



An  
Bord  
Pleanála

## Inspector's Report ABP-308948-20

|                                     |                                                                                                                                   |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <b>Development</b>                  | For the conversion of former Stable Block to residential use as ancillary accommodation to the existing.<br>(PROTECTED STRUCTURE) |
| <b>Location</b>                     | The Courtyard, Beech Park, Clonsilla,<br>Dublin 15, D15 FC42                                                                      |
| <b>Planning Authority</b>           | Fingal County Council                                                                                                             |
| <b>Planning Authority Reg. Ref.</b> | FW20A/0159                                                                                                                        |
| <b>Applicant</b>                    | Ethna Dornan                                                                                                                      |
| <b>Type of Application</b>          | Permission                                                                                                                        |
| <b>Planning Authority Decision</b>  | Refuse Permission                                                                                                                 |
| <b>Type of Appeal</b>               | First Party                                                                                                                       |
| <b>Appellant</b>                    | Ethna Dornan                                                                                                                      |
| <b>Date of Site Inspection</b>      | 2 February 2021                                                                                                                   |
| <b>Inspector</b>                    | Dolores McCague                                                                                                                   |

## 1.0 Site Location and Description

- 1.1.1. The site is located at The Courtyard, Beech Park, Clonsilla. The Courtyard is comprised of a number of historic buildings formerly ancillary to Beech Park House and which enclose a cobbled courtyard to the north-west, rear of the house. Adjoining to the west of these perimeter buildings is a walled garden now in the ownership of Fingal County Council.
- 1.1.2. Beech Park House was formerly part of a large demesne, with the Royal Canal and Dublin Sligo railway line forming the northern boundary, and has its main entrance from the south, opposite Luttrellstown Castle Golf and Country Club. The site is accessed from the east via a long driveway which joins the public road almost opposite Clonsilla railway station. There are what appear to be allotments, or a plant nursery to the north of this driveway.
- 1.1.3. At the end of the driveway a gateway accesses the rear entrance of Beech Park House to the south and a narrow vehicular entrance, the only entrance to The Courtyard, is also to the south. A parking area to the north and west of this entrance appears to be associated with the Fingal County Council lands. The walled garden is accessed via a pedestrian entrance to the west of the surfaced parking area.
- 1.1.4. The application site is defined by the perimeter of the buildings (The Carriage House, The Cottage, The Stables and The Barn) which enclose the cobbled courtyard, and in addition to this area, a small area to the north of the building, The Cottage, which is enclosed by a wall. Part of the proposed development relates to this walled area; and part relates to one of the buildings, a former stables which together with the adjoining barrel roofed building, known as The Barn abuts the walled garden.
- 1.1.5. The assemblage of buildings known as The Stables, comprises a stables with a store and tackroom at either end. It is described in the documentation as a single storey central block with a pedimented two-storey wing either side, a cupola vent-tower and weather-vane adorns the roof, while a clock is centrally located above the main door.
- 1.1.6. Lands at this location, including the walled garden, where a former owner cultivated unusual and exotic plants, came into the charge/ownership of Fingal County Council

in recent years and lands as public open space associated with housing development in the general vicinity.

- 1.1.7. Beech Park House and The Courtyard are protected structures.
- 1.1.8. Residential use of some of the buildings is facilitated by a wastewater treatment on the Council lands to the north, said to be suitable for 12pe.
- 1.1.9. The site is given as 0.114ha.

## **2.0 Proposed Development**

- 2.1.1. The proposed development is the conversion of the former Stable Block to residential use as ancillary accommodation to that existing.

The development description includes:

the conversion of former Stable Block to residential use as ancillary accommodation to the existing. The conversion includes the re-opening of 1 no. the making-good of 1 No. existing, and the forming of 3 No. new internal door openings, the insertion of 4 No. rooflights, the widening of a window on the South façade to comply with TGD Part B, the installation of internal stud partitions, kitchen, bathroom and utility facilities, the refurbishment of the roof and floors; including the installation of breathable insulation, the refurbishment of existing sash and louvered windows and external doors and the installation of 3 No. secondary doors and a secondary glazed panel below the copula and 2 No. louvered panels on North façade. The development includes the repair of the roughcast render to the North East & South façades, the repair of cast iron rainwater goods, the installation of mechanical and electrical services throughout; new connections to the existing drainage systems within the property, general conservation and associated repairs including sundry repairs and renewals not impacting on the special interest of the protected structure. The proposed development also includes the repair of the roughcast render to the façades of The Cottage and the demolition of a non-original wall boundary wall and its replacement with a fence and hedge to the North boundary.

