



An
Bord
Pleanála

Inspector's Report

ABP-312032-21

Development

Planning permission is sought for the renovation and refurbishment of an existing cottage; demolition of the existing flat roof single storey return; and construction of a 2-storey extension to the rear of the dwelling together with all ancillary works.

Location

No. 6 Black Bull Cottages, Dublin Road, Drogheda Co Louth.

Planning Authority

Louth County Council.

Planning Authority Reg. Ref.

21128.

Applicant(s)

Ellen & Fintan Lynch.

Type of Application

Planning Permission.

Planning Authority Decision

Refused.

Type of Appeal

First Party

Appellant(s)

Ellen & Finton Lynch.

Observer(s)

None.

Date of Site Inspection

31st day of January, 2022.

Inspector

Patricia-Marie Young.

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1.0 Site Location and Description

- 1.1. No. 6 Black Bull Cottages, the appeal site has a stated 0.055ha and it is located on the southern side of the R132 (Dublin Road) c0.6km to the south east of Drogheda's Mac Bride Railway State, as the bird would fly, and c38m to the west of the R132's intersection with the Longwood residential scheme as well as c101m to the south east of 'The Avenue', in the southern fringes of Drogheda, in south County Louth.
- 1.2. The site consists of a period single storey brick terrace which forms part of a group of seven period structures that are served by a separate private gated laneway that provides vehicle access to the rear of these properties as well as for all but the cottage at the end of the cul-de-sac lane separates these properties and their later additions from separate private amenity spaces that also includes garages and shed structures.
- 1.3. At the time of inspection, it was unoccupied, and scaffolding was erected across its principal façade. In addition, significant refurbishment works were on-going on the adjoining single storey period end of terrace property No. 7 to the west and the adjoining property to the east was a more substantial 2-storey period property.
- 1.4. To the front of No. 6 there is a front garden area separating it from the public domain of the Dublin Road. A pedestrian access is centrally placed on the roadside boundary and opens onto a generous in width public domain comprising of a pedestrian footpath and a grass tree planted pocket of open space.
- 1.5. The surrounding area has a mature residential character with No.s 1 to 7 Black Bull Cottage presenting an attractive period built insertion that address the Dublin Road. The Longwood residential development scheme, which adjoins the site to the rear, is characterised by detached 2-storey properties that share similar setbacks from the roadside edge. Directly opposite the site is the Glanbia processing facility.

2.0 Proposed Development

- 2.1. Planning permission is sought for:
 - Renovation and Refurbishment of the existing cottage on site.
 - Demolition of the existing flat roof single storey return.
 - Construction of a 2-storey extension to the rear of the dwelling.

- Installation of a surface water disposal system.
 - All associated site works.
- 2.2. This application is accompanied by a letter of consent of the property owner to make this application.
- 2.3. The accompanying planning application form indicates that the existing floor space is 64m²; the gross floor space to be retained is 44m²; the gross floor space of proposed works is 64m² and the gross floor space of demolition is 20m². It further indicates that this proposal would result in a 3-bedroom dwelling unit and that the site is served by an existing water as well as mains connection.
- 2.4. On the 11th day of October, 2021, the Planning Authority received the applicant's **further information response**. The main revisions included an increased setback from the building line to the north and a reduction in the first-floor proposals size from 30m² to 25m². The now proposed first floor level amendments result in an increased setback of the first-floor level from the adjoining property No. 7 to lateral separation distance of 3.7m and a reduction of its height by 400mm to 5.89m than that originally sought.
- 2.5. In addition, the external treatments have been reconsidered with a soft/grey, white clay brick with a white mortar joint with this change seeking to achieve harmony with the redbrick exterior of the subject building's principal elevation; the two first floor level northern elevation windows are now proposed to be glazed in opaque glass; through to additional surface water information was also provided.
- 2.6. This response was accompanied by revised public notices.
- 2.7. Of note the revisions result in a reduction of the finished floor level of 108m² to 103m².

