



An
Bord
Pleanála

Inspector's Report ABP309467-21

Development	Extension to the rear and side of first floor level to accommodate an additional apartment and alterations to existing public house.
Location	The Ramble Inn, 145/147 Killester Avenue, Dublin 5.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	2394/20.
Applicant	The Ramble Inn.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party -v- Grant.
Appellants	Peter and Pamela Purdue.
Observers	None.
Date of Site Inspection	June 2 nd 2021
Inspector	Paul Caprani.

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1.0 Introduction

ABP309467-21 relates to third party appeal against the decision of Dublin City Council to issue notification to grant planning permission for alterations to an existing public house and an extension at first floor level over The Ramble Inn Public House at Killester Avenue, Dublin 5. The extension is to enlarge an existing apartment and provide an additional apartment above the public house. The grounds of appeal submitted by the residents of No. 143 Killester Avenue to the north-east argue that the proposed development will have an unacceptable impact on residential amenity.

2.0 Site Location and Description

- 2.1. The Ramble Inn is a public house located in the suburban area of Killester approximately 4.5 kilometres north-east of Dublin City. The public house forms part of a row of buildings which provide a small neighbourhood centre within Killester. The commercial buildings are for the most part two-storeys in height and accommodate a pharmacy, a supermarket and bookmakers, a take-away and at the southern end, The Ramble Inn Public House. The public house occupies two units at ground floor level. The northern portion of the building accommodates a first-floor level in which a small two bedroomed apartment is located with a total floor area of 59 square metres. The southern portion of the building is single storey incorporating a pitched roof. There is a single storey flat roof extension along the entire length of the rear of the building. The flat roof extension is deeper in extent to the rear of the two-storey element of the public house.
- 2.2. No. 143 Killester Avenue, (appellants' dwelling) is located to the immediate north-east of the appeal site and is an end of terrace two-storey dwellinghouse with a single storey extension to the side and rear. This single storey extension incorporates a garage to the side of the dwellinghouse which is contiguous to the single storey flat roof extension to the rear of The Ramble Inn. A small rectangular backgarden is located to the rear of No. 143. I estimate the dimensions of the rear garden to be approximately 4.5 metres by 7 metres.

3.0 Proposed Development

- 3.1. Planning permission is sought for the enlargement and extension to the existing apartment at first floor level at the north-eastern end of the building. The proposal will involve the reconfiguration of the existing apartment which will include the provision of two en-suite bedrooms including a new bedroom (Bedroom No. 2) is to be provided above the flat roof area of the bar to the rear. The total floor area of Apartment No. 1 will be enlarged from 59 to 68 square metres.
- 3.2. It is also proposed to provide an additional two-bedroomed apartment (Apartment No. 2) above the existing single storey element of the pub. This new apartment is larger at 82 square metres. Access to both apartments will be provided via the existing ground floor entrance to Apartment No. 1 at the northern end of the building. The proposed first floor extension is to match the ridge height (8.9 metres) of the existing first floor element of the building.
- 3.3. It is also proposed to incorporate new larger windows together with other external alterations to the ground floor of the public house. This includes a new cordoned-off outdoor smoking area, keg storage area and bin storage area (including bin storage for the new apartments).

4.0 Planning Authority's Decision

4.1. Decision

Dublin City Council issued notification to grant planning permission for the proposal subject to 12 conditions. Condition No. 4 required alterations to the elevational treatments.

4.2. Planning Authority's Assessment

- 4.2.1. The application was accompanied by a covering letter which details the proposed development. The submission also states how the design addresses privacy issues associated with the adjoining sites. Details of emails associated with pre-planning discussions are also set out in the covering letter.

- 4.2.2. A number of letters of objection from residents in the vicinity have been submitted, the contents of which have been read and noted.
- 4.2.3. A report from the Transportation Planning Division recommends additional information in relation to the location and storage of commercial generated waste and keg storage on site.
- 4.2.4. The applicant was also requested to outline the bicycle parking provision for both residential units.