- 2.1.2. The application was accompanied by  
Conservation Assessment Report and Impact Statement.  
Photographic Report

- 2.1.3. The details state that the foul drainage will connect to an existing waste water treatment unit with a capacity for 12 persons. An easement exists for the waste water treatment unit located to the north of the property. The unit was upgraded in 2019 by Fingal Co Co.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The planning authority decided to refuse planning permission for two reasons: the removal of the majority of the private amenity space associated with one of the other units and lack of provision of amenity space for the subject unit, and that the proposed car parking spaces would result in the loss of private amenity space and it is unclear how the spaces would be accessed or alternative spaces provided.

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

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

The planning report recommending refusal, includes:

- Dublin Airport noise zone D - an application would not normally be refused on noise grounds.
- Rural housing strategy - zoned RU – rural, GB greenbelt and HA high amenity. Table RF02 details eligibility. The rural housing strategy will pertain unless the outbuilding is a Protected Structure or vernacular dwelling and as long as:
  - The re-use of any historic outbuilding, whether protected or not, must ensure that the original historic fabric is repaired using appropriate traditional construction methods and materials.
  - The conversion of protected outbuildings must be sensitively designed, respecting the setting, form, scale and materials of the existing structures.
  - Any proposal must comply with the drainage standards for new dwellings in rural areas.

- Where the building is derelict it must be proved that it is structurally capable of supporting the proposed works.
- Measures are taken to support and protect the building from collapse prior to, and during, the construction works.
- Application was referred to Heritage Council, Department of Culture, Heritage and the Gaeltacht, Fáilte Ireland, An Taisce and The Arts Council – no responses.
- Application generally acceptable in terms of built heritage.
- Residential amenity – no private outdoor amenity space. Removal of private outdoor amenity space associated with The Cottage, contrary to objective DMS87.
- AA not required EIAR not required.
- Proposal is a well thought out approach to preserving the character of the building, enabling its future re-use and is generally acceptable. It is not clear that sufficient legal interest or consent is available to utilise the land required to access the proposed parking spaces and the configuration of the spaces themselves is acceptable. The proposal would negatively impact on the quantity of private amenity space available to one of the other units in the courtyard and would not be provided with any private amenity space itself. The use of the courtyard, a limited space, as the only amenity space for 3 residential units, would offer an unacceptable level of amenity to residents and be contrary to objective DMS87.

### 3.2.2. Other Technical Reports

3.2.3. Water Services Department – conditions 1) no surface water /rainwater to discharge to the foul sewer system. 2) surface water drainage shall be in compliance with the 'Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0 FCC April 2006.

3.2.4. Conservation Officer – a similar residential conversion was designed for the former coach house which is opposite the stable block. This has been successfully and sensitively carried out, retaining historic elements and references to the previous use where possible. In relation to the proposed development it states:

The current application also proposes a sympathetic conversation of an outbuilding. While no Architectural Heritage Impact Assessment has been

submitted or specification/methodology document for the repairs, changes and new materials, the documentation does include a thorough photographic survey along with planning drawings of existing and proposed elevations, floor plans and sections with detailed notes outlining the repairs and alterations. It is possible to determine and assess the proposed interventions from these. The main new insertions are new openings in the internal walls and new stairs to enable access from the large central space to the rooms in the end bays of the former store and former tack room at ground floor and former attic/office space in the roof level. This allows for circulation to all parts of the building internally. It appears that these changes have been carefully considered with dual uses incorporated into the new staircases so that they also house or conceal kitchen presses, storage or an ensuite. New conservation type rooflights are proposed within the roof of the central space. These are limited to two on each slope and are small in size and so are deemed acceptable. The location and provision of ensuites and bathrooms are also acceptable. As with the conversion of the Former Coach House, original features and finishes are being retained where possible to add to the character of the space and the new insertions are sensitive and sympathetic to the historic building. The rear of the building faces into the Walled Garden which is in separate ownership and so the carrying out of the proposed works and also ongoing routine maintenance to this elevation needs to be considered in any plans as access and agreement will be required. It is not exactly clear how the converted building will function as ancillary accommodation to the existing residential use and what changes will be required to the courtyard to provide private amenity space. Clarification should be sought in relation to this. An architectural heritage impact assessment may be required if other sections of the planning authority require changes to the scheme that would significantly alter the character of the space.