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 28th day of December, 2021, the Planning Authority's decided to **refuse** planning permission for the following single stated reason:

"Having regard to the provisions of the Drogheda Borough Council Development Plan 2011-2017, the pattern of the area and the nature, scale and extent of development

proposed for this modest existing vernacular single storey terraced cottage, it is considered that the proposed extension, by reason of its height, scale, bulk, mass and design would seriously injure the residential amenities by reason of visual obtrusion and overbearance. It is also considered that the design shows a lack of harmony with the main dwelling and built forms within its visual settings and for this reason would seriously injure the visual amenities of the area. The proposed development would be contrary to Policy Section 6.6.9 of the Development Plan and the land use objective for 'Residential Existing' zoned land which seeks to protect and enhance the amenity of developed residential communities. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area".

3.2. Planning Authority Reports

3.3. Planning Reports

- 3.3.1. The **final Planning Officer's** report, dated the 26th day of October, 2021, is the basis of the Planning Authority's decision. In this report the Planning Officer considered that the 2-storey extension still remained overly prominent and that its visual impact as appreciated from Dublin Road had not been significantly reduced. It was also considered that amendments to the proposed development do not integrate or harmonise with this modest vernacular single storey cottage. As such it was considered that the proposal would be visually incongruous, would seriously injure the visual amenities of the area and detract from the character and setting of this terrace of dwellings. This report concludes with a recommendation of refusal.
- 3.3.2. The **initial Planning Officer's report**, dated the 19th day of March, 2021, concluded with an additional information request on the following items:
- Item No. 1: Sought revised plans addressing the lack of design harmony and respect with the main dwelling and its surroundings.
- Item No 2: Sets out that the two first floor windows on the northern elevation would overlook and have a negative/injurious impact on the private amenity space of the adjoining site.
- Item No.3: Compliance with BRE 365 is sought.
- Item No. 4: Advises that new public notices may be required.

3.4. Other Technical Reports

3.4.1. None.

3.5. Prescribed Bodies

3.5.1. None.

3.6. Third Party Observations

3.6.1. During the course of the Planning Authority's determination of this application 1 no. Third Party Observation was received. It can be summarised as follows:

- The two-storey extension to the rear of No. 6 is not supported as it would block light to their property (No. 7) with the light that is available already compromised by the high trees growing on the next door property ('Barlogue'). If permitted, sunlight would be totally blocked.
- The first-floor level would significantly reduce their privacy.
- The diminishment of sunlight and privacy would devalue their property.
- The two-storey extension is out of character to the rear of this small terrace row.
- The proposed two storey element would be contrary to local planning provisions.

4.0 Planning History

4.1. Site

4.1.1. None.

4.2. Setting

4.2.1. Rear Private Amenity Space of No. 1 Black Bull Cottages

ABP-310390-20 (P.A. Ref. No. 21296): On appeal to the Board planning permission was **granted** subject to conditions for a detached single-storey (c. 90m²), two-bedroom dwelling house together with boundaries, connection to services and all associated development works. Of note Condition No. 2 sought the omission of 'Bedroom 1' from the proposed development in the interests of visual and residential amenity.

ABP 304572-19 (P.A. Ref. No. 18/799): On appeal to the Board planning permission was **refused** for the construction of a dwelling house and new entrance and new site boundaries for the following stated reasons and considerations:

“It is an objective of national policy as set out in the “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas” issued by the Department of the Environment, Heritage and Local Government in May 2009 and the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government in December 2015 to ensure high quality in the design and layout of places and neighbourhoods and in individual residential units. Having regard to the restricted floor area of the proposed house, the restricted access to private amenity space, the restricted access to natural ventilation, daylight, and direct sunlight for the internal living spaces through to the substandard nature of the internal spaces it is considered that the proposed development would seriously injure the residential amenity of future residents of the proposed development. For these reasons, the proposed development would be contrary to the proper planning and sustainable development of the area.”

ABP PL15.249149 (P.A. Ref. No. 16/686)

On appeal to the Board planning permission was **refused** for a single storey two bed house with a stated 64m² floor area, accessible from the Longwood access road for the following stated reasons and considerations:

“It is an objective of national policy as set out in the “Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas” issued by the Department of the Environment, Community and Local Government in May 2009 and the “Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities” issued by the Department of the Environment, Community and Local Government in December 2015 to ensure high quality in the design and layout of places and neighbourhoods and in individual residential units. Having regard to the restricted floor area of the proposed house, the restricted access to natural daylight and direct sunlight for the proposed living/dining room, the unacceptably poor amenity

value of the private open space located to the north of the proposed house it is considered that the proposed development would seriously injure the residential amenity of future residents of the proposed development.”

