

# Inspector's Report ABP-311339-21.

**Development** Partial demolition and construction

works to change existing outbuildings

to apartments and to convert an existing farmhouse into 2 dwellings.

**Location** Gerrardstown, Garland Cross, Navan.

Planning Authority Meath County Council.

Planning Authority Reg. Ref. 20160.

**Applicant** Ivan Reynolds.

Type of Application Permission.

Planning Authority Decision Grant with conditions.

Type of Appeal Third Party

Appellant Grainne O'Neill.

Observer(s) None

**Date of Site Inspection** 8<sup>th</sup> July 2022.

**Inspector** Philip Davis.

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## 1.0 Introduction

This appeal is by a local resident against the decision of the planning authority to grant permission with conditions for conversion works to a farmhouse dwelling with outbuildings to a pair of semi-detached houses and 5 no. apartments (subsequently reduced to a total of five units following revised submissions). One unit was deleted subsequently by condition in the final decision. The grounds of appeal relate to a variety of policy and design issues.

# 2.0 Site Location and Description

#### 2.1. Gerrardstown, Co. Meath

The townland of Gerrardstown is located in open countryside approximately 7 km south-east of the town of Navan. It is on the north side of the wide shallow valley of the River Nanny, which flows from Navan to enter the Irish Sea at Leytown. A single third class country road runs through the townland east from Navan to Kentstown. The topography undulates form around 65 to 85 metres AOD. There are remains of a possible medieval settlement to the east of the townland, with an intermittent linear development of single dwellings from the west side of the townland to Navan. The appeal site is a farmhouse served by a c.400 metre long private lane running north from the main road, to close to the banks of the River Nanny.

#### 2.2. Appeal site

The appeal site, with a site area given as 0.7665 hectares, includes a lane running from the main road north to a farmhouse and a cluster of outbuildings. It is surrounded by open arable and pasture fields, bounded by ditches and hedgerows. It is part of a larger (blue lined) landholding which includes the applicant's home, a modern bungalow dwelling. The gross floorspace of the existing buildings on site is given as 673 sqm. These buildings consist of a 2 storey farmhouse with stone outbuildings, which appear to date from the late 18<sup>th</sup> to early 19<sup>th</sup> Century. Further stone outbuildings and walls extend north and north-east of the site, apparently part of an older demesne associated with a now demolished house (Gerrardstown Castle/House). There is an egg producing facility on the landholding on lower ground to the north, on the opposite side of the River Nanny.

## 3.0 **Proposed Development**

The proposed development is, in summary, the partial demolition and alteration/change of use of the outbuildings to five no. apartments, and the subdivision of the existing farmhouse into a pair of semi-detached dwellings. Revised drawings were submitted following a further information request reducing the application to a total of five units.

The proposed development is to be served by a private borehole well and a proprietary wastewater treatment system.

# 4.0 Planning Authority Decision

#### 4.1. Decision

The planning authority decided to grant permission subject to nine conditions. Seven are standard, condition 2 deletes on dwelling (House no. 2), and condition 3 sets revisions to the elevations.

# 4.2. Planning Authority Reports

## 4.2.1. Planning Reports

There are two planning reports on file, one subsequent to a request for further information.

- Notes that there are no previous applications or appeals on file, and that relevant policy is Section 11.2.4 of the 2003 Development Plan (extensions) and Section 10.15.1 (Vernacular Rural Buildings and Replacement Dwellings), in addition to various standards on vernacular heritage and rural housing. It is stated that in general the Development Plan supports such developments subject to a number of limitations. It is considered that an occupancy condition would not be needed.
- Notes one objection on file.
- States that there are issues with the design and layout (Conservation Officer comments) but it would have no impact on adjoining residential areas.

- Notes an existing borehole water supply.
- AA screening no significant effect.
- Part V does not apply.
- Request for further information.

Subsequent to the above, and the submission of revised plans and a reduction in the number of units (seven to five by excluding the proposed extension), a second planners report concluded:

- Notes Conservation Officer's recommended condition.
- Notes the applicant's statement that the units would be for local agricultural workers, but no further details provided.
- It is considered that the application represents a sympathetic re-use of older buildings.
- Permission recommended.

