



An  
Bord  
Pleanála

## Inspector's Report

### ABP-315808-23

---

<b>Development</b>	Retention of existing front elevation to dwelling, front boundary wall and partly constructed outhouse and completion of outhouse
<b>Location</b>	Monaster South, Croom, Co. Limerick
<b>Planning Authority</b>	Limerick City and County Council
<b>Planning Authority Reg. Ref.</b>	221254
<b>Applicant(s)</b>	Eileen O'Donovan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission with Conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Diarmuid Cregan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	19 <sup>th</sup> June 2023
<b>Inspector</b>	Eoin Kelliher

## 1.0 Site Location and Description

- 1.1. The subject site is situated in the townland of Monaster South, circa 3.5km east of Croom, Co. Limerick. The site fronts onto a country road (L8014) and is bounded by the River Camoge to the north. The ruins of Monasteranenagh Cistercian Abbey are located circa 180m east of the site. Monaster Bridge, a stone road bridge spanning the River Camoge, is located immediately to the northeast of the site.
- 1.2. The site comprises a two-storey dwelling house with a single storey wing to the south, set on its own grounds and has a stated area of 0.33ha. The design of the house is influenced by traditional country houses with a symmetrical front façade containing a centrally positioned front door incorporating an elliptical fanlight and side lights. A detached outbuilding has been constructed to the north of and behind the rear building line of the house and is substantially complete. The roadside boundary of the site comprises a masonry wall ranging from 0.86m to 1.4m in height faced in stone and contains a recessed vehicular entrance incorporating four capped piers. There is a bungalow dwelling immediately to the southwest of the site.

## 2.0 Proposed Development

Permission is sought to retain the front elevation of the dwelling, which includes modifications to the permitted front door and first floor window overhead and the installation of a rooflight. Permission is also sought to retain a newly constructed roadside boundary wall and to retain and complete a detached outhouse with a stated floor area of 46.9sq.m to the side of the dwelling.

## 3.0 Planning Authority Decision

### 3.1. Decision

By Order dated 25<sup>th</sup> January 2023 Limerick City and County Council granted permission subject to 8 no. conditions. The following conditions are noteworthy:

**Condition No. 2** restricting the use of the outhouse building to storage purposes and purposes incidental to the use of the main dwelling and stipulating that the external

finishes of the outhouse building shall have the same colour and texture as the dwelling.

**Condition No. 3** stating that the interface between the roadside boundary and the parapet wall of Monaster Bridge shall be subject to detailed design to be agreed with the Municipal District Road Engineer and Architectural Conservation Officer of the Planning Authority.

**Condition No. 4** that an archival photograph record shall be kept of the works undertaken.

**Condition No. 8** that a row of native hedging shall be planted inside the roadside boundary wall to reduce the visual impact on views from the Cistercian Abbey.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planning Officer considered the elevation changes and proposed storage building acceptable and notes that condition no. 3 attached to the original permission for the house required the replacement of the existing roadside boundary with a new 1m high wall set 5m back from the centreline of the public road carriageway.

Appropriate Assessment and an Environmental Impact Assessment screening determination were not considered necessary.

The Planning Officer recommended permission be granted subject to conditions regarding the use of the outhouse building and external finishes, as well as the conditions recommended by the Architectural Conservation Officer, Council Archaeologist and Roads Engineer.

The Planning Officer's recommendation is reflected in the Planning Authority's decision.

#### 3.2.2. Other Technical Reports

*Architectural Conservation Officer:*

Notes new boundary wall abuts the southern end of the western parapet wall of Monaster Bridge which is in the Local Authority's ownership. States any issues that need to be addressed can be dealt with by way of conditions including, *inter alia*, (i)

that access for the Office of Public Works to the River Camogue be retained; (ii) the details of the interface between the boundary wall and the parapet wall of Monaster Bridge be agreed with the Municipal District Road Engineer and the Architectural Conservation Officer, and (iii) an archival standard photographs record of the works be undertaken.