5.0 Policy & Context

5.1. Development Plan

- 5.1.1. The Louth County Development Plan, 2021 to 2027, is the operative plan. It replaces the Drogheda Borough Council Development Plan 2011-2017 and under Section 1.1 also sets out the Councils intention to prepare an Urban Area Plan.
- 5.1.2. Section 3.16.2 of the Development Plan is relevant. It deals with the matter of extensions to dwellings and states: *“the need for people to extend and renovate their dwellings is recognised and acknowledged”* and that: *“extensions of appropriate scale will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surround area”*.
- 5.1.3. Policy Objective HOU 33 of the Development Plan is relevant. It sets out that the Council will seek: *“to promote the use of contemporary and innovative design solutions subject to the design respecting the character and architectural heritage of the area”*.
- 5.1.4. Policy Objective HOU 34 of the Development Plan is relevant. It sets out that the Council will seek: *“to encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment, residential amenities, surrounding properties, of the local streetscape and are climate resilient”*.
- 5.1.5. Section 3.18 of the Development Plan is relevant. It deals with the matter of Vernacular Dwellings and Buildings and states: *“traditional vernacular dwellings make important contribution to the character of the rural landscape in the County”* and that: *“the Council will encourage the preservation of vernacular dwellings through careful restoration and adaption over their demolition and replacement”*. In addition, it sets out that Sections 13.9.11 and 13.9.12 provide design criteria for the restoration of vernacular dwellings and buildings.
- 5.1.6. Policy Objective HOU 48 of the Development Plan is relevant. It states that the Council will seek: *“to encourage the sensitive refurbishment of existing vernacular dwellings and buildings and to generally resist the demolition and replacement of these buildings*

in order to protect the traditional building and housing stock and preserve the built heritage in the rural parts of the County”.

- 5.1.7. Policy Objective HOU 49 of the Development Plan is relevant. It states that the Council will: *“require applications for refurbishment of vernacular dwellings/buildings to comply with the standards and criteria set out in section 13.9.12 of Chapter 13 Development Management Guidelines which relate to the ‘Refurbishment of Existing Vernacular Dwellings and Buildings”.*
- 5.1.8. Section 9.1 of the Development Plan recognises that vernacular structures form part of Louth’s built heritage and is an intrinsic part of its identity.
- 5.1.9. Section 9.8 of the Development Plan deals with the matter of Vernacular heritage and again recognises its contribution to unique local history and character of place. It states that: *“while these older buildings may not merit specific designation as Protected Structures, their form, scale, materials and orientation contribute positively to the rural landscape in addition to the towns and villages of Louth, establishing the distinctive character of a particular area”.*
- 5.1.10. It also recognises that these buildings once commonplace are now becoming increasingly rare and that the Council will encourage and promote their re-use rather than their replacement but also recognising the need for such buildings to evolve and survive.
- 5.1.11. It further states: *“alterations to individual buildings can have a significant and cumulative effect on streetscapes and landscapes”* and that: *“any changes proposed to a vernacular structure should be sympathetic to its special features and its character while ensuring its continued use”.*
- 5.1.12. Policy Objective BHC 42 of the Development Plan is relevant. It states that the Council will seek: *“to promote, where feasible, the protection, retention, sympathetic maintenance and appropriate revitalisation and use of the vernacular built heritage, including thatched cottages and other structures in both urban and rural areas which contribute to the streetscape and landscape character and deter the demolition of these structures”.*

- 5.1.13. Section 13.9.11 of the Development Plan sets out that the Council: “*will encourage the preservation and upkeep of vernacular dwelling through careful restoration or adaptation over its demolition and replacement*”.
- 5.1.14. Section 13.9.12 of the Development Plan deals with the matter of refurbishment of existing vernacular dwellings and buildings. This section of the Development Plan also sets out the criteria that the Planning Authority shall consider in dealing with such applications.
- 5.1.15. Appendix 16, Volume 3, of the Development Plan sets out the characteristics of vernacular buildings.

5.2. Natural Heritage Designations

- The site is located c1.1km to the south of the Special Area of Conservations: River Boyne & River Blackwater SAC (Site Code: 002299).
- The site is located c1.1km to the south west of the Special Protection Areas: Boyne Estuary SPA (Site Code: 004080).

