.1. The applicant has responded to the third party appeal, using similar headings, the main items raised can be summarised as follows:

- Site Boundary:
 - There are no amenity issues arising to adjacent properties;
 - The amended boundary is with Fanad B & B property, owned by the applicant's father, for that property to have more space;
 - Subject dwelling remains provided with sufficient rear garden space in compliance with the Development Plan standard for a 4 bedroom house;
- Windows and doors:
 - Repositioning of ground level door and windows, and new rooflights have no amenity issues for adjacent properties;
 - Change of roof profile and overall ridge height of the semi-detached dwellings arose through complying with the requirements of Condition 2 of PA Ref. 18/384, PL10.302425, and the revised elevations were accepted by the planning authority;
 - Applicant has opted to apply for retention permission rather than contest the issue further;

- Applicant does not consider the design amendments to be of any greater extent than the changes permitted by the planning authority on foot of PA Ref. 19/155 for the adjacent semi-detached dwelling in No. 1;
- Modified Design
 - No distinct pattern of development on the public road;
 - Increased ridge height does not have any detrimental visual impact on the surrounding area;
 - Floor area of the dwelling has not changed, and the raised apex has increased the volume of the dwelling by c.3.5% - refers to a 3D colour coded image indicating the increased roof volume;
 - Refers to light shadow diagrams and analysis undertaken, which indicates there is no significant impact on adjacent properties;
 - Refers to favourable conclusions reached in planner's reports in respect of the elements to be retained causing no impact on residential amenity and visual amenity; and
 - Submits that the laurel hedging, required to be retained by Condition 3 of PA Ref. 18/384, PL10.302425 was damaged when cut and new planting which has been agreed with the planning authority will be undertaken upon completion of the building works.

6.3. Planning Authority Response

6.3.1. The planning authority has responded to the third party appeal, the main items raised can be summarised as follows:

- Application was made on foot of a warning letter, and not an enforcement notice as stated by the appellant;
- States that all applications to date have been assessed on their own merits, and refutes the claim that retention permission has been issued because of the works being completed;
- Planning authority gave due regard to the amenity of adjacent residents and requested a Light Shadow Diagram and cross sections through the site by way of Further Information to ensure same;

- In respect to overshadowing, notes that some shadow is cast from the subject dwelling but determined this to be minimal throughout the year;
- In respect of overlooking, due to the distance between opposing windows, the orientation and angles of the windows, and some windows being obscured, the degree of overlooking was deemed not be significant;
- Concludes that the alterations did not seriously injure the amenities of the area or neighbouring residents, some of which such as ground floor door and boundary wall will have no impact on Beech Park properties;
- In respect of the issue of retention permission being required for the adjacent semi-detached property, the planning authority ... increased height considered by the planning authority to be permitted under Condition 1 of PA Ref 19/15.
- Requests that the Board uphold the decision to grant retention permission.

6.4. **Observations**

One observation has been received on the appeal case from Madeline Carroll, 3 Beech Park. The main issues raised can be summarised as follows:

- States there is no retention permission existing or sought in respect of the adjacent semi-detached property at No. 1 Radharc na Pairce;
- Submits that PA Ref. 19/155 was permission for a sunroom but not for the amendments to the roof, extra windows, and additional corridor space for the sunroom at that property; and
- There has been no attempt by the owner of No. 1 or the planning authority to rectify the lack of planning for these stated amendments.

7.0 **Planning Assessment**

7.1. Following a review of the application and appeal documentation, I consider the main issues in this appeal are as follows:

- Planning History;
- Residential Amenity;

- Visual Amenity; and
- Appropriate Assessment Screening.

7.2. Planning History

- 7.2.1. There is a detailed planning history at the lands accommodating the appeal site, No. 2, and the adjacent semi-detached dwelling, No.1. This dates from 2006 when permission was initially refused for two dwellings at the lands that was then the side garden area of Fanad Guesthouse, up until the recent planning enforcement at the appeal site which has resulted in the current application for retention permission.
- 7.2.2. I consider that there are two aspects of planning history raised within the grounds of appeal which it is necessary to address. Firstly, is the planning status of the amended roof height and design of No. 1, and secondly is the relevance of the planning history to date at the subject dwelling.
- 7.2.3. In respect of the planning status of No.1, the third party observations as received by the planning authority, the third party appeal, and the observation on the appeal focus on whether the semi-detached dwelling at No.1 has planning consent for the increased ridge height and changed roof profile, for which No.2 presently seeks retention permission.
- 7.2.4. The applicant and planning authority are of the opinion that the increased roof height and amended roof profile of the adjacent semi-detached dwelling at No.1 have been authorised on foot of PA Ref. 19/155, as these were indicated in the plans and reference is made to the requirement of Condition 1 of that consent.
- 7.2.5. This position is refuted by the appellant and observer and, as such, the validity of the current proposal forms part of the grounds of appeal, on the basis that the semi-detached dwellings have the same roof structure. Furthermore, it is submitted that granting retention permission for the proposed development is by association authorising the status of No. 1.
- 7.2.6. I consider the planning status of the roof of No. 1 to be outside of the scope of this appeal and not a material consideration thereof. Planning irregularities, as submitted by the appellant and the observer, if any, are the responsibility of the property owner and any planning enforcement matters pertaining come within the remit of the planning authority. I do not consider that a decision to grant retention permission for

the proposed development would either prejudice or enable any future decision in respect of No.1, or any future further alteration or design in roof profile thereof.