4.3. **Additional Information Requestion**

- 4.3.1. The initial planner's report requested further information in relation to the following:
- Further information in relation to waste management and keg storage.
 - Further information in relation to bicycle parking provision for the two residential units.
 - Modifications to the proposal on the basis that the current proposal could give rise to overlooking, overshadowing and overbearing impacts on No. 143 Killester Avenue to the north. A number of suggested amendments to the design of the first floor extension to alleviate these concerns are set out in the additional information request.
 - Further information in relation to the compliance of the proposed apartments in the context of the minimum unit size and minimum internal accommodation requirements as set out in the 2018 Apartment Guidelines.
 - Further details as to how the proposal will compensate for the lack of private open space set out in the 2018 Apartment Guidelines.
 - Further information as to how the development meets the recommended target average daylight factor set out in BS:8206 2 2008.
 - Finally, the applicant is requested to clarify if the flat roof area is accessible from Apartment No. 1.

4.4. Further Information Submission

4.4.1. Further information was submitted on 18th December, 2020 and is briefly summarised below.

- The proposal does not involve substantial changes to the waste already generated or to keg storage requirements on site. The wheel bin storage area for the pub (adjacent to the patio area outdoors which is to be retained in its current location) will also accommodate wheel bin storage for the two apartments.
- A locking bar under the second flight of stairs to the residential units will provide safe secure storage for the parking of at least 3 bicycles.
- In order to address the concerns of the Planning Authority in relation to the impact of the proposal on residential amenity, the following amendments have been incorporated into the design:
 - The internal layout of Apartment No. 1 has been modified.
 - The size and scale of the first floor extension proposed to the rear of Apartment No. 1 has been significantly reduced in scale and will now accommodate a bathroom as opposed to a bedroom.
 - The overall depth of this structure has been reduced from 5 metres to 2.5 metres. This it is argued greatly reduces the perceived overbearing impact on No. 143 Killester Avenue.
 - Furthermore, it is argued that the proposal will have little or no impact from an overshadowing point of view to the rear of the residential properties to the south.
 - The apartments have been reconfigured so that the bedrooms all face north-westwards onto Killester Avenue and do not face north-east towards the rear garden of No. 143. All the revised windows facing south-east on the rear elevation are glazed in opaque glazing and have internal cill heights of 1,500 metres above floor level. It is proposed to keep the fire escape door serving the living area of Apartment No. 1.

- 4.4.2. In relation to overshadowing the Planning Authority are asked to note that for the residential properties to the north-east on Killester Avenue there will be no overshadowing at the autumnal or vernal equinox before 3 p.m. For these reasons the overshadowing analysis on these dates were restricted to 3 pm to 5 pm. It is stated that these studies reveal that there will be no significant impact as the gardens are already in shadow for substantial periods of the day on these dates.
- 4.4.3. Tables are provided indicating that the apartments comply with the minimum standards set out in the 2018 Guidelines.
- 4.4.4. With regard to the lack of amenity space, it is stated that there is already an existing facility on site and the proposal does not constitute a new apartment development. As such the development could be viewed as refurbishment work as per Section 3.19 of the 2018 Guidelines which does allow for certain relaxations. Furthermore, both apartments comfortably exceed the guideline standards and have good dual aspect orientation. The proposal should be considered in the context of “living over the shop”. There is also a small neighbourhood green area directly opposite the site.
- 4.4.5. In terms of average daylight factor requirements, it is stated that the size of the window opes would suggest that there is adequate daylight penetration. And daylight penetration will be augmented by two skylights over the living/dining area of Apartment No. 1. It is therefore the applicant’s opinion that the habitable areas comply with required daylight levels.
- 4.4.6. It is also stated that the flat roof of Apartment No. 1 is accessible and is used occasionally for maintenance purposes and as an emergency escape.

4.5. Further Assessment by Planning Authority

- 4.5.1. A further report from the Transportation Planning Division notes the waste management proposals and it is recommended that a separate pedestrian entrance to the external refuse area from Killester Avenue should be incorporated to specifically accommodate residents’ access to the refuse area. The cycle parking provisions are considered to be acceptable.
- 4.5.2. A subsequent planner’s report assesses the further information submitted and it is considered that the design of the two-storey extension in order to provide additional residential accommodation is consistent with the mixed-use character of this parade

of shops. It is considered that the revised proposals submitted would meet the requirements for apartments set out in the Design Standards for New Apartments (Guidelines for Planning Authorities) and on this basis it is recommended that planning permission be granted.