5.3. EIA Screening

- 5.3.1. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, the characteristics of the urban landscape in between the Natura 2000 sites and the subject site, which is brownfield containing an existing serviced dwelling, 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. The grounds of this First Party Appeal, which was received by the Board on the 24th day of November, 2021, can be summarised as follows:

- The appellant seeks that the Planning Authority's decision is overturned on the basis that the proposed development accords with local planning provisions.
- It is not accepted that the proposed development would give rise to adverse residential and/or visual amenity impacts if permitted.
- The subject dwelling is not part of a matching pair.
- The proposal would give rise to a modest compact home that would not be overly obtrusive, bulky or dominating in its visual environment.
- This building needs modernisation and has little to no thermal performance.
- It is sought to maintain built fabric as much as possible.
- The available garden space exceeds standards.
- The surrounding area is built up and mature containing multiple differing ridge heights and architectural built forms.
- The works are to the rear and there will be minimal change to the front elevation of the property.
- The two-storey element has a lower ridge height to the adjoining No. 5 property.
- The predominant built form in this setting is two storey and the site is situated opposite the imposing Glanbia facility.
- The site is overshadowed and out scaled by neighbouring trees.
- The two-storey rear extension will appear subservient and would nestle into its existing context. In addition, the external treatment would add to its subservient appearance and would help it positively contribute to the streetscape.
- This building is not a Protected Structure and does not form part of a conservation area. In addition, the terrace it forms part of has not been frozen in time and has been subject to several alterations as well as additions since its construction.

6.2. Planning Authority Response

- 6.2.1. The Planning Authority's response, received on the 20th day of December, 2021, indicates that they have no comments to make and refer all parties to their Planning Officer's reports on file.

6.3. Observations

6.3.1. None.

7.0 Assessment

7.1. Preliminary Comment

7.1.1. Having inspected the site and its setting, having had regard to the information presented by the parties to the appeal and in the course of the planning application alongside having regard to relevant planning policy provisions and guidance, I consider the key planning issues relating to the assessment of the appeal relate to the Planning Authority's decision notification to refuse planning permission for a development that essentially consists of partial demolition of a non-original rear extension; the refurbishment and renovation of a single storey vernacular dwelling together with the construction of a part single and part two storey extension to the rear are as follows:

- Principle of the Proposed Development.
- Visual Amenity Impact.
- Residential Amenity Impact.

7.1.2. The matter of 'Appropriate Assessment' also requires examination.

7.1.3. My assessment below is based on the revisions made by the applicant in their further information response received by the Planning Authority on the 11th day of October, 2021. This is due to these revisions including improvements that would lessen the potential for adverse impact to arise from the proposed development on adjoining properties. Alongside the modest improvements that the revised design proposes a more qualitative palette of materials are now proposed.

7.2. Principle of the Proposed Development

7.2.1. The development for which planning permission is sought under this application relates to alterations and additions to an existing vernacular dwelling that forms part of a parcel of urban land zoned 'A1' – Existing Residential under the Development Plan. The stated land use objective for existing residential zoned lands is: "*to protect and enhance the amenity and character of existing residential communities*".

- 7.2.2. Section 13.16.2 of the Development Plan which deals with the matter of extensions to dwellings sets out that extensions of appropriate scale will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area. In addition, Policy Objective HOU 34 indicates that the Council will: *“encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment, residential amenities, surrounding properties, or the local streetscape and are climate resilient”*.
- 7.2.3. In relation to extensions and refurbishment of vernacular dwellings the Development Plan generally supports such development subject to such applications demonstrating compliance with policy objective HOU 48 of the Development Plan. This policy objective requires applications for this type of development to comply with the standards and criteria set out in Section 13.9.12 of Chapter 13 Development Management Guidelines which relate to the *‘Refurbishment of Existing Vernacular Dwellings and Buildings’*.
- 7.2.4. Based on the above considerations, I consider that the general principle of this development is acceptable, subject to safeguards.