- 7.2.7. I do note that the plans and particulars for the current proposal indicate the semi-detached dwelling at No.1. If the Board is minded to grant retention permission for the proposed development, while there is no element therein (description of development, extent of red line boundary) that would relate to or could be construed as regularising any works undertaken to date at No.1, in the interest of clarity a condition should be attached specifying the extent of the consent.
- 7.2.8. In respect of the planning history to date, I have reviewed the details provided by the parties and I note its protracted nature. While the appellant outlines in depth the previous planning assessments of the scale and height of the semi-detached dwellings, in my opinion the relevant planning history is PA Ref. 18/384, PL10.302425. I have reviewed the plans and particulars of that application, under which a principal building height of 9.19m for the dwellings was indicated and the principle of the three storey design with habitable accommodation at attic level was established.
- 7.2.9. As the proposed development seeks retention permission for divergences from the permitted design, the following assessment relates to the planning merits of these divergences. The appellant submits that the Board takes a similar approach to that adopted in previous planning assessments, in particular refusals of permissions due to the issue of building height, to determining an appropriate height for the subject dwelling. As stated above, I consider the relevant application for the current case to be PA Ref. 18/384, PL10.302425, and I do not consider the assessments of any previous applications to have set a precedent or to be otherwise binding in respect to same.

7.3. **Residential Amenity**

- 7.3.1. With regard to the residential amenity of adjacent properties, the potential impacts arising from the proposed development are those associated with overlooking, overshadowing, and private open space provision. The proposed development comprises repositioned windows and a door at ground floor level, three rooflights, an amended roof design with an increase in ridge height, and a realigned side wall boundary.

- 7.3.2. The repositioned windows and door at ground floor level include those on the northern side elevation with access/ aspect onto the side passage with the boundary wall of Fanad Guesthouse, and those on the rear elevation. There are no impacts on the amenity of any adjacent property arising from these repositioned items. Two of the three new rooflights are inserted into the roof plane of the projecting living/ dining room area at ground floor level, and the third rooflight is serving a landing/ stairwell area in the roof plane of the rear elevation at third storey level.
- 7.3.3. From a review of the section drawing, there are no overlooking issues arising from the insertion of these rooflights and as such no impact on residential amenity of adjacent properties. That being, the extent of direct and/ or oblique overlooking of adjacent properties from the proposed development is not increased from that of the house design permitted under PA Ref. 18/384, PL10.302425. The separation distance between first floor opposing windows of properties in Beech Park remains the same and is estimated at c.27m, thereby complying with the Development Plan standard for same.
- 7.3.4. Under PA Ref. 18/384, PL10.302425, the subject dwelling had a principal height of 9.19m, and the ridge height of the roof maintained the height of the gable-ended feature on the front elevation. To achieve the necessary headroom for the habitable accommodation at third storey level, the roof profile towards the rear of the dwelling was stepped back and down at an angle. In the current appeal case, retention permission is sought for an amended roof design with an increased principal height to 10.76m for the central portion of the roof where the stepped roof profile at the rear has been replaced with a full hipped roof.
- 7.3.5. The increase in building height of the subject dwelling, and that of the adjacent semi-detached dwelling, have been among the main areas of concern in the third party submissions and the third party appeal. A daylight shadow analysis of the proposed development was undertaken and submitted to the planning authority at the Further Information (FI) stage of assessment, and the first party response to the appeal contains a graphic indicating the increase in building height and volume of the roof profile.
- 7.3.6. I have reviewed these items and consider that while the dwelling has increased in principal height, the hipped design is such that the increased volume and massing

coincides with the central portion of the roof area. As is noted in the planning authority assessment, the appeal site is to the north of the adjacent properties in Beech Park. The methodology used in the daylight shadow analysis is thorough and reasonable, and finds that main shadow cast from the subject dwelling is onto the adjacent Fanad Guesthouse, that the majority of the shadow cast is from the main body of the subject dwelling, and that there is minimal shadow cast from the subject dwelling to other properties. As such, I consider the increased roof height and massing of the subject dwelling from that permitted under PA Ref. 18/384, PL10.302425 to result in a minimal increase in overshadowing, and the extent and degree of the increase to not be unduly injurious to the amenities of adjacent properties.