5.0 Planning History

5.1. No history files are attached. The planner's report makes reference to one application Ref. No. 4226/04 which relates to a decision to grant planning permission for a proposed projecting mechanical canopy and alterations to the front railings at The Ramble Inn. This application was granted in 2004/2005.

6.0 Grounds of Appeal

6.1. The decision was appealed by the occupants of No. 143 Killester Avenue, Dublin 5. The grounds of appeal are outlined below:

- The planning notices failed to adequately describe the nature and extent of the development as the patio area referred to in the notice is really a smoking area and there is no reference to wheely bin storage for the apartments. Also, the appellants can find no record of permission for the keg storage area.
- It is considered that the proposed development seeks to achieve maximum density on site, without having any regard to the provisions of the development plan for impacts on surrounding neighbours. Reference in particular is made to Policy QH7 and QH8 as well as Policies QH18, QH19 and QH20. The proposal is also contrary to Section 16.10 of the Development Plan which seeks to protect residential amenities of adjoining properties.
- It is also noted that there is no private or communal open space to serve the apartments and that the bin storage is remote from the proposed units.
- It is also noted that many of the drawings and planning reports etc. were not available on-line and the appellants were not entitled to visit the Council offices due to Covid restrictions.

- It is argued that the sunlight and daylight and shadow study is technically flawed and site-specific software should be incorporated which adequately assess impacts for sunlight and daylight penetration.
- It is also stated that as a minimum, an AA screening should have been undertaken for the proposed development as the site is well within 15 kilometres from Natura 2000 sites.
- It is also suggested that verified photomontages should be submitted as an assessment to for the development proposed.
- Other studies which should have been submitted include a construction and demolition plan, a building life cycle report, a mobility management plan, a transportation assessment as well as noise and dust studies.
- While national policy for apartment development have been noted, this does not amount to a 'carte blanche' policy for higher densities in all residential areas. The proposal has been designed without a modicum of respect or concern for the amenities of adjoining dwellings. The proposal is contrary to the zoning objective in that it fails to protect and improve residential amenities.
- While the applicant does not propose access from the apartments to the single storey roof area it is stated that in reality, this cannot be controlled. It is suggested that the applicant will assess the roof area for amenity purposes and this roof area directly abuts the appellants' house. The roof area will be accessed as a matter of course because the application fails to provide good quality private and communal space.
- In conclusion, it is stated that the proposed development by reason of its mass, bulk and height would give rise to an overbearing effect and cause irreparable damage to residential amenity of surrounding dwellings. If permitted, the proposal will result in a severe loss of sunlight and daylight and result in overshadowing of surrounding properties particularly in afternoons and evenings. It is also submitted that if permitted, the development itself would give rise to poor residential amenities for the occupants of the apartments particularly due to the lack of communal open space.

- Therefore, it is argued that the proposal would represent a very poor precedent for similar type developments.

7.0 Appeal Responses

7.1. Planning Authority's Response to the Grounds of Appeal

7.2. Dublin City Council have not submitted a response to the grounds of appeal.

7.3. Applicants Response to the Grounds of Appeal

7.4. A response on behalf of the applicant was submitted by Anthony O'Beirne and Associates Architects and Planning Consultants. The following points were made in the response.

- The impact of the proposal on residential properties in the vicinity has been already carefully considered by the Planning Authority and this included a detailed further information request. It is stated that the proposal has already been reduced on size and scale and altered significantly, particularly on the rear elevations with the express aim of minimising impact on residential amenities.
- It is argued that the proposal fully complies with the residential zoning objective in that it provides additional residential development.
- The proposal is not about providing a "carte blanche" for new apartments in developments as suggested in the grounds of appeal. The current application seeks to rectify a substandard apartment in terms of size, layout and condition. The proposal represents a living over the shop precedent which is common and well established throughout the city.
- Any issues that neighbours may have in connection with the running of the pub premises should not be confused with planning matters which are the subject of the current application. The new patio area to the front of the premises is to upgrade the public realm and take smokers off the footpath. It is not reasonable to argue that the application should be invalidated on the basis that the new patio area was not explicitly stated in the planning

application notices. The outside smoking area will now be more controlled, contained and more closely monitored within the confines of the public house that is currently the case.