7.3. *Visual Amenity Impact*

- 7.3.1. As stated above the land use zoning objective for the site and its setting as set out in the Development Plan seeks to provide protection to visual amenities of the main dwelling and its setting. With the protection added to under the Development Plan due to the fact that the subject single storey dwelling is vernacular structure that together with the terrace group of single and two storey period properties it forms part of contribute positively to their streetscape scene along this stretch of the Dublin Road.
- 7.3.2. Whilst I acknowledge that the existing dwelling house, despite being extended to the rear, has a modest existing given floor area of 64m². Notwithstanding the dwelling is one of two single storey and very similar in built form, character, materials, and appearance structures that occupy the western end of a terrace group of seven period structures with the three adjoining and neighbouring properties to the immediate west being 2-storey in their terrace built form. Together with a similar counterbalance of two single storey terrace properties adjoining them on the opposite end of the terrace group. This placement of single and two storey built forms as appreciated from the public domain result in a simple and symmetrical balance placement of both modest

in overall built height, built form and similar in visual expression period buildings. As such it forms an intrinsic surviving original built feature of this attractive period terrace group within their streetscape scene.

- 7.3.3. Though not afforded any specific protection the subject property and the other six vernacular terrace dwellings add a sense of identity and place to their setting. With their surviving vernacular attributes contributing in a positive manner to the tapestry of built forms within this urban landscape as well as adding the variety of different architectural insertions along the heavily trafficked Dublin Road. As such they are an important built period insertion on southern approach road into the centre of Drogheda that gives this stretch of streetscape a unique sense of place and identity.
- 7.3.4. I therefore raise a concern in relation to the proposed design, the built form, height, massing, scale, and positioning of the proposed two storey extension relative to the subject dwelling and relative to the terrace group it would form part of. With this two-storey addition being an insertion that due to the modest ridge height of No. 6, the subject property, and No. 7, the adjoining single storey vernacular building would be highly visible from the public domain as it would despite its setback project above their given 4.52m ridge height. This ridge height is similar to that of No. 1 and 2 Black Bull Cottages that are the two single storey vernacular dwellings on the easternmost side of this terrace group.
- 7.3.5. As such the addition of such a structure would fail in my view to be visually subservient to the main dwelling of No. 6 and the adjoining property of No. 7 by way of its 5.89m flat roof northern elevation whether one appreciates it straight on or particularly from an angled south easterly view from the Dublin Road. In my view this visual incongruity above the modest gable shaped slate roof being added to by its angular boxed form, the contrasting use of materials through to it providing an effective eaves height that is significantly above that of No. 5 Black Bull Cottages, which is the adjoining two storey vernacular dwelling adjoining it on its western side.
- 7.3.6. In addition, the placement of a two-storey structure at this location behind the ridge height of No. 6 and extending over a significant width (Note: c5.8m) of this vernacular property would result in a significant imbalance of the unity of this terrace group. A terrace group that is characterised by the careful balance of centrally placed two storey

terrace properties that are flanked on either side by a pair of terrace single storey properties.

- 7.3.7. As such the two-storey proposed extension would in my view significantly diminish the main dwelling as a single storey period terrace structure that forms part of what are still highly coherent despite the loss of original window and door treatments group of two single storey buildings situated on the western side of the group of three two-storey terrace buildings. In addition, this would result in a significant diminishment of the surviving-built form of this terrace group of structures as the careful balance of flanking the two-storey group of three terrace properties by groups of two single storey structures on either side would be eroded by way of their historic ridge height being compromised by this new built insertion.
- 7.3.8. The use of a contemporary design approach is consistent with Policy Objective HOU 33 of the Development Plan which sets out that the Council will seek to promote the use of contemporary and innovative design solutions. Notwithstanding, this policy objective states that this is subject to the design respecting the character and architectural heritage of the area.
- 7.3.9. Moreover, policy objective HOU 34 of the Development Plan sets out that the Council will seek to encourage sensitively designed extensions to existing dwellings that do not negatively impact on the local streetscape.
- 7.3.10. Further, policy objective HOU 48 of the Development Plan sets out that the Council will seek to encourage the sensitive refurbishment of existing vernacular dwellings and will seek to protect the traditional building.
- 7.3.11. As part of this protection policy objective HOU 49 of the Development Plan is therefore relevant as it sets out that applications for refurbishment of vernacular dwellings/buildings will be required to comply with the standards and criteria set out in section 13.9.12 of Chapter 13 Development Management Guidelines which relate to the 'Refurbishment of Existing Vernacular Dwellings and Buildings.
- 7.3.12. In this regard Section 13.9.12 of the Development Plan requires that such applications to meet the following criteria:
- 1) *The structural integrity of the building. In order to assess this a building survey or Engineer's report from a suitably qualified professional shall be provided with any*

such application confirming that all external structural walls and internal walls are substantially intact and that the building is capable of being renovated/refurbished without demolition.