Council Archaeologist:

Notes the site is on the opposite side of the road and near the entrance to a National Monument and recommends a condition that planting of native hedging be carried out on the inside of the roadside boundary wall to be retained to reduce the visual impact on views from the environs of the monument.

Roads Engineer:

Notes that sightlines can be achieved in both directions. Requests that measures be put in place to (i) prevent surface water entering onto the public road; (ii) cater for surface water from the public road entering the site, and (iii) ensure ponding of surface water in the verge along the roadside does not occur. Also requests that the applicant reinstate the area of ground between the road edge and the realigned front boundary to allow for surface water drainage from the road and to protect the edge of the road carriageway from damage.

### 3.3. **Prescribed Bodies**

No submissions received.

### 3.4. **Third Party Observations**

2 no. third-party submissions were received in respect of the planning application. The issues raised are echoed in the third-party appeal summarised under Section 6.1 below.

## 4.0 **Planning History**

**P.A. Reg. ref. 00/1099:** Permission granted 17<sup>th</sup> May 2001 for the construction of a dwelling house and installation of a biofilter wastewater treatment system and associated site works for John Costello.

Condition No. 3 required that the existing roadside boundary fence be removed and a new front boundary wall/fence not exceeding 1m in height be erected along a line set back 5m from the centreline of the public road carriageway.

## 5.0 Policy Context

### 5.1. Limerick Development Plan 2022-2028

- 5.1.1. The subject site is not located on zoned land.
- 5.1.2. Monaster Bridge, which adjoins the site, is included on the Record of Protected Structures (RPS No. 593) and is a Recorded Monument (Ref. L1031-00901).
- 5.1.3. Monasteranenagh Abbey, which is located to the east of the site, is a National Monument (No. 171).
- 5.1.4. The following objectives of the Limerick Development Plan 2022-2028 are relevant:
- **Objectives EH O36 and EH O39** regarding the preservation of archaeological heritage and the protection of the setting of archaeological monuments.
  - **Objective EH O50** regarding works to Protected Structures including, *inter alia*, an objective to ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting, is sensitively sited and designed and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.

### 5.2. Architectural Heritage Protection Guidelines for Planning Authorities (2011)

The guidelines comprise two parts, the first of which sets out legislative and administrative provisions for Protected Structures and Architectural Conservation Areas. The second part comprises detailed guidance notes on conservation principles and works relating to protected structures.

### 5.3. Natural Heritage Designations

None of relevance.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.2. This is a third-party appeal against the decision of Limerick City and County Council to grant permission. The grounds of appeal are summarised as follows:

- The fact that the Council permitted a new Cotswold type sandstone wall that has replaced an indigenous limestone bridge wall is unfathomable to anyone who cares about heritage.
- The OPW repaired the limestone wall directly opposite the site some years ago and were diligent and meticulous in their repair works; no new material or stone was added that jarred with the original stone structure.
- Both the National Monuments Service and the Office of Public Works should have made a determination on the front boundary wall to be retained as it goes against the restoration work undertaken on the opposite side of the road.

### 6.3. Applicant Response

M. Burke Architectural Services responded to the appeal on behalf of the applicant.

The response states the following:

- The applicant was legally obliged to remove the existing front boundary wall to comply with condition no. 3 of the reg. ref. 00/1099, the original planning permission pertaining to this property.
- The Planner's Report notes that the precedence for a roadside boundary wall has been set in reference to the said condition.
- The Planner's Report notes that both the Conservation Officer and Council Archaeologist were consulted which resulted in conditions no. 3, 4 and 8 being attached.

### 6.4. Planning Authority Response

None received.

## 6.5. Observations

None.