## 4.2.2. Other Technical Reports

Transportation Section – no objection

**Environment Section** – no objection

**Flooding** – no objection

**Conservation Officer** – requested further information on first application. Following the submission of revised plans, a second memo states that the new window opes are still not satisfactory, and recommends a condition setting out a number of alterations.

#### 4.3. Prescribed Bodies

**An Taisce** – states that it is not considered that seven dwellings on the site are justified – the proposed development would exacerbate car dependency.

## 4.4. Third Party Observations

One letter submitted objecting to the proposed development.

# 5.0 Planning History

No information on file of previous applications or appeals on the landholding.

# 6.0 **Policy Context**

#### 6.1. Development Plan

The development plan at the time of the application was the Meath County Council Development Plan 2013-2019. A new Development Plan (2021-2027) is operative as from 3<sup>rd</sup> November 2021. In both CDP's the area is in open agricultural countryside. The main policies that apply are for rural settlement and the re-use of vernacular buildings.

## 6.2. Natural Heritage Designations

There are two Natura 2000 sites within 10km – both approximately 5km to the west – the River Boyne and River Blackwater SAC site code 002299 and the River Boyne and Blackwater SPA, side code 00323. The site is not within the catchment of these rivers. The nearby River Nanny drains to the River Nanny Estuary and Shore SPA site code 004158 – this is just over 20km to the east.

#### 6.3. **EIAR**

Having regard to the nature of the proposed development, its relatively small scale within an existing complex of structures, and the absence of any sensitive receptors in the immediate vicinity, the development would not result in a real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded and a screening determination is not required.

# 7.0 **The Appeal**

## 7.1. **Grounds of Appeal**

#### Grainne O'Neill of Gerrardstown, Navan

- It is argued that the appeal is invalid as the applicant included the appellants
  property (Folio Map included). It is claimed that the site notice was erected on
  the appellant's tree. It is submitted that the planning authority failed to
  address the issue of the site notice as raised by the appellant.
- It is argued that the applicant did not address the issue of local need in the response to further information and it is strongly questioned whether it is consistent with settlement policy.
- Refers to ABP decision ABP-309676-21 in support for the argument that no additional dwellings should be granted in the area.
- It is questioned as to whether the proposed development is for agricultural staff as submitted.
- A number of other concerns are raised, relating to the proposed management company, completion of the proposed development water supply (notes heavy extraction for nearby egg production facility) and wastewater treatment, the absence of an archaeological assessment (notes proximity of Gerardstown Castle), local health and nuisance issues, and the absence of an assessment on traffic impacts.

## 7.2. Applicant Response

- Some background to the application is set out it is stated that the buildings
  are associated with the Gerrardstown Castle and are at least 200 years old.
- It is noted that policy RD POL33 allows for the conversion of such buildings.
- Notes that while the planning authority did not set a management condition, it is open to the Board to do so.
- It is questioned as to whether the appellant would suffer any loss of amenity.

- It is submitted in some detail that the applicant is fully in line with the National Spatial Policy in terms of supporting investment in rural areas in addition to relevant provisions of the CDO, in particular S.24 in relation to the rural economy and counterbalancing agricultural decline (4.4). It is further submitted that it is consistent with the 2021 Development Plan with regard to vernacular agriculture and the rural housing test (RUR POL 2). Notes the planning authority did not consider that it was contrary to policy.
- It is argued in some detail that the applicant does not have to have full legal title over the land to make an application, and that the issue of legal title to the lands is irrelevant to the application, as per S.34(13) of the Acts, as amended.
- It is argued that rural housing policy does not apply in this case of a
  restoration of an existing building. It is submitted that given the scale of the
  outbuildings, the proposed number of units is acceptable the decision of the
  planning authority to delete no.2 is noted.
- It is argued in great detail that 'local need' requirements do not apply as it is
  the restoration of an existing building the comments of the planning
  authority are noted.
- It is noted that it is under the discretion of ABP to set conditions relating to bonds and property management.
- It is noted that the planning authority are satisfied with water and wastewater proposals.
- It is noted that while the buildings are vernacular and historic, there will be minimal ground works so no archaeological investigation should be needed.
- It is stated that there is no evidence available to the applicant about alleged nuisance ('fly swarms') in the area.
- It is submitted that the access is safe and has full sight lines.

