



An
Bord
Pleanála

Inspector's Report

ABP-309462-21

Development	To retain as constructed roofed structures within walled garden of Drumbar House. Drumbar House, Farnham (CV44074) is listed as a protected structure.
Location	Drumbar House, Drumbar, Co Cavan
Planning Authority	Cavan County Council
Planning Authority Reg. Ref.	20504
Applicant(s)	Virginia Wai Chun Ng
Type of Application	Retention
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant	Mr Darragh Elliott
Date of Site Inspection	29 th June 2021
Inspector	Dolores McCague

1.0 Site Location and Description

- 1.1.1. The site is located at Drumbar House, Drumbar, Co Cavan in a rural area on the outskirts of Cavan town.
- 1.1.2. Drumbar House is set well back from the road and faces east towards the local road. To the rear there is a yard surrounded by a group of outbuildings. Adjoining and west of the outbuildings is a walled yard (formerly a walled garden), rectangular in shape and in a north-west to south-east orientation. This is the area the subject of the application. There are three entrances in the walled perimeter, one in the southern wall, a pedestrian entrance, and a wider entrance in the northern wall adjoining a farm building; and recently an additional entrance has been created in the eastern wall. There is nothing that could be described as garden within the area known as the walled garden. It is entirely surfaced in concrete set at two levels, with a number of slatted areas, which are stated to have underground tanks below. Much of the area within the walls is covered in polycarbonate sheets, on frames carried on steel columns. Pens within certain areas of the yard contained poultry on the day of inspection. They appeared to be fairly standard size and type, white hens. No exotic species were in evidence. They were not numerous.
- 1.1.3. Sections of the yard was in use as storage.
- 1.1.4. North east of the yard a surfaced area contained vehicles which had been parked or abandoned.
- 1.1.5. The site is given as 1.737ha.

2.0 Proposed Development

- 2.1.1. To retain as constructed roofed structures within walled garden of Drumbar House for agricultural use and general storage use. Proposed development will include for a reduction in the height of a section of the existing roofed structures. Drumbar House, Farnham (CV44074) is listed as a protected structure in the current Cavan County Development Plan.
- 2.1.2. The application is accompanied by 5 drawings: (1990_P-01 to P-05) site map, site layout, building layout and sections and elevations.

2.1.3. The site layout includes notations for structures within the walled garden, which are colour coded:

- Roof A constructed c 2013 RSJ structural frame supporting lightweight polycarbonate roof sheeting. Formerly the location of a barrel roofed farm shed. This section of roof structure was erected to shelter poultry pens & general storage. Established agricultural use from previous owners.
- Roof B constructed c 2013 RSJ structural frame supporting lightweight polycarbonate roof sheeting. This section of roof structure was erected to shelter general storage area for timber and machinery.
- Roof B constructed c 2013 RSJ structural frame supporting lightweight polycarbonate roof sheeting. This section of roof structure was erected to shelter poultry pens.
- Roof C constructed c 2019 RSJ structural frame supporting lightweight polycarbonate roof sheeting. This section of roof structure (hatched green) shall be altered in order to reduce overall height alongside northeast walled garden.
- Single storey farm building, concrete block construction against wall in north-east corner of walled garden. Established agricultural use and constructed by the previous owner.

2.1.4. The elevations are from outside the walled garden and show heights with reference to the perimeter wall.

2.1.5. The application is accompanied by a letter from the agent JM Johnston, and an Architectural Heritage Impact Report by Bronagh Lanigan, Architectural Heritage Consultant, Architectural Recording and Research.

2.1.6. The letter from the agent includes:

Notwithstanding the zoning non-listed uses may be considered if supported in the context of the proper planning and sustainable development of the area. The subject site has a bona fide and long-established agricultural use, in particular a well-established agricultural use within the walled garden.

The walled garden had been in agricultural use from at least the 1960s and an aerial photograph dating to c 1975 is attached which illustrates the large number of

agricultural buildings constructed within the walled garden at this time. The applicant uses the walled garden to house their collection of rare breed poultry and as general storage for machinery and firewood.

The poultry rearing is for personal use. The roof structures are free standing and do not have any negative impact on the wall structure. The intention is to harvest rainwater for future use such as watering plants and vegetable garden.

Based on the conclusions of Ms Lanigan's report the applicant wishes to lower a section of Roof C, which has been highlighted as having a visual impact. The applicant proposed as part of this development to remove a section of the RSJ structural frame and replace it with a new alignment of roof structure.