## 7.0 Assessment

7.1. I consider the main issues to be addressed in this appeal relate to:

- Impacts on Built Heritage
- Other Matters
- Appropriate Assessment

### 7.2. Impacts on Built Heritage

- 7.2.1. I note condition no. 3 of the permission for the existing dwelling on the site required the removal of the existing roadside boundary and the construction of a replacement boundary. The previous boundary appears to have been a continuation of the adjoining bridge wall but did not form part of the bridge structure, being located well back from the bank of the river. Google Street View imagery captured in March 2011 shows the boundary overgrown; it is unclear what condition the boundary was in prior to demolition. A photograph of the demolished wall submitted with the appeal suggests it may have comprised a low limestone boundary wall similar to the restored boundary wall on the opposite side of the road.
- 7.2.2. Whilst I concur with the appellant that the replacement boundary wall is not in keeping with the historic boundary wall on the opposite side of the road or traditional boundary treatments in the local area, I do not consider its impact on the setting of the adjoining road bridge so great to warrant refusing permission for its retention. In this regard I also note that condition no. 3 of planning application reg. ref. 00/1099 did not stipulate the finish of the replacement boundary wall to be erected to the front of the dwelling. I do, however, recommend that soft landscaping be provided inside the boundary wall to soften its visual impact and integrate it better with the surrounding landscape.
- 7.2.3. The junction between the boundary wall to be retained and the parapet wall of Monaster Bridge has not been completed and the end of the bridge parapet wall is currently in a jagged and unfinished state. The submitted contiguous elevation

drawing indicates the end of the bridge parapet wall squared-off and both walls matching in height. However, the junction between both walls requires further detailed consideration as the boundary wall to be retained is slightly higher than the bridge parapet wall. I note the Conservation Officer sought, by way of planning conditions, a detailed specification document to ensure these works are executed appropriately, and a photographic record of the works before, during and after the completion of each state of the works. I consider these conditions appropriate to ensure a satisfactory transition between both boundary treatments.

- 7.2.4. I am satisfied that the works to be retained and completed would not, by virtue of their modest scale and the distance to the ruins of Monasteranenagh Cistercian Abbey, have an adverse impact on the setting of the abbey.

### 7.3. **Other Matters**

- 7.3.1. I note the appeal was referred to the relevant prescribed bodies including, *inter alia*, the Development Applications Unit of the Department of Culture, Heritage and the Gaeltacht. As no submissions or observations were received within the specified period the Board can proceed to determine the appeal without further notice to the prescribed bodies.

### 7.4. **Appropriate Assessment**

Having regard to the small scale and domestic nature of the development, and the distance to the nearest European sites and the absence of known pathways to European sites, it is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans or projects, on a European site. Accordingly, Appropriate Assessment is not required.

## 8.0 **Recommendation**

- 8.1. I recommend permission be granted for the reasons and considerations set out below subject to conditions.

## 9.0 **Reasons and Considerations**

Having regard to the scale, design and location of the proposed development, it is considered that the proposed development would not, subject to conditions,



seriously injure the amenities of the area or have an adverse impact on the special character of Monaster Bridge, a Protected Structure and Recorded Monument. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>The development shall be retained, carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority within six months of permission being granted, and the development shall be retained and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The outbuilding to be retained and completed shall be used solely for purposes incidental to the enjoyment of the dwelling house and shall not be used for any commercial purpose or for human habitation.</p> <p><b>Reason:</b> In the interest of residential amenity and clarity.</p>
3.	<p>A restoration and conservation plan for the southern end of the parapet wall of Monaster Bridge, where it abuts onto the boundary wall to be retained, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The restoration works shall be carried out in accordance with this plan, and the relevant works shall be restricted to conservation, consolidation and presentation works.</p> <p><b>Reason:</b> To ensure that this element of the historic structure is restored, maintained and protected from unnecessary damage or loss of fabric.</p>
4.	<p>An archive standard photographic record of the works to the parapet wall of Monaster Bridge shall be submitted to, and in agreed in writing with, the planning authority upon completion of the works.</p>

	Reason: In order to facilitate the recording of the architectural heritage of the site.
5.	A continuous hedge of indigenous species shall be planted inside the boundary wall to be retained within the first planning season following this grant of permission.  <b>Reason:</b> In the interest of visual amenity.
6.	Surface water from the site shall not be permitted to drain onto the adjoining public road.  <b>Reason:</b> To ensure adequate servicing of the development and in the interest of public health.
7.	Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.  <b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Eoin Kelliher  
Planning Inspector

22<sup>nd</sup> June 2023