This information has not been provided with this application. I note that the original application was made prior to the applicable Development Plan being adopted and the revised proposals were also submitted prior.

Whilst it is incumbent on the Board to assess the proposed development on the operative plan in place and whilst I consider that the extent of works proposed for this modest vernacular building does give rise to structural stability concerns which would need some form of qualified professional assessment to provide assurance on this matter.

Notwithstanding, in this case there are fundamental concerns in relation to the appropriateness of what would be a highly visible new two storey built insertion in this context of a coherent and attractive vernacular terrace group at a location where the built form of the subject structure is single storey.

Should the Board be minded to grant permission despite the concerns raised in this report I advise that it includes a condition that seeks the provision of this information and provides appropriate mitigation measures to safeguard and protect the main vernacular structure from undue loss of original built fabric through to loss as a result of the level of structural intervention that compromises its structural stability and soundness.

- 2) *Any extension/alteration to the building respects the character and setting of the building and is complementary to the character of the existing buildings.*

As considered above I consider that the proposed two storey extension fails to respect the character of the main dwelling and the built form attributes of the terrace group it forms part of.

While I accept that since this terrace group was completed, the seven properties that it consists of having been subject to varying alterations and additions of varying qualitative outcome. What has survived is the careful balance of single and two storey structures that this terrace group is made up of. And where additions have been made these have corresponded with the building height of the subject

property with single storey additions to the rear of single storey terrace properties and single and part two storey additions are evident to the rear of two storey terrace properties. In particular, it would appear that the height of the main dwelling and their eaves have not been compromised by later additions.

These later extensions are not visible from the streetscape scene but are visible from the entrance to the Longwood residential estate and glimpses from within this residential scheme. As such from the public realm there are limited localised views of the later extensions to properties that make up this terrace group.

I am therefore of the view that the two-storey element despite the modest revisions made to it fails to be subservient or respectful to the main dwelling.

Moreover, it also would diminish the visual intactness of this vernacular terrace group, a built heritage feature that adds a sense of place and identity to its Dublin Road streetscape scene. With this group occupying a defined place within its streetscape scene. With this due to being situated to the immediate west of the intersection to Longwood Residential scheme and to the immediate east of a setback in the road which is adjoined by substantial tree planting and two substantially setback as well as set in large mature garden detached dwellings that separate this terrace group from 'The Avenue'/main access road Bryanstown. Further to the front of this terrace group is a triangular planted open space that provides a level of separation between the carriageway of the Dublin Road and the semi-private space to the front of the subject terrace group. As such the site and it's setting together with the built attributes and defining features of this terrace group form part of a distinctive period insertion within their urbanscape setting.

3) The design and scale of any extension is sympathetic to the scale, massing, and architectural style of the existing building.

As previously set out above, I raise no objection to the use of a contemporary architectural resolution to an application to renovate, refurbish through to extend a vernacular dwelling due to this approach being consistent with local to national guidance on such matters. With such an approach recognised as being one that allows for built layers to being legible as of their time as well as having the ability to be more light weight in their overall visual appearance. However, as discussed above the design and scale of the proposed two storey angular in massing flat

roofed non-subservient to the main dwelling extension together with the contrasting use of brick in a different hue to the main structure, would if permitted, not be sympathetic to the architectural style of the existing building or with the terrace group it forms an integral part of.