2.1.7. The Architectural Heritage Impact Report includes:

The roof structures are free standing and do not have any negative impact on the wall structure. The roof erected in 2019 is taller than the walls of the garden and therefore has a visual impact only.

The detailed description of the grounds includes:

A large walled garden is located to the west of the house and is accessed through the yard. Redbrick walls to south and west side of the walled garden with concrete capping stones. Coursed rubble stone walls to north and east side of the walled garden. Large vehicular openings into walled garden on south and north walls. Opening in east wall gives access to rear yard and is main access point into walled garden. An additional opening was broken into the east wall and subsequently partially rebuilt using concrete blocks. Pedestrian opening here now. Current owner undertook some essential repair work to the concrete capping stones on the walled garden to prevent deterioration of the walls, c2015.

Poured concrete floor to walled garden area, split ground level, three below ground former slurry tanks now in use as rainwater collection tanks.

The remaining walls and structures built by previous owners of Drumbar House are evidence of established agricultural use for the walled garden.

Ms Ng constructed temporary roof structures in 2013 to provide shelter to small poultry pens and provide general storage for timber and machinery. These roof structures are designed to collect rainwater through a network of gutters that lead to

the existing underground tanks. The rainwater is then re-used for gardening purposes.

The roof structures are free-standing and can at any time be removed and the walled garden restored to its original use. These works are all reversible and temporary and therefore adhere to important conservation principles of minimum intervention and reversibility.

Ms Ng also constructed a shed c2015 within the walled garden to accommodate a large boiler house to heat the main house. This was done to minimize the impact the installation of a new large boiler would have on the main house and smaller outbuildings.

The roof structures and boiler shed are all constructed with RSJs erected within the walled garden to minimise impact on the walls and supporting light-weight polycarbonate roof sheets. These structures are not visible from Drumbar House, from the roadside or from the rear yard as the roofs are all lower than the tall walls of the walled garden. These structures are consistent with the agricultural buildings existing in the walled garden and do not negatively impact on the special character of the main house.

2019 development – the roof structure built in 2019 is located in the northeast of the walled garden and is the same construction. The roof is a butterfly roof or V plan roof with a large central valley. The roof size and plan is to facilitate the collection of rainwater for re-use in gardening. The location of this roof against the wall of the walled garden and its plan type results in the highest point of the roof being visible from outside the walled garden.

The roof structure is in not visible from the front of the main house, from the roadside or from the rear yard and does not therefore negatively impact on the character of the house or yard. The roof is visible from outside the walled garden when standing at the rear of the two-storey outbuilding at the north of the yard. The new roof structure does have a negative visual impact on the walled garden.

A reduction of the height of the roof would mitigate this impact.

Photographs are attached to the report.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority decided to grant permission subject to 10 conditions, including:
- 3) The roofed structures shall be designed and constructed in accordance with the Department of Agriculture, Food & The Marine specifications S100 & S101.
 - 4) Manure, effluent and/or soiled water arising from the development shall be stored and disposed of appropriately in accordance with the Department of Agriculture, Food & the Marine specifications and the European Union (Good Agricultural Practice for Practice for Protection of Waters) Regulations 2017.
 - 5) Uncontaminated surface run-off from roofs and clean paved areas within the development shall be collected separately from any effluent and shall be disposed of to an approved watercourse adjoining the site in accordance with the Department of Agriculture & Food Specifications S129.
 - 6) Effluent and/or soiled water shall not be caused or permitted to flow onto adjoining property or to enter any stream, drain, ditch or other watercourse.
 - 7) Effluent shall not be spread on or applied to land where there is risk, because of the gradient of the land and/or the weather conditions prevailing at the time of spreading or application, that the effluent will run from the land to any lake, river, ditch, stream or other watercourse.
 - 8) Disposal or disturbance of any asbestos utilised in the existing building structure(s) shall only be carried out in accordance with the appropriate regulations and under the supervision of an appropriately qualified person. Any Asbestos Containing Materials removed shall not be re-used and shall be suitably handled, stored, packaged and removed by an authorised waste collection contractor.
 - 9) No further development shall take place within the curtilage of the protected structure – Drumbar House (CV44074), without the prior grant of planning permission.

10) This permission shall be granted on a temporary basis for a period of 5 years. After this period, the development shall be removed unless, prior to the end of the expiry period, permission has been granted for its continuation.