- The sun shadow analysis submitted is based on the actual angles of elevation created by the sun path across the sky. The analysis specifically concentrates on the period from 1500 hours to 1700 hours when the sun shadow is most likely to affect the proposed development. The applicant stands over the accuracy of the sun shadow analysis submitted.
- The applicant acknowledges the requirement for a construction management plan and many concerns in relation to the construction period have been addressed by way of the conditions imposed by the Planning Authority.
- It is not considered that the issue of appropriate assessment is relevant to the current application and appeal before the Board.
- It is reiterated that the flat roof area is only accessed occasionally for maintenance purposes. The proposed development does not envisage any change to this situation.

8.0 Development Plan Provision

- 8.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016 – 2022.
- 8.2. The subject site is governed by the zoning objective Z3 (and not Z1 as indicated in the local authority's planner's report). This zoning seeks to provide for and improve neighbourhood facilities. Residential development is a permissible use under this land use zoning objective. The development plan notes that neighbourhood centres may include an element of housing, particularly at higher densities and above ground floor level.
- 8.3. Policy QH7 seeks to promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of surrounding area.

8.4. Policy QH8 seeks to promote the sustainable development of vacant or underutilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and character of the area.

8.5. Policy QH18 seeks to promote the provision of high-quality apartments within sustainable neighbourhoods by achieving sustainable levels of amenity within individual apartments, and to ensure that suitable social infrastructure and other support facilities are available in the neighbourhood in accordance with the standards for residential accommodation.

8.6. Section 16.2.2.2 relates to infill development.

Dublin City Council will seek to ensure that infill development respects and complements the prevailing scale, architectural quality and degree of uniformity in the surrounding townscape. With terraces or groups of buildings of unified design and significant quality, infill development will replicate and positively interpret the predominant design and architectural features of the group as a whole.

8.7. In terms of alterations and extensions Dublin City Council seek to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context, and the amenity of adjoining occupiers. Alterations and extensions should:

- Respect any existing uniformity of the street, together with significant patterns, rhythms, and groupings of buildings.
- Retain a significant proportion of the garden space, yard or other enclosure.
- Not result in the loss of, obscure or otherwise detract from, architectural features which contribute to the quality of the existing building.
- Retain characteristic townscape spaces or gaps between buildings.
- Not involve the infilling, enclosure or harmful alteration of front lightwells.
- Respect the uniformity of terraces or groups of buildings with a consistent roofline and will not adversely affect the character of terraces with an attractive varied roofline.

- Not result in the loss of roof forms, roof coverings or roof features (such as chimney stacks) where these are of historic interest or contribute to local character and distinctiveness.

8.8. Natural Heritage Designations

The site is not located within or contiguous to a designated Natura 2000 site. The nearest Natura 2000 sites are the North Bull Island SPA (Site Code: 004006) and the North Bull Island SAC (Site Code: 000206) both of which at their closest point are approximately 2.6 kilometres from the subject site.

8.9. EIA

On the basis of the information contained on file, which I consider adequate in order to issue a screening determination, it is reasonable to conclude, having regard to the modest nature and extent of the proposed development that there is no real likely of significant effects on the environment arising from the proposed development and that an environmental impact assessment is not required.

9.0 Planning Assessment

I have read the entire contents of the file, visited the subject site and its surroundings and have had particular regard to the issues raised in the grounds of appeal and the applicant's response to these issues. In determining the current application and appeal before the Board I consider the following issues to be pertinent.

- Administrative Matters
- Impact on Residential Amenity
- Impact on Amenity for Future Occupants
- Proposed Alterations to the Public House
- Access to the Roof Area
- The Need for Additional Assessments

9.1. **Administrative Matters**

9.1.1. The appellants argue that the proposed development should be invalidated on the basis that the public notice failed to give a proper description of the nature and extent of the proposed development. Specifically, there is no reference to the patio area or the wheelie bin storage in the public notices. As per Article 18 of the Regulations, public notices require the applicant to generally provide a 'brief description' on the nature and extent of the proposed development including where appropriate the number of residential units to be provided. The applicant in this instance has detailed in a reasonable manner the nature and extent of the proposed development referring to the number of residential units to be provided and also providing an accurate and appropriately detailed description of the nature of the alterations to be undertaken in relation to the public house. While the applicant may not have referred to wheelie bin storage and the explicit reference to a smoking area this in my view should not be considered fatal to the overall application to render its invalidation. The purpose of the public notices is to provide general details of the nature and extent of development. It is not necessary to slavishly list every single aspect of the proposal. The public notices on site and in the newspaper draw attention to the overall nature and extent of the application proposed and this is sufficient in my view. Any third parties can view all specific and minor details relating to the application once the application has been lodged.