The Conservation Officer deems the proposed conversion and associated works to be acceptable but does ask the following:

Clarification of the treatment/finish to the internal doors in the former Tack Room linking into the central space. Are these to be faced in vertical sheeting to match the timber panelling on the walls or is a different finish proposed?

Clarification on how the ancillary accommodation will function as part of the whole outbuilding complex and courtyard.

A suitably qualified professional with specialised conservation expertise shall be engaged for the specification and supervision of the conservation element of the proposed development. The detail of the methodology/specification of the repairs and conservation works to the original historic fabric is to be submitted to the planning authority for written agreement prior to works commencing on site.

### 3.2.5. Planning & Strategic Infrastructure Department, Transport Planning Section –

The proposed development has a right of way over the existing access, however, this is not shown as a yellow right of way on the drawing. Where works are required on the property of a third party to meet the requirements for visibility/access the applicant should submit written evidence that it has the necessary legal consent/ rights of way etc. to undertake all such works in order to facilitate access from the public road and in order to provide parking facilities

It should be noted that the Dart Electrification Project( Maynooth line) contains proposals to close the Clonsilla Road level crossing and provide a pedestrian and cycle over bridge to the north of the proposed entrance. This proposal would remove a significant amount of traffic from the Clonsilla road and may require alterations to the existing entrance in the future to accommodate the proposal.

#### Sightlines

Generally any additional intensification of an entrance would require improvement to maximise visibility. The existing entrance would have sightlines in accordance with DMURS, however this is dependent on the existing boundary being maintained tightly trimmed back behind the existing footpath. This is not the case now and some trimming works would be required. Due to the location of the entrance adjacent the level crossing point low speeds on the approach to the entrance were observed. Traffic queuing on the road due to the level crossing being closed is the norm at this location.

Parking - two parking spaces in accordance with Development Plan Management standards should be provided. It is not clear from the drawings provided how parking within the red line boundary can be achieved for both the proposed development and

the existing development and it is not clear if the existing parking area identified is within the control of the applicant.

#### Conclusion

The Transportation Planning Section requires the following additional information:

- 1) The applicant should address parking provision of 2 proposed parking spaces within the curtilage of the site for both the existing and proposed developments and clarify if the indicated existing parking area is within the control of the applicant.
- 2) Where works are required on the property of a third party to meet the requirements for visibility/access the applicant should submit written evidence that it has the necessary legal consent/ rights of way etc. to undertake all such works in order to facilitate access from the public road and in order to provide parking.
- 3) The applicant is advised to consult with the Transportation Planning Section prior to the submission of clarification of additional information.

#### 3.2.6. Parks and Green Infrastructure Division

Clarity required re. car parking provision, boundary treatment and tree removal/retention along the northern boundary.

The area to the north of the courtyard will function as a public area for car parking etc, in the future, in relation to Shakleton's Gardens at Beechpark.

### 3.3. Prescribed Bodies

IW – conditions.

## 4.0 Planning History

PL06F109928, PA Reg Ref F98A/0990 for a garden centre and restaurant comprising new entrance and access road, permission refused by the Board on foot of planning authority decision to refuse, for two reasons relating to zoning and detrimental impact on the setting of the listed Beechpark House and its setting.

PL06F200927, PA Reg Ref F02A/1029 (expired), permission granted by the Board on foot of planning authority decision to refuse, for refurbishment and extension of existing protected structures at The Courtyard and their residential use.

PA Reg Ref F02A/1029/E1, Extension of duration refused.

F02A/0901 invalid

F06A/1367 – class 1 open space, substituting open space at Shakelton Gardens to open space previously provided/proposed elsewhere. Condition no 2 provide parking for 50 vehicles, not developed. Permission 2007. Change of ownership to FCC 2018.

PL06F.201698, PA Reg.Ref.F02A/1405, withdrawn appeal, in an application for new entrance, gates, associated site works and new access road from Clonsilla Road and widening of the remainder of the existing access road to Beech Park House (a Protected Structure), refused for two reasons: loss of designated public open space and contravention of planning conditions, and; impact on Beech Park House and the objectives for the high amenity zoning.

FW12A/0073 permission granted for conversion of Carriage House to residential use.

PL 06F.200927 PA Reg Ref F02A/1029 for the completion of refurbishment and extension of existing protected structures consisting of stables, teahouse and outbuildings all being part of the Courtyard to the rear of Beech Park House, these works are to facilitate the creation of new dwelling facilities, (additional to existing two-storey cottage) including a two-storey three bedroom unit and a two-storey two bedroom unit with single storey granny flat, all being part of one property and served by one new biocycle wastewater treatment unit and percolation area at Beech Park House, Clonsilla, Dublin.