Reason: To recognise the temporary nature of the structures and in the interests of architectural heritage.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Located on local road L-5537-0, within development envelop of Cavan Town & Environs. Zoned residential phase 4.

- Noting the reports of the Environment Section – (see A/ Chemist report below); and the Heritage Officer – who is satisfied that the roof structures in the walled garden are of a temporary nature and can be removed, in conservation principles the structures are reversible and minimal intervention.
- The subject application seeks to retain roof A 225m², roof B – 509m² and roof C 92m² located within the walled garden of the protected structure Drumbar House.
- The principle of the development is acceptable.
- The applicant has submitted an Architectural Heritage Impact Statement report. The submission of this report has met with the requirements of the Architectural Heritage Protection, Guidelines for Planning Authorities.
- Noting the AHIA the planner's report considers that the existing roof structures for retention have not resulted in any damage to the architectural integrity of the Protected Structure.
- Noting the scale of the existing agricultural activity is minimal and can be considered to be a 'hobby farm' and not as a commercial farm. The existing walled garden area, together with the gates to the semi-enclosed courtyard area adjacent to the main house and stables act as privacy and contribute to protection of the visual amenity impact from the public road.

- No major concern regarding the visual impact of these roofed areas and consider that these structures are potentially reversible and do not result in damage to the existing walled garden. The rearing of poultry livestock at this scale does not constitute a major development which results in dis-amenities for the adjacent residential dwellings, therefore does not constitute intensification, expansion of existing use and no aggravated adverse impact would arise from same.
- Appropriate Assessment is not required due to the nature and scale of the existing development and the distance to the nearest Natural site.

3.2.2. Other Technical Reports

- 3.2.3. Assistant Chemist – located in the Cavn_020 waterbody currently classed as poor ecological status. Must be improved to good. Locally important aquifer with high vulnerability.

The only environmental concern is the management of poultry manure and any soiled water generated.

Recommending conditions.

1 The roofed structures shall be designed and constructed in accordance with the Department of Agriculture, Food & the Marine specifications S1000 & S101.

2 Manure, effluent and/or soiled water arising from the development shall be stored and disposed of appropriately in accordance with the Department of Agriculture and Food specifications and the European Union (Good Agricultural Practice for Protection of Waters) Regulations, 2017.

3 All effluent generated by the proposed development shall be disposed of by spreading on land, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2017, as amended.

Uncontaminated surface run-off from roofs and clean paved areas within the development shall be collected separately from any effluent and shall be disposed of to an approved watercourse adjoining the site in accordance with the Department of Agriculture and Food specifications S129.

4 Effluent and /or soiled water shall not be caused or permitted to flow onto adjoining property or to enter any stream, drain, ditch or other watercourse.

5 Effluent shall not be spread on or applied to land where there is risk, because of the gradient of the land and/or weather conditions prevailing at the time of spreading or application, that the effluent will run from the land to any lake, river, ditch, stream or other watercourse.

6 The disposal and or disturbance of any asbestos utilised in the existing building structure(s) shall only be carried out in accordance with the appropriate regulations and under the supervision of an appropriately qualified person. Any Asbestos Containing Materials removed shall not be re-used and shall be suitably handled, stored, packaged and removed by an authorised waste collection contractor.

Reason: In the interest of environmental protection.

3.3. **Third Party Observations**

3.3.1. Third party observations on the file have been read and noted.

4.0 **Planning History**

94/675 permission granted for extension, tennis courts and ancillary works 1994.

13/195 application for retention of existing single storey lean to slatted roof sunroom/conservatory to existing dwelling granted.

Pre-planning consultation 11/12/2019

5.0 **Policy Context**

5.1. **Development Plan**

5.1.1. The Cavan Town & Environs Development Plan 2014-2020, extended, is the operative plan. Relevant provisions include:

5.1.2. The site is zoned 'existing residential'; objective - to protect and improve existing residential amenity.

- 5.1.3. Vision - to promote the development of balanced communities and ensure that any new development in existing residential would have a minimal impact on existing residential amenity. Infill developments should be of sensitive design which is complimentary to their surroundings.
- 5.1.4. The uses listed under the 'permitted in principle' paragraph are not exhaustive. Non listed uses that are proposed may be considered, if supported in the context of the proper planning and sustainable development of the area.
- 5.1.5. Phase 4 residential use, not in the applicant's ownership, surround the site. The objective of phase 2, 3 and 4 residential zonings is to identify lands that are not suitable for residential development within the current development plan period.
- 5.2. In the interest of sustainability it is recognised that it is appropriate to locate retailing, service and community facilities and places of work convenient to places of residence. Accessibility between residential and retail, service and industrial areas is desirable. The arrangement of landuses will reflect the dynamics of community and the planning objective is to where possible encourage greater convenience and efficiency and influence change where inefficiencies and inconvenience are evident. The existing landuse structure will clearly determine future landuse development that incompatible landuses will not be permitted within or adjoining established areas unsuitable for such uses while retaining this interzonal accessibility through an efficient road network and transportational system. Where landuses are established further compatible landuse development may be appropriate. It is also recognised that it is in certain situations desirable to encourage a mix of compatible landuses. Where anomalies exist in that incompatible uses exist in established landuse zones, where such uses are not normally permitted, these anomalies may continue to be tolerated but that any extension, intensification or expansion of the use would only be considered if it can be shown that no aggravated adverse impact would arise in respect of the established principle landuse of the area. Zonal interface areas between landuse areas may be considered with some flexibility and consideration in respect of the adjoining established landusers
- The list of development types not permitted in principle includes - cattle shed/slatted shed, broiler house, stable yard.

5.3. Natural Heritage Designations

- 5.3.1. The nearest Natura site is Lough Oughter and associated Loughs SAC (site code 000007) located c1.65km from the subject site, downstream via unnamed stream (c250m away) and the Cavan River.

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. McGill Planning have appealed the decision of the planning authority to grant permission, on behalf of Mr Darragh Elliott. The grounds stated include:
- The planning history is referenced.
 - Further unauthorised development – damage to the original entrance gates. Developer should be required to restore the entrance.
 - In an area outside the walled garden there is unauthorised storage of vehicles.
 - Agricultural use is not permitted in this zoning.
 - The exception of where anomalies exist was not applied.
 - Drumbar House is a protected structure, there is a recorded monument immediately adjacent. The file was not referred to the DOAHG.
 - S 58(1) of the planning and development act 2000 as amended is cited regarding endangerment.

- The Architectural Heritage Protection Guidelines are referred to (para 6.14.3 and 6.14.4, also 7.11.2) – the use of polycarbonate material is entirely inappropriate as roofing on a walled garden.
- Unauthorised development shows blatant disregard.
- Cumulative impacts should be considered. Permission should not have been granted. Enforcement action is requested.
- Unspecified use – general storage; and reference to hobby farming, poultry reared for personal use. The species have not been identified. There is ample scope for expansion. Storage of construction materials and machinery – not specific and any increase in storage which would amount to intensification. Condition would be unenforceable.
- Unenforceable conditions – condition no. 10 – 7.12.3 of the guidelines – reversibility should not be used to justify inappropriate interventions.
- Architectural Heritage concerns – Molloy & Associates Architects report, 10 February 2021, (attached) states: ‘the approval of an invasive development within this architecturally sensitive context serves as a precedent for further erosion of architectural features...
- There is a requirement for AA screening with reference to the Environment section report. The application does not specify the uses and or limits of the uses of this land for agriculture. In circumstances of intensification there is potential for significant environmental effects on the aquifer and Natura sites.
- EIA screening is required.
- The Planning authority is prohibited from considering retention for development requiring AA – S34(12). The Board cannot grant retention. The only option in seeking to regularise is to seek leave to apply for substitute consent.

6.1.2. Molloy & Associates Architects have submitted a separate report, which includes with reference to heritage issues inadequately considered:

- Absence of detailed architectural conservation methodologies accompanying the planning application.

- Unacceptable design treatment within the curtilage of a protected structure.
- Unacceptable intensification of the curtilage of a protected structure.
- The walled garden is a central component of the protected structure.
- The Architectural Impact Assessment provided does not adequately differentiate between the inherited agricultural use and the subject development; impacts from the present character cannot be measured. The development removes the opportunity to read the original open character of the walled garden. The protected building grouping is now dominated by the development in contrast with an expectation that new development should defer to its protected context.