## 7.3. Planning Authority Response

The planning authority requests that ABP upholds its decision to grant and refers the Board to the planners report on file.

## 7.4. Further Responses

None on file.

## 8.0 **Assessment**

Having inspected the site and reviewed the file documents, I consider that the appeal can be addressed under the following general headings:

- Legal and property issues
- Principle of development
- Design and historic conservation issues
- Amenity
- Water and wastewater supply
- Flooding
- Health and nuisance
- Traffic and transport
- Appropriate Assessment
- Other issues

## 8.1. Legal and Property issues

The appellant has argued that the notice was erected incorrectly and on a tree within her property. I note that the planning authority is satisfied that the application was correctly advertised and the site notice was visible on my site visit. It is also argued that part of the site is not within the applicant's property. From the information available on file I am satisfied that the application was advertised in

accordance with the Regulations and that the applicant has sufficient standing to make the application. In other respects, S.34(13) of the Act, as amended, applies.

## 8.2. Principle of Development

The appeal site is in open agricultural countryside without a specific zoning designation. The structures on the site are not on the NIAH, nor are they protected structures, but it is clear from my inspection and file information that they have significant local historic and conservation value.

The application was decided when the Meath County Development Plan 2013-2019 was the active plan for the area. The CDP 2021-2027 came into effect in November 2021. The substantive policies of relevance have not changed significantly.

The two key policy areas in the Meath County Development Plan (MCDP) of relevance are rural settlement policy and policy for vernacular rural buildings. The planning authority noted the balance to be achieved between permitting dwellings in a rural area outside a serviced settlement and the benefits of bringing local vernacular buildings back into productive sustainable use.

Settlement strategy (section 3.4 of the 2021 MCDP) outlines its context within the NPF and RSES with a focus of supporting a continuation of balanced population and employment growth in self contained settlements. Rural development strategy (RUR DEV SO 1) states that it is policy to support the continued vitality and viability of rural areas, environmentally, socially and commercially by promoting sustainable social and economic development. Gerrardstown is in an area identified as being under strong urban pressure (map 9.1) and as such applications for dwellings are only considered if they satisfy the housing requirements of persons who are an intrinsic part of the rural community in which they are proposed, subject to compliance with normal planning criteria (RD POL 1). The application is for units either for sale or for the use of agricultural workers - although information provided on its possible use for agricultural workers is somewhat vague.

Policy on vernacular buildings in rural areas are set out in a series of policy objectives, as follows:

#### RD POL 31

To encourage and facilitate the appropriate refurbishment of existing housing stock in rural areas and in certain limited cases the replacement of existing dwellings subject to development assessment criteria outlined below.

#### RD POL 32

To oppose the demolition and replacement of traditional or vernacular rural houses in order to protect the varied types of housing stock in rural areas of the County and to preserve the rural built heritage.

#### RD POL 33

To consider the limited conversion of outhouses and other structures attached to large country houses or other heritage structures where acceptable conservation practice is observed in line with the other policies and objectives of this plan and where acceptable site suitability has been established in terms of access, car parking, open space, wastewater disposal and maintaining the setting and amenities of the main structure.

#### RD POL 34

To respect the sensitive restoration and conversion to residential use of disused vernacular or traditional dwellings or traditional farm buildings, including those which are Protected Structures, such proposals shall not be subject to the Rural Housing Policy (i.e. local need) that applies to new dwellings.

I note in particular that RD POL 34 states that local need criteria does not apply when a restoration or conservation is carried out appropriately.

The planning authority, following the submission of revised plans appear satisfied that the overall benefits of bringing these structures back into use outweigh the ambiguity over whether the proposed dwellings would satisfy rural settlement policy. On balance, I consider this an appropriate and pragmatic response and in line with the objectives of the MCDP. The structures are prominent (sited on a slight rise, although not clearly visible from the road) and have long been abandoned, although they would appear to be at least early 19<sup>th</sup> Century, probably earlier in origin. They may have a connection with the larger Gerrardstown Castle and demesne. There

are no visible remains of the castle indicated in the oldest OS plans – Gerrardstown House was to the east of the existing complex and there seems to be few remains, just the walls associated with the demesne and gardens. There are indications of an older medieval settlement around 700 metres to the east, where there are some recorded ancient monuments.