7.3.7. The proposed development also includes the retention of an amended boundary wall with the Fanad Guesthouse property to the north. The realignment of the boundary wall is towards the southwestern corner of the subject property and results in a decrease of private open space, with this area being subsumed back to Fanad Guesthouse.

7.3.8. The assessment of the realigned boundary wall by planning authority focused on the impact on the private open space of the subject property and following a FI request the applicant confirmed the remaining space measured 105 sqm. The appellant is critical of the nature of the assessment and highlights instead that the realignment has the potential to facilitate further potential development within the Fanad Guesthouse property which may be accessed via the turning head of the cul de sac in Beech Park. While I note the position of the appellant, I do not consider the concern to be a reasonable reason for refusing same. I consider the planning authority assessed the implications of the realignment correctly based on the nature of the proposed development. Any future development will be assessed on its own merits and potential scenarios do not come within the scope of this appeal. The realignment of the boundary wall, in and of itself, does not cause injury to the residential amenity of any adjacent property, nor to the subject property which remains provided with an area of private open space that is in compliance with the Development Plan standards.

7.3.9. Condition 3 of PA Ref. 18/384, PL10.302425 required the maintenance of the existing hedge line at the rear of the subject lands (that being No.s 1 and 2) with a

number of properties in Beech Park. The applicant indicates that this hedge line has been removed following damage during the maintenance process. While I note the appellant's dissatisfaction with the loss of the existing screening and the resultant overlooking and loss of privacy concerns, I note that the applicant includes proposals in the appeal response for new screening and planting along the boundary with Beech Park properties. In the event of a grant of retention permission, I recommend that a condition be attached requiring same to be implemented.

7.4. Visual Amenity

- 7.4.1. The appellant submits that the increased roof height and amended roof design have a negative visual impact, and that the proposal is out of context and character with the area. I have reviewed the plans of the current proposal and compared these with the permitted design. The increased roof height and massing of the subject dwelling are notable, and will be more visually prominent at this location, particularly when viewed from within Beech Park.
- 7.4.2. While I note that the proportion of roof plane to wall plate is greater in the current proposal, on balance, I consider the hipped roof design results in the additional volume not being overly dominant, and the gable-ended feature and dormer window break up the heavier roofscape on the front elevation. The subject dwelling addresses Bennettsbridge Road and as such, it is located in an urban streetscape along which are a range of buildings of varying types, design and scales. I do not consider that the proposed development, in and of itself, causes injury to the visual amenities of the receiving area, particularly when viewed along Bennettsbridge Road which is a visually divergent urban area.
- 7.4.3. Having visited the appeal site and Beech Park, and reviewed the third party submissions with photographs from upper windows and gardens, it is apparent that the northerly and easterly views from properties within Beech Park are presently characterised by the subject dwelling, and the adjacent semi-detached property, both at an advanced stage of construction.
- 7.4.4. Having regard to the scale and height of the dwelling already permitted under PA Ref. 18/384, PL10.302425, I do not consider that the increased height and amended roof design of the subject dwelling will materially alter the character of these aspects, or adversely impact on the visual amenity of properties in Beech Park. That being,

the increased height and amended roof profile will continue to be visually-read and perceived as the roofscape of a dwelling, would continue to characterise the skyline, and would continue to exert the same degree of visual impact on the northerly and easterly views at this location when viewed from properties in Beech Park.

7.5. Appropriate Assessment Screening

- 7.5.1. Having regard to the nature and scale of the proposed development (amendments to a previous permission), the location of the site within a suitably zoned and adequately serviced urban area, the physical separation distances to European Sites, and the absence of ecological and/ or hydrological connections, the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

8.0 Recommendation

- 8.1. I recommend that retention permission be granted subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Kilkenny City and Environs Development Plan 2014-2020, the 'Existing Residential' zoning objective for the area, the planning history of the site, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. 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 retained and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 25 th September 2020 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the
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	<p>planning authority, the developer shall agree such details in writing with the planning authority within three months of the date of this Order and the development shall be retained and completed in accordance with the agree particulars.</p> <p>Reason: In the interest of orderly development.</p>
2.	<p>The site and boundaries shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to and agreed in writing with the planning authority within three months of the date of this Order.</p> <p>Reason: In the interest of residential and visual amenity.</p>
3.	<p>This grant of retention permission relates solely to the listed items in the description of development at the subject property, No. 2 Radharc na Pairce. Nothing within this consent shall be construed as relating to and/ or authorising development at No. 1 Radharc na Pairce.</p> <p>Reason: In the interest of clarity.</p>

Phillippa Joyce

Senior Planning Inspector

25th May 2021