6.2. Applicant Response

6.2.1. JM Johnston consultants have responded to the grounds of appeal on behalf of the applicant, including:

- Planning history 13/195 is an application to retain development carried out prior to purchase and as agreed with the vendor at the time, Mr Christopher McCarren, Ms Ng's name is on the application but she was not responsible for the construction.
- Conflict with CDP – there is long established agricultural use with a large number of agricultural buildings constructed within the walled garden.
- The poultry rearing is for personal use.
- The use of the walled garden as a hobby farm is a reduction in intensification.
- Visual impact – the appellant has not provided pictures to show that the roof structures are readily visible from a wider area. Where the recent sections of the roofed structures were erected in 2019, these will be removed as part of the approved development.
- Protected structure – submission from Bronagh Lanigan, Architectural Heritage Consultant. Applicant has sought professional opinion where necessary. The works are reversible. This is recognised in the 5 year permission. The applicant sought to include the specific requirements

highlighted in the relevant enforcement Warning letter (ref No 19-068), as included in the planning description.

Solicitor's letter

- A letter from Dara Murtagh Solicitors with copy correspondence received from Mr McCarron's solicitors and other correspondence related to the retain application 13/195.

Architectural Recording and Research

- A response to the grounds from Architectural Recording and Research, which refers to the temporary roof structures constructed in 2013 to provide shelter to small poultry pens and provide general storage for timber and machinery. In 2019 Ms Ng constructed additional temporary roof structures in the northeast of the walled garden. This prompted a complaint to Cavan Co Co and Ms Ng was issued with an enforcement letter.
- It is recognised that the new roof structures were not designed to complement the 19th century style of the main house. They were built as agricultural buildings in the walled garden that has been used as a farmyard since the 1960s.
- Cavan Co Co classified this as hobby farming.
- The roof structures are constructed using RSJs supporting lightweight polycarbonate sheets. The RSJs are bolted to the concrete floor of the walled garden and to modern concrete block walls. The concrete floor and walls are remnants of the former agricultural buildings built here by previous owners.
- It will be possible to remove the roofs and supporting structures without causing any damage to the walls or having any negative impact. No original material or part of the walls were removed during the erection of the roofs.
- The roofs in the walled garden are not visible from the front of Drumbar House, from the south facing side elevation of the house, from within the rear yard or from the bottom of the avenue leading to Drumbar House. The new roofs do not have a negative visual impact on the main house. The roof constructed in 2019 is taller than the wall and is visible from the former sand

arena, to the north of the rear yard. It is disputed that the property is readily visible from the wider area.

6.3. Planning Authority Response

6.3.1. The planning authority have responded to the grounds of appeal stating

- Re removal of gates – this is a separate matter which can be addressed separately.
- Zoning conflict – this was dealt with in the planner’s report.
- Protected structure – the PA concluded after consideration of the Architectural Heritage Impact Assessment, the development for retention does not have an adverse long-term impact on the architectural integrity of the protected structure or its attendant grounds the walled garden. This is primarily due to the scale of the development and the fact that the structures are reversible.
- Recorded monuments – the site is immediately adjacent to a recorded monument or site. The existing walled garden and development for retention is located 50m from the buffer zone of the recorded monument CV00749.
- Unspecified use of proposed development – noted.
- Non specific unenforceable conditions – condition no. 10 – P&D Act 5th Schedule Section 191 4 – (n) 34 (4) in a case in which the relevant application for permission relates to a temporary structure.
- Architectural Heritage Dunbar House – the PA has taken into consideration the Architectural Heritage Impact Assessment submitted with the application and has concluded a finding of no significant impact on the integrity of the protected structure.
- Requirement for AA screening – to prevent potential future significant environmental impacts and protect the vulnerable aquifer. Condition 9 – no intensification of use without prior consent.
- EIA screening – EIA is not required.
- Prohibited from considering retention application for development requiring AA – AA is not required.

- The report – the use of the land and buildings has been established over time
- The AHIA concluded that retention had not resulted in any damage to architectural integrity of the protected structure.
- Visual impact of roofed areas did detract.
- Potentially reversible. No damage to existing walled garden.
- The rearing of poultry livestock at this scale and within the confines of the walled garden does not constitute a major development which results in disamenities for the adjacent residential dwellings. No aggravated adverse impact would arise.
- Heritage Officer concluded that the structures are reversible and have minimal intervention.

6.4. Board Correspondence

- 6.4.1. The Board wrote to: the Heritage Council; Fáilte Ireland; The Department of Culture, Heritage and the Gaeltacht; An Taisce; and An Comhairle Ealaíon. inviting observations or submissions, and reissued the invitation to The Department of Culture, Heritage and the Gaeltacht at their request. No observations or submissions were received.

7.0 Assessment

- 7.1.1. The issues which arise in relation to this appeal are: appropriate assessment, the principle of the development, impact on the protected structure, and other issues and the following assessment is dealt with under these headings.