9.2. **Impact on Residential Amenity**

9.2.1. I note the changes in the internal configuration of the two apartment blocks which seeks to address Planning Authority and third-party concerns in respect of overlooking. I consider that the incorporation of new fenestration arrangements on the south-east elevation will to some extent address issues in relation to overlooking. All bedrooms have been relocated to the front of the building facing onto Killester Avenue. Living and kitchen accommodation as well as two bathrooms face onto the rear of the site towards No. 143. In order to address the issue of overlooking the applicant is proposed to incorporate obscure glazing on all the kitchen and bathroom windows and also incorporate a minimum window cill height of 1.5 metres internally. The door/window serving the living area of Apartment No. 1 will not incorporate obscure glazing. The Board will note however that this is currently the case with the

existing apartment - in that a door opens from the living accommodation associated with the existing apartment onto the flat roof.

- 9.2.2. While the issue of overlooking has been substantially addressed through the provision of obscure glazing, I would have significant concerns that the amenity of future occupants of the two apartments would be compromised with the incorporation of such high windows incorporating obscure glazing. Kitchens are habitable rooms and should be afforded appropriate daylight and sunlight penetration. I note that the minimum average daylight factor as set out in the BRE Guidelines (BS8206-2:2008 Lighting for Buildings – Part 2 Code of Practice for Daylighting) require a minimum average daylight factor in the case of kitchens to be 2%. This is the highest requirements of all the habitable rooms contained in the guidelines (bedrooms 1.0%, living rooms 1.5%). It is my considered opinion that the incorporation of high windows and obscure glazing would compromise daylight within a habitable room to a material extent. From an amenity perspective, I consider it inappropriate that such an important habitable room would be served by 1.5 metre high windows incorporating obscure glazing.
- 9.2.3. I would also have concerns that the increase in height of the proposed development could have a more profound impact in terms of overshadowing on adjoining residential dwellings than that suggested in the applicant's response to the grounds of appeal. The applicant submitted a shadow casting analysis based on the vernal and autumnal equinox which represents the azimuth directional orientation of the sun path across the sky for the mid-point between the summer and winter solstice. The applicant also reasonably in my opinion concentrates the shadow cast analysis in the afternoon/early evening time between 1500 hours and 1700 hours.
- 9.2.4. The applicant however suggests that the sun sets during the vernal/autumnal equinox at 1740 hours. The sun actually sets 1 hour later at 1840 hours. Perhaps more importantly the applicant has not demonstrated the impact in terms of additional overshadowing which could occur during the summer months. It is proposed to increase the ridge height of the building by approximately 2.5 metres in close proximity to the rear garden of No. 143 (c.7 metres). Increasing the ridge height of the building could in my opinion have a profound impact on the appellants' rear garden particularly during the evening time throughout the summer months. It is not unreasonable to assume that the appellant will derive the greatest benefit and

enjoyment of the rear garden area during the summer evening times. The proposed development in my view therefore will have a significant and material impact in terms of overshadowing of the appellants' rear garden during the summer months.

9.3. Impact on Amenity for Future Occupants

- 9.3.1. As referred to above, I would have concerns that the incorporation smaller windows incorporating obscure glazing serving habitable rooms is inappropriate and would offer a poor level of amenity for the future occupants of the proposed residential units.

9.4. Proposed Alterations to the Public House

- 9.4.1. There is no significant or material changes proposed to the operation of the public house to the extent that it could in my view materially impact on adjoining residential amenities. As the applicant points out in his response to the grounds of appeal, the public house is a long-established premises in the area. Furthermore, the proposed new patio area seeks to take smokers off the public footpath and contain them within the confines of the pub behind glass screen barriers. Thus, patrons frequenting the public house will be confined within a designated smoking area where the smokers can be contained and monitored within the confines of the premises. This in my view is appropriate and should be welcomed as part of the proposed development.