I note that the planning authority set a condition (condition 2) deleting house no.2. The reason given for this in the second planning report is that it was considered that this is a 'new build' and as such would be contrary to policy on rural settlement. I would concur with this assessment.

I conclude that the approach of the planning authority was correct, and that on balance the benefits of a high quality design approach to restoring these structures to residential use outweighs policy considerations (local, regional and national) on rural housing, specifically in areas under strong urban pressures. I consider that in principle the proposed development is acceptable subject to normal design, planning and environmental considerations.

# 8.3. **Design and historic conservation issues**

The application was subject to significant changes at further information stages - I will confine my assessment to the final set of plans submitted, in June 2021.

The stone building complex – largely abandoned apart from some agriculture

The stone building complex – largely abandoned apart from some agriculture storage, consists of a 2-storey stone farmhouse on the eastern side of a small courtyard, with a 2-storey high row of stone outbuildings along the northern side, and a smaller stone building on the western side. There is a further small stone building on the south-western corner. A mostly ruined wall runs along the southern boundary. This small stone complex is part of a more extensive series of stone buildings and structures including outbuildings further north (in current use for cattle), and there is what seems to have been an inner stone wall lined demesne to the north-east of the site. On the opposite side of this demesne older OS plans indicate the site of what is indicated as Gerrardstown Castle or Gerrardstown House – there are no visible remains of this house. Further to the east are the scattered remains of what may have been a medieval settlement with a number of recorded monuments including a ruined church.

The applicants house – a modern bungalow – is immediately west of the compound. An enclosed egg producing facility is to the north, on lower ground closer to the Nanny river, which runs through a shallow valley west to east. There is a modern bungalow at the site entrance to the main road (not part of the landholding).

The buildings are not protected structures and are not on the NIAH, but they appear to be at least early 19<sup>th</sup> Century in origin as they are visible in the oldest OS plans. They are derelict, but still in reasonable structural condition, although any works to bring them up to modern standard would have to be very substantial.

The application, as revised, is for five dwellings – one 1-bedroom house, three 2bedroom houses and one 3 bedroom house. A total of 12 parking spaces are proposed. One new dwelling is proposed (north and adjoining the existing stone dwelling), all other works are substantially within the shells of the existing structures. The roofs are in poor condition and will have to be substantially repaired, but it is proposed to replace them with refurbished or new slate. The stone finish is to be substantively maintained. A number of new opes are proposed. Following a recommendation from the Meath Architectural Conservation officer, a number of alterations to the proposed opes was set by condition. This removed the elongated new opes to replace them with square or almost square opes to match the existing. It was also set by condition that no uPVC windows or rainwater goods be used. As these buildings are not protected structures, I consider quite radical architectural interventions to be acceptable in principle so long as the overall architectural standard is good and the vernacular character of the cluster of buildings is protected. I consider that in this case the design is sympathetic to the originals, of a good overall standard, and will protect the character of the buildings. I would recommend that the alterations set by the planning authority be repeated.

I note that although there are recorded ancient monuments several hundred metres to the east of the site, and there is evidence that the area around Gerrardstown has been occupied since medieval times, there is no direct evidence of archaeology on the site, and as the works will require minimal deep earthworks, I do not consider that an archaeological study is necessary.

#### 8.4. **Amenity**

The proposed dwelling units address each other over the existing courtyard, but do not overlook each other to any significant degree. Overall internal amenity is up to an acceptable standard. The relationship to the applicants dwelling is acceptable as there is sufficient distance between them to ensure there is no overlooking or overshadowing or other such impacts. They are adjacent an active farmyard with cattle shed, but given the overall context I do not consider this to be a problem. The other close dwelling is the bungalow next to the site entry (300 metres from the proposed units), but I do not consider that there are any direct impacts to this dwelling, although there would be more traffic using the lane. But as this is an active agricultural lane serving an egg production facility including the farm any increase in traffic would not be particularly significant. The cluster would be in sight of Staffordstown House to the east, some 900 metres away. There is another large farmholding 250 metres to the south-east, largely screened by existing hedges. In other respects, it would not be particularly visible from public areas or other houses.