7.2. Appropriate Assessment

- 7.2.1. Having regard to the nature and scale of the proposed development, and the distance to the nearest downstream European site, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

7.3. Principle of the Development

- 7.3.1. The zoning is 'existing residential' and the surrounding lands are zoned residential phase 4. Agricultural buildings are not permitted in this zoning.

The use is described in the published notice as agricultural use and general storage use. The letter accompanying the application states that the walled garden had been in agricultural use from at least the 1960s and an aerial photograph dating to c 1975 is attached which illustrates the large number of agricultural buildings constructed within the walled garden at this time.

The accompanying details state that the applicant uses the walled garden to house the collection of rare breed poultry and as general storage for machinery and firewood, and that the poultry rearing is for personal use.

The planning report considers it could be described as a hobby farm.

In my opinion the proposed uses are for purposes ancillary to the use of the dwelling and are therefore acceptable. Should the Board be minded to grant permission I consider that a condition should be attached clarifying that the proposed uses should remain ancillary to the use of the dwelling and should not be for any purpose of trade or commerce.

7.4. Impact on the Protected Structure

- 7.4.1. There were significant interventions carried out to the walled garden which appear not to have led to any concerns or any enforcement action prior to the purchase of the property by the current owner.

7.4.2. The interventions, the subject of this appeal,

7.4.3. are much more limited in extent.

7.4.4. The roof structures are constructed using RSJs supporting lightweight polycarbonate sheets. The RSJs are bolted to the concrete floor of the walled garden and to modern concrete block walls. The concrete floor and walls are parts of the former agricultural development by previous owners.

- 7.4.5. It is stated that it will be possible to remove the roofs and supporting structures without causing any damage to the walls or having any negative impact and that no original material or parts of the walls were removed during the erection of the roofs.
- 7.4.6. There is limited visibility of roofs outside the walled garden. They are not visible in the context of the main house, Drumbar House. It is proposed to reduce the height of part of roof 'C'. This will reduce any negative visual impact in the immediate locality. The roofing is not visible from the wider area.

7.5. Other Issues

- 7.5.1. Several conditions attached to the planning authority's decision refer to an agricultural development, in my opinion the use of the subject site, given as 1.737ha which area includes a substantial proportion which is buildings and structures, is not suitable for agricultural use. I note that the public notices refer to agricultural use but the application details refer to poultry rearing for personal use only. In my opinion the proposal is to use the structure for personal use and not agricultural use. I am satisfied that retention of the structures on this basis is appropriate and that conditions relating to agricultural use are inappropriate. I consider that condition no. 5 adequately deals with the disposal of the poultry manure / litter likely to arise from a small stock of poultry for personal use.
- 7.5.2. Unauthorised development, including the removal of the original entrance gates, is referred to in the appeal. This is outside the remit of the subject application/appeal.

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

Having regard to the zoning of the site for existing residential use; the proposal to use the structures, proposed for retention, for general storage and for poultry rearing for the personal use of the applicant; the nature of the works carried out to provide

the structures, and the reversibility of these works; and the context of the existing buildings and structures within the walled garden at Drumbar House; it is considered that the proposed retention of the roof structures would not detract from the visual or residential amenities of the area; that their proposed use would be ancillary to the use of the dwelling; and accordingly the proposed retention would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be retained 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>Reason: In the interest of clarity.</p>
2.	<p>Within 6 months of the date of grant of permission, works required to lower the section of roof 'C', in accordance with the proposals made in the application documents, shall be carried out to the written satisfaction of the planning authority.</p> <p>Reason: In the interest of clarity.</p>
3.	<p>The structures proposed for retention shall be used solely for purposes incidental to the enjoyment of the dwelling as such and shall not be used in connection with trade or commerce.</p> <p>Reason: In the interest of clarity.</p>

4.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of orderly development.</p>
5.	<p>All effluent generated by the proposed development shall be disposed of by spreading on the adjoining land, which shall not be used as pasture, or by other means acceptable in writing to the planning authority. The location, rate and time of spreading and the buffer zones to be applied shall be in accordance with the requirements of the European Union (Good Agricultural Practice for Protection of Waters) (Amendment) Regulations, 2017, as amended.</p> <p>Reason: In the interest of environmental protection.</p>

Planning Inspector

21 September 2021

Appendices:

Appendix 1 Photographs

Appendix 2 Cavan Town and Enviros Development Plan 2014-2020, extended, extracts.