



An  
Bord  
Pleanála

## Inspector's Report ABP-315903-23

### Development

Permission to demolish an existing rear extension and storage shed of the existing dwelling house and construct a new rear extension to the existing dwelling house, and permission to construct 1no. new dwelling house and all associated site works.

### Location

6 Lower Beecher Street,  
Lackanallooha, Mallow, Co. Cork

### Planning Authority

Cork County Council.

### Planning Authority Reg. Ref.

22/5090.

### Applicant(s)

Colman Carroll.

### Type of Application

Permission.

### Planning Authority Decision

Grant Permission.

### Type of Appeal

Third Party.

### Appellant(s)

Anne and Tony Clune.

### Observer(s)

None.

**Date of Site Inspection**

25<sup>th</sup> September, 2023.

**Inspector**

Aiden O'Neill.

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	5
2.9. Decision .....	6
2.10. Planning Authority Reports .....	6
3.0 Planning History.....	9
4.0 Policy and Context.....	10
4.1. National Policy .....	10
4.2. Development Plan.....	11
4.3. Natural Heritage Designations .....	12
4.4. EIA Screening .....	13
5.0 The Appeal .....	13
5.1. Grounds of Appeal .....	13
5.2. Planning Authority Response .....	15
5.3. Observations .....	15
5.4. Further Responses.....	15
6.0 Assessment.....	15
7.0 Recommendation.....	18
8.0 Reasons and Considerations.....	18
9.0 Conditions.....	19

## 1.0 Site Location and Description

- 1.1. The proposed development site is located in a mature residential area of Lower Beecher Street in the inner northern area of Mallow town, Co Cork, to the north of the substantial Dairygold milk processing plant; to the south of Beecher Street; to the west of the N20 Cork-Limerick Road; and to the east of Shortcastle Street. The proposed development site is accessed off the N20 roundabout to the north-west that also serves the Dairygold plant, and is also accessed from Shortcastle Street.
- 1.2. The site is located on the northern side of Lower Beecher Street, and generally rectangular in shape and is c. 0.038ha in area. There is an existing 2-bed dormer dwelling fronting the public road on the western part of the site, with boundary wall and an access gate. Part of the boundary wall forms the southern elevation of a small single storey shed located on the eastern part of the site. The dwelling has a single-storey rear extension with chimney, and a large rear garden at a higher level, rising between 1.5-2m above the existing ground level of the existing dwelling, accessed by steps. The dwelling has a pitched slate roof. The proposed development site is currently for sale.
- 1.3. The existing dwelling is 85.7m<sup>2</sup>, and the existing storage shed is 8m<sup>2</sup>. The FFL of the dwelling is 51.88m OD, and its height is 5.754m. It is stated that there are 3no. on street car parking spaces available for the existing dwelling.
- 1.4. The property to the immediate west (no. 7 Lower Beecher Street) is single-storey, also fronting the public road. The property to the east (no. 5 Lower Beecher Street) incorporates a single-storey shed and single-storey dwelling. The shed of no. 5 Lower Beecher Street is located on the western part of that site, adjacent to the shed of no. 6 Lower Beecher Street.
- 1.5. The proposed development site is located outside of the Mallow Architectural Conservation Area (ACA). There are no Protected Structures or NIAH structures on the site or in the immediate vicinity. The proposed development site is partially located in an identified Flood Zone (Flood Zone B).

## 2.0 Proposed Development

- 2.1. Permission is sought for the demolition of an existing rear extension and storage shed of the existing dwelling house and the construction of a new contemporary rear extension to the existing dwelling house, and permission to subdivide the site and construct 1 no. new dwelling house and all associated site works.
- 2.2. The rear extension to no. 6 Lower Beecher Road to be demolished is 16.6m<sup>2</sup>. The existing area of the existing dwelling to be retained is 69.1m<sup>2</sup>. The proposed single-storey rear extension as originally applied for was 42.3m<sup>2</sup> (includes a small protruding ensuite extension to the first floor, net increase of 4m<sup>2</sup>). The proposed rear extension includes a raised roof (rising to c. 4.1m in height) and large glazed area with double patio doors facing the rear terrace and garden. The proposed rear garden for no. 6 is 72m<sup>2</sup>.
- 2.3. The proposed two-storey 3 bed dormer dwelling (no. 6A) as originally applied for was 128.5m<sup>2</sup>, and the FFL is 50m OD. The proposed height of the new dwelling fronting the public road is 6.65m in height, and the rear section