The Board's order included:

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had particular regard to the report of the planning authority's Conservation Officer and considered that the Inspector's concerns in respect of adverse impact on the protected structures could be dealt with by a comprehensive condition. With regard to public health, the Board noted that the existing development is served by a septic tank system, which is being replaced by a proprietary wastewater treatment system designed to cater for the existing and proposed development in the courtyard.

The Board considered that there were conflicting objectives in the current Development Plan for the area (in regard to the proposed development) between the

preservation of listed buildings and the restriction on houses in areas zoned high amenity. It furthermore considered that this restriction related primarily to new houses, whereas the proposed development was for the refurbishment and extension of existing protected structures. The Board therefore considered that it was not constrained from granting permission, notwithstanding the planning authority's decision that the proposed development would materially contravene the Development Plan.

## **5.0 Policy Context**

### **5.1. Development Plan**

#### **5.1.1. Fingal Development Plan 2017-2023 is the operative plan.**

Relevant provisions include:

Protected structures nos 709 and 710 Beech Park House and the former outbuildings. Consideration will be given to a suitably scaled integrated tourism and recuperative centre at Beech Park House.

DMS87 Objective DMS87:

Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows:

- 3 bedroom houses or less to have a minimum of 60 sq m of private open space located behind the front building line of the house.
- Houses with 4 or more bedrooms to have a minimum of 75 sq m of private open space located behind the front building line of the house. Narrow strips of open space to the side of houses shall not be included in the private open space calculations.

### **5.2. Architectural Heritage Protection Guidelines for Planning Authorities**

Material change of use

On the whole, the best way to prolong the life of a protected structure is to keep it in active use, ideally in its original use. Where this is not possible, there is a need for flexibility within development plan policies to be responsive to appropriate,

alternative uses for a structure. A planning authority should carefully consider any proposed change of use and its implications for the fabric and character of the structure.

In considering an application for the material change of use of a protected structure, the planning authority will have to balance its continuing economic viability if the change is not permitted, with the effect on the character and special interest of its fabric of any consequent works if permission is granted. Where, having considered these issues, a planning authority considers that the alterations required to achieve a proposed change of use will not have an undue adverse effect on the special interest of the structure, the proposals may be granted subject to conditions as appropriate.

### **5.3. Natural Heritage Designations**

- 5.3.1. The nearest Natura site is Rye Water Valley/Carlton SAC (site code 001398) located c 5.5km upstream.

### **5.4. EIA Screening**

- 5.4.1. Having regard to the nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity 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**

- 6.1.1. Gravis Planning have submitted the appeal against the planning authority's decision to refuse permission on behalf of the first party. The grounds includes:
- The area under the control of Fingal County Council includes the Walled Gardens to the immediate west of The Courtyard, and an unsurfaced area to

the immediate north of The Courtyard. The principal building subject to this appeal is The Stables, which forms the western edge of The Courtyard and is proposed for conversion to ancillary residential use. In addition to the proposed residential conversion of The Stables, a number of repairs and amendments are proposed to The Cottage, including the demolition of a modern concrete block wall to the rear of the building, constructed in 2000, which marks the northern edge of the applicant's curtilage.

- The proposal can be broken down into the following key elements:
  - Conversion of Stable block to ancillary residential use, including structural repairs and amendments as required.
  - Repair of roughcast render to the facades of The Cottage.
  - Demolition of non-original boundary wall to the rear of The Cottage.
- The Carriage House and The Stables can be considered as a single residential unit. This is consistent with the principal established under PL06F.200927, where residential use was permitted across all of the courtyard buildings to provide for family use.
- The removal of wall is of heritage value in its own right and also facilitates additional car parking to be provided within the applicant's curtilage. The requirement for additional parking to be provided within the applicant's ownership boundary was a point insisted upon by the Council during pre-application discussions, notwithstanding the fact that the adjoining area to the north of the boundary has been used by residents and visitors to The Courtyard for over 20 years.
- The Council has relied heavily on Development Management standards for new development, they consider it should be based primarily on the relevant objectives and standards for Protected Structures.
- Re. Reason no. 1:
  - Objective DMS87 relates to open space provision for new dwellings and not residential use of existing protected structures, and are not applicable.