- 7.3.13. The Planning Authority in their single reason for refusal considered that the height, scale, bulk, mass, and design of the proposed extension would by reason of its visual obtrusion and overbearance would seriously injure the amenities of the area in a manner that would be contrary to the land use of the site which seeks to protect and enhance the amenity of developed residential communities.
- 7.3.14. I note that the land use zoning of 'Existing Residential' under the recently adopted Development Plan has not changed and that under policy objective HOU 34 of this recently adopted Development Plan it is a requirement that all extensions to existing dwellings be sensitively design and not result in any negative impact on their local streetscape setting.
- 7.3.15. The appellant does not accept that this would be the case and considered that this proposal would create a positive impact to its established built context which is a context that consists of the Dublin Road containing a predominance of two storey structures of differing ridge heights through to designs.
- 7.3.16. Based on the above considerations in this case I consider that the proposed extension does not accord with the policies and provisions for this type of development to a vernacular dwelling that forms part of a distinctive and attractive terrace group that positively contributes to its Dublin Road streetscape as well as contributes to this section of Dublin Roads unique sense of character, place, and identity. This in itself given the protection given to vernacular buildings and the requirements for developments to them which the proposed development fails to accord with, is sufficient basis to refuse planning permission for the proposed development sought under this application.

7.4. *Residential Amenity*

- 7.4.1. In my considered opinion the revised design has resulted in some improvements to the residential amenity impact of the proposed development on adjoining and neighbouring properties. In particular, the additional setback of the two storey additions from the western boundary of the adjoining property and the reduction in

overall height of the two-storey addition reduces the level of impact on the adjoining single storey dwelling of No. 7 Black Bull Cottages.

- 7.4.2. This adjoining property is significantly overshadowed from the mature trees to the west and there would be some level of diminishment arising from the two-storey addition to the rear of No. 5 Black Bull Cottages.
- 7.4.3. These properties are separated from their main private open space by way of a cul-de-sac lane which offsets the fact that this terrace group since its completion have been by and large extended into the area between the rear elevation and the line of this laneway. Despite the lack of a shadow study, I am cognisant that there is c3.5m setback of the 5.89m in height two storey addition from the shared boundary with No. 7 Black Bull Cottages would not give rise to significant additional overshadowing of this adjoining property or would it give rise to any significant overlooking on this property's established amenities.
- 7.4.4. Arguably the presence of a two-storey rear extension may be considered overbearing given its height and homogenous appearance against the modest height and scale of No. 6 and No. 7 Black Bull cottages. As well as when considered against the modest private amenity space remaining between them and the line of the cul-de-sac lane that separates them from their separate main private amenity space.
- 7.4.5. Based on the above considerations I am of the view that the residential amenity impact that would arise from the proposed development, if it were to be permitted, would not be out of character with the impacts that generally arise in suburban and urban contexts where period terrace properties often on tight or irregular shaped plots are extended to increase habitable area for occupants.

7.5. *Appropriate Assessment*

- 7.5.1. Having regard to the nature and scale of the proposed development within a serviced urban area and separation distance 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.

8.0 Recommendation

8.1. I recommend that planning permission be **refused**.

9.0 Reasons and Considerations

1. Having regard to the provisions of Louth County Development Plan, 2021 to 2027, the vernacular character of the subject property and it forming part of vernacular terrace group whose characteristic built features include the careful symmetry and balance of its single storey and two storey terrace properties, which has survived intact as appreciated from the streetscape scene of the Dublin Road, the Board considered that the proposed two storey extension, by reason of its height, bulk, angularity and overall design, would seriously injure the residential amenity of this terrace group by way of its lack of subservience, visual obtrusion and overbearing appearance.

It is also considered that the design resolution of the proposed extension lacks respect and harmony with the main dwelling, the adjoining single storey vernacular property of No. 7 Black Bull Cottages and the vernacular terrace group that consists of No.s 1 to 7 Black Bull Cottages within their visual setting and would diminish their integrity and character as appreciated from the public domain.

For these reasons it is considered that the proposed development would seriously injure the visual amenities in a manner that would be contrary to the 'A1 – Existing Residential' zone of the site and its setting which seeks to protect and enhance the amenity and character of existing residential communities.

In addition, it fails to accord with the criteria set out under Section 13.16.2 and policy objective HOU 49 of the Development Plan which requires extensions to vernacular dwellings to respect the character and setting of the main building as well as be complimentary to the character of existing buildings.

Moreover, under policy objective HOU 34 of the Development Plan there is general requirement for all extensions to dwellings to be sensitively designed and to not negatively impact upon their local streetscape context.

The proposed development, would therefore, be contrary to the proper planning and sustainable development of the area.

Patricia-Marie Young

Planning Inspector

21st day of February, 2022.