9.5. Access to the Roof Area

- 9.5.1. While concerns are expressed that the proposed development will provide access to the roof area, particularly as no communal open space has been provided to serve the development, I note that currently the existing first floor apartment has a similar access to the roof area and there will be no material change in this regard.

Furthermore, the applicant has indicated that this access is required for fire safety and that access is only occasionally required for maintenance purposes. If the Board are minded to grant planning permission it could stipulate a condition specifically requiring that the roof area will not be used for private amenity purposes and will be accessed only for maintenance purposes and as a fire escape.

9.6. The Need for Additional Assessments

- 9.6.1. The grounds of appeal suggest that additional studies are required in relation to the proposed development and these studies should include an Appropriate Assessment Screening Report, a Construction and Environmental Management Plan, a Building Life Cycle Report and a Transportation Assessment. In relation to Appropriate Assessment, I refer the Board to Section 10 below. If the Board are minded to grant planning permission in this instance, it could request a Construction and Environmental Management Plan by way of condition to ensure that impacts on adjoining residential amenities are minimised. Having regard to the minor nature of the proposed development I do not consider that a Building Lifecycle Report is necessary. As no parking is proposed as part of the development it is not considered that a transportation assessment is required in this instance.

10.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development which will utilise public infrastructure and utilities, and nature of the receiving environment, the lack of a direct hydrological or other pathway between the site and any European Sites in the vicinity, together with the proximity to the nearest European site, 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.

11.0 Conclusions and Recommendations

Arising from my assessment above I consider that the Board should issue a split decision in respect of the proposed development and grant planning permission for the alterations to the existing public house and refuse planning permission for the proposed residential accommodation above on the basis that the proposed residential accommodation constitutes a substandard form of development relying on

opaque glazing to serve habitable rooms within the layout and furthermore that the proposed development would result in overshadowing of gardens associated with residents to the south-east thereby adversely impacting on the residential amenities of the area.

12.0 Decision

Grant planning permission for the proposed enlargement of the existing front windows to the bar area, the replacement of two windows in the lounge area with two full height shopfront windows incorporating a door to access a new enclosed outdoor customer patio with a removable canopy based on the reasons and considerations set out below.

13.0 Reasons and Considerations

It is considered that the proposed alterations to the existing public house will improve the visual amenities of the area, would not be prejudicial to public health and will generally be acceptable in terms of traffic safety and convenience. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 18th day of December, 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 planning authority, the developer shall agree such details in writing with the planning authority prior to the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development hereby approved shall adhere to the following:
 - (a) The proposed new glazed entrance lobby, shall be omitted.
 - (b) The proposed external patio area shall not be used for the consumption of alcohol and shall be used only as an external smoking area.
 - (c) The proposed canopy shall not provide the advertisement of any product.

Reason: In the interests of visual amenities

3. No advertisement or advertisement structure shall be erected or displayed on the building or within the curtilage of the site in such a manner as to be visible from outside the building unless authorised by a further grant of planning permission.

Reason: In the interest of visual amenity.

4. No part of the fixed canopy shall extend beyond the site boundary.

Reason: In the interest of orderly development and the visual amenities of the area.

5. Details of the materials, colours and textures of all external finishes to the elevation of the public house shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

6. Drainage arrangements including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: in the interest of public health.

7. Site development and building works shall be carried out only between the hours of 0700 hours to 1900 hours Monday to Friday inclusive, and between 0800 hours to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

8. Site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during the construction works in the interest of orderly development.

Decision

Refuse planning permission for the extension to the rear and side at first floor level of the existing residential accommodation to provide for two apartments based on the reasons and considerations set out below.

Reasons and Considerations

1. It is considered that the proposed development by reason of incorporating obscure glazing for windows serving the kitchen area would result in a substandard form of development for future occupants and would therefore seriously injure the amenities of future occupants and would be contrary to the proper planning and sustainable development of the area.

2. It is considered that the increase in ridge height as a result of the residential extension at first floor level would give rise to excessive overshadowing of properties to the south-east of the subject site and would seriously injure the residential amenities and depreciate the value of adjoining properties and would therefore be contrary to the proper planning and sustainable development of the area.

Paul Caprani,
Senior Planning Inspector.

June 3rd, 2021.