## 8.5. Water and Wastewater supply

It is proposed to service the site from an existing private borehole well and with a wastewater treatment system and disposal to geology.

The proposed wastewater treatment system is on the north-eastern corner of the site. A site characterisation form was submitted with the application, which in summary states that the land is on a poor aquifer in an area with high vulnerability. The site assessment indicated generally well-drained deep deposits of silts and sands with no groundwater encountered to 2.1 metre. It is within 60 metres of a watercourse, the Nanny River. From my observations during the site visit, this assessment is consistent with similar sites in the area and the generally well drained characteristics of the land, although I note plenty of evidence of land drainage to the east of the site (visible in older OS maps).

The planning authority has accepted that the proposed wastewater treatment system is acceptable and in line with EPA guidance. I note that having a shared system between dwellings creates potential issues with maintenance, but I consider that this can be addressed by way of condition.

#### 8.6. Flooding

The proposed development is within 100 metres of the River Nanny, but is on a distinct elevated ridge above the River. There are also drains (probably originally natural watercourses) running through the hedgerow on the eastern side of the landholding – this is also at a distinctly lower level – I would estimate around 7-9 metres – below the level of the existing buildings and the proposed wastewater treatment plant. The lands to the east would appear to have been extensively drained in the early 19<sup>th</sup> Century or earlier.

There are no records on file to indicate that the site is subject to flooding and as the site is already largely hardstanding or building, there would be no impact on run-off, so I do not consider that there are any flood or drainage implications.

#### 8.7. Health and nuisance

The appellant raised concerns about health and nuisance from the proposed development. While as noted above, there would be additional cars passing the dwelling at the junction with the private road, I do not consider this to be significant in the overall context of an existing working farm. With normal good practice control and given the separation distance, I do not consider that construction or associated works would impact on any local residents. The appellant has raised concerns about fly infestation and other such issues, but I do not consider that there is any reason to consider that the proposed works would exacerbate any existing problem.

## 8.8. Traffic and Transport

The proposed development is connected to the main road via an existing private access lane. Although there is one large mature tree on the east side of this access which somewhat restricts vision, the road at this point is relatively wide and straight for a country road, and the planning authority is satisfied that all adequate sight lines can be achieved.

While the conversion of the structures to dwellings will significantly increase car traffic, as the landholding is an intensively operated farm operation, I do not consider that there would be a significant overall net increase in traffic usage of the road having regard to its use providing access to the farm and egg facility.

#### 8.9. Appropriate Assessment

There are two Natura 2000 sites within 10km – both approximately 5km to the west – the River Boyne and River Blackwater SAC site code 002299 and the River Boyne and Blackwater SPA, side code 00323. The site is not within the catchment of these rivers. The nearby River Nanny drains to the River Nanny Estuary and Shore SPA site code 004158 – this is just over 20km to the east.

The River Boyne and River Blackwater SAC, site code 002299 has five qualifying interests – Alkaline fens, alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior*, and the presence of River Lamprey, Salmon and Otter. The conservation objective is generally speaking to restore the favourable conservation condition of these habitats and species.

The River Boyne and River Blackwater SPA, site code 004232 has one qualifying interest – the presence of Kingfishers. The Conservation objective is to maintain or restore the favourable conservation condition of the Kingfisher.

The proposed development impacts only on a cluster of buildings at least 200 years old – most of it appears to have been either derelict, or preceding that, part of a small demesne for at least a century. There are no species on the site associated with the qualifying interests. The site is within 100 metres of the River Nanny, at a point where this river runs through a very intensively worked landscape – there are intensive farm activities on either side of the river within this area, including an egg farm within the site, and at least two intensive farm holdings within a few hundred metres. The Nanny flows over 20 km to the River Nanny Estuary and Shore SPA site code 004158. The qualifying interests for this estuarine/marine SPA are as follows:

Oystercatcher (Haematopus ostralegus)

Ringed Plover (Charadrius hiaticula)

Golden Plover (Pluvialis apricaria)

Knot (Calidris canutus)

Sanderling (Calidris alba)

Herring Gull (Larus argentatus)

Wetland and Waterbirds

The planning authority carried out a screening process which identified all European sites for which significant effects cannot be excluded. I can confirm that there are no additional sites for which I would consider there would be significant effects, so no additional sites other than those assessed need to be brought forward for inclusion in the screening.