- The Council have previously noted that open space standards should not be applied mechanistically – FW12A/0073.
- The amenity value of the shared courtyard is very significant, it more than compensates for the inherent limitations on private open space provision that the site presents, and any perceived injurious impact on the residential amenity of The Cottage arising out of the proposed parking solution.
- ‘Overdevelopment’ is the application of logic of new development to a proposal designed to secure the preservation of existing protected structures.
- The site has previously been considered appropriate for residential use in its entirety.
- Re. Reason no. 2:
  - This is focused on the proposed car parking arrangement, which itself stems from the Council’s insistence that notwithstanding the established use of land to the immediate north of The Courtyard for parking by residents and visitors for over 20 years, all parking for The Courtyard complex should be provided within the curtilage of the property.
  - Any heritage implications of this requirement, which stems from standards for new development, were of secondary importance to the Council.
  - The removal of the modern wall is welcome in conservation terms, but also enables car parking within the ownership boundary of The Courtyard, as required by the Council.
  - There are two existing spaces within The Courtyard itself which serve The Carriage House, any additional spaces there would seriously detract from the existing heritage and amenity value of The Courtyard.
  - The reason states that ‘it is not clear how the spaces can be accessed’. It is perfectly clear that the existing RoW in the interest of the applicant extends right up to and beyond the area involved.
  - They note that the Transportation Department recommended an additional information request.
  - They would be happy to provide additional information.

- The application of objective DM113 is a mechanistic application of development management standards in a heritage context that demands a degree of compromise and does not appear to take account of the nature of the accommodation or the site's proximity to forthcoming high-frequency public transport at Clonsilla station.

## **6.2. Planning Authority Response**

- 6.2.1. The planning authority have responded to the grounds of appeal, which includes:
- 6.2.2. The layout for the proposed development resembles that of a residential unit in terms of providing kitchen, utility, dining and living space, bedrooms and bathrooms. It does not appear representative of ancillary accommodation to a dwelling. Therefore, it is considered reasonable to consider the amenities that would be available to future residents.

## **7.0 Assessment**

- 7.1. The issues which arise in relation to this appeal are: appropriate assessment, residential standards, and proposed parking and the following assessment is dealt with under those headings.

### **7.2. Appropriate Assessment**

- 7.2.1. Having regard to the nature and scale of the proposed development, I am satisfied that no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

### **7.3. Residential Standards**

- 7.3.1. The site is of limited extent and involves conversion of an existing building for residential use. Outdoor amenity space in accordance with the Development Plan standards can not be provided. The Architectural Heritage Protection Guidelines for Planning Authorities states that there is a need for flexibility within development plan policies to be responsive to appropriate, alternative uses for a structure and that in

considering an application for the material change of use of a protected structure, the planning authority will have to balance its continuing economic viability if the change is not permitted, with the effect on the character and special interest of its fabric of any consequent works if permission is granted.

- 7.3.2. As pointed out in the grounds of appeal, the principle of residential use across all of the courtyard buildings, to provide for family use, was established under PL06F.200927.
- 7.3.3. The grounds of appeal states that The Carriage House and The Stables can be considered as a single residential unit.
- 7.3.4. The Planning Authority response is that the layout for the proposed development resembles that of a residential unit in terms of providing kitchen, utility, dining and living space, bedrooms and bathrooms. It does not appear representative of ancillary accommodation to a dwelling, therefore, it is considered reasonable to consider the amenities that would be available to future residents.
- 7.3.5. In my opinion the proposed development must be considered as ancillary to the existing residential use of The Carriage House. In particular, the shared use of the effluent treatment plant would otherwise require a maintenance agreement (at least twenty years would be a reasonable requirement) to ensure its maintenance as a shared facility.
- 7.3.6. Under PL06F.200927, the Board permitted residential units, on the basis that together with the existing two-storey house in the courtyard they should be occupied as a single dwelling unit and not sold, let or otherwise transferred or conveyed, save as part of one single dwelling unit. In my opinion this is the only basis on which the residential use, as currently proposed, would be acceptable.
- 7.3.7. I consider the proposed conversion for residential use to be acceptable subject to a similar condition.

#### **7.4. Proposed Car Parking**

- 7.4.1. The proposal includes the conversion of a private amenity space for car parking. It is not included in the development description but works to facilitate the provision of car

parking in this area are: 'demolition of a non-original wall boundary wall and its replacement with a fence and hedge to the North boundary'.