As the proposed development is not within the catchment of the Boyne and there is no hydraulic continuity, I conclude that the Boyne designated sites can be screened out. The works are close to the Nanny River, but given the relatively small scale of the works within an already intensively farmed landscape, the attenuation distance of the Nanny from the designated estuarine SPA, and the nature of the qualifying interests, I am satisfied that there would be no significant effects.

I have examined the screening in the context of my site visit and other available sources of habitat and environmental data and I am satisfied that it includes sufficient information to allow the Board to carry out a complete assessment of all aspects of the project. I am satisfied that a conclusion of no significant effects can be reached. I am therefore satisfied that the proposed development, in itself or in combination with other plans or projects, would not be likely to have a significant effect the integrity of European sites no. 002299 or 004232 or 004158 or any other European site, in view of these sites Conservation objectives and thus a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

#### 8.10. Other issues

I do not consider that there are any other significant issues arising in this appeal. The planning authority did not consider that any development contributions applied.

#### 9.0 **Recommendation**

I recommend that subject to the conditions set out below the Board grants permission for the proposed development for the following reasons and considerations.

## 10.0 Reasons and Considerations

Having regard to the existing cluster of building on the site and its relationship with surrounding buildings and the overall landscape, and notwithstanding its location within a rural area, it is considered that subject to the conditions set out below the restoration of farm buildings to residential use would be in accordance with the policies of the Meath County Development Plan and the Sustainable Rural Housing Guidelines, would not seriously injure the amenities of the area and would otherwise be in accordance with the proper planning and sustainable development of the area.

## 11.0 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 25<sup>th</sup> day of June 2021 and 7<sup>th</sup> day of July 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason**: In the interest of clarity.

- 2. The proposed development shall be amended as follows:
  - (a) House no.2 as identified on the site layout plan submitted to the Planning Authority on the 25<sup>th</sup> say of June 2021 shall be omitted.
  - (b) Windows at first floor level to the main block (rear elevation as per DWG No.20-097-PP-006) to be redesigned to be proportionally as per the existing windows, where the height and width are similar, almost square. Windows with a ration of more than 2:1 in the vertical (i.e., longer in the vertical axis) to be deleted or replaced with square or near square windows.

(c) All rainwater goods shall be cast aluminium and the windows shall be timber or aluminium.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

3. A schedule of all materials to be used in the external treatment of the development to include proposed brick, roofing materials, windows, doors and gates shall be submitted to and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure an appropriate standard of development/conservation.

4. A full architectural survey of buildings proposed for demolition shall be carried out and shall be submitted to the planning authority prior to commencement of development. Archive standard drawings and a photographic survey shall be prepared in accordance with the requirements of the planning authority.

**Reason:** In order to facilitate the conservation, preservation and/or recording of the architectural heritage of the site.

5. The management and maintenance of the proposed development, following completion, shall be the responsibility of a legally constituted management company, which shall be established by the developer. A management scheme, providing adequate measures for the future maintenance of the development; including the external fabric of the buildings, internal common areas, landscaping, roads, paths, parking

areas, lighting, waste storage facilities and sanitary services, shall be submitted to and agreed in writing with the planning authority, before the proposed units are made available for occupation.

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

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

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

7. The water supply to serve the proposed dwelling shall have sufficient yield to serve the proposed development, and the water quality shall be suitable for human consumption. Details, demonstrating compliance with these requirements, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate water is provided to serve the proposed dwelling, in the interest of public health.

8. A proprietary effluent treatment and disposal system shall be provided. This shall be designed, constructed and maintained in accordance with the requirements of the planning authority. Details of the system to be used, and arrangements in relation to the ongoing maintenance of the system, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Within three months of the first occupation of the dwelling, the developer shall submit a report from a suitably qualified person with professional

indemnity insurance certifying that the proprietary effluent treatment system has been installed and commissioned in accordance with the approved details and is working in a satisfactory manner.

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

Philip Davis

. Planning Inspector

22<sup>nd</sup> July 2022