- 7.4.2. The grounds of appeal states that the proposal to provide the car parking arose from a requirement of the planning authority, at pre-planning, that additional parking must be provided.
- 7.4.3. The report of the Parks and Green Infrastructure Division, requesting clarity regarding the proposed car parking provision, boundary treatment and tree removal/retention along the northern boundary; states that the area to the north of the courtyard will function as a public area for car parking etc in the future, in relation to Shakleton's Gardens at Beechpark.
- 7.4.4. The planning report points out that it is not clear that sufficient legal interest or consent is available to utilise the land required to access the proposed parking spaces or that the configuration of the spaces themselves is acceptable; and that the proposal would negatively impact on the quantity of private amenity space available to one of the other units in the courtyard, and would not be provided with any private amenity space itself. Reason No. 2 of the planning authority's decision refers.
- 7.4.5. The right of way to access the site appears to extend to the gateway of The Courtyard. The legal position regarding access to the proposed spaces, which are beyond the gateway, is not a matter for the Board to determine.
- 7.4.6. It is a relevant matter for the Board's consideration that the use of the proposed site for private parking would reduce the availability of the adjoining land for public parking. In order to provide access and circulation space for the proposed private parallel parking for a total of 4 cars, the layout would eliminate public parking for at least 10 cars, as can be seen from comparing drawings PLA 02 'site survey' and PLA 20 'site plan/drainage layout proposed'. This is not acceptable in my opinion.
- 7.4.7. The loss of private amenity space, which is already limited in its extent, it a further consideration.
- 7.4.8. The site is within walking distance of Clonsilla Station and having regard to the ancillary nature of the accommodation, I consider that the provision of car parking facilities is not an essential requirement for the proposed conversion.

- 7.4.9. In my opinion the demolition of a non-original wall boundary wall and its replacement with a fence and hedge to the North boundary should be omitted by condition.

## 8.0 Recommendation

- 8.1.1. In accordance with the foregoing I recommend that permission should be granted, for the following reasons and considerations and in accordance with the following conditions.

## 9.0 Reasons and Considerations

- 9.1.1. The proposed development would provide residential accommodation ancillary to the existing two-storey house in the courtyard and notwithstanding the shortfall in private amenity space would accord with the Architectural Heritage Protection Guidelines for Planning Authorities which advocates the need for flexibility within development plan policies to be responsive to appropriate, alternative uses for a Protected Structure; and accordingly would, subject to the following conditions, be in accordance with the proper planning and development of the area.

## 10.0 Conditions

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| 1. | <p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application 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.</p> <p><b>Reason:</b> In the interest of clarity.</p> |
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| 2. | <p>The proposed residential unit, together with the existing two-storey house in the courtyard shall be occupied as a single dwelling unit and shall not be sold, let or otherwise transferred or conveyed, save as part of one single dwelling unit.</p> <p><b>Reason:</b> To meet the stated housing need of the applicants' family in the interest of orderly development and public health.</p>                                                                                                                                                   |
| 3. | <p>The demolition of a non-original boundary wall and its replacement with a fence and hedge shall not be carried out as proposed. Any fence or replacement wall along the line of the existing wall shall be subject to the prior written agreement of the planning authority. No conversion of the private amenity space to car parking shall take place.</p> <p><b>Reason:</b> In the interest of clarity, to protect the residential amenities of occupants of The Cottage and to preserve the parking capacity of the public area adjoining.</p> |
| 4. | <p>Prior to the commencement of development details of the treatment/finish to the internal doors in the former Tack Rook linking into the central space shall be submitted for the prior written agreement of the planning authority.</p> <p><b>Reason:</b> In the interest of building conservation.</p>                                                                                                                                                                                                                                            |
| 5. | <p>A suitably qualified professional with specialised conservation expertise shall be engaged for the specification and supervision of the conservation element of the proposed development. The detail of the methodology/ specification of the repairs and conservation works to the original historic fabric is to be submitted to the planning authority for written agreement prior to works commencing on site.</p>                                                                                                                             |

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|    | <p><b>Reason:</b> In the interest of building conservation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 6. | <p>Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and to ensure a proper standard of development.</p>                                                                                                                                                                                                                                                                                                                                       |
| 7. | <p>Prior to commencement of development, the developer shall enter into water connection agreement with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 8. | <p>All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.</p> <p><b>Reason:</b> In the interest of orderly development and the visual amenities of the area.</p>                                                                                                                                                                                                                                                                                                               |
| 9. | <p>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</p> |

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|  | <p>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.</p> <p><b>Reason:</b> 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.</p> |
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Planning Inspector

3 February 2021

Appendices:

Appendix 1 Photographs

Appendix 2 Fingal Development Plan 2017-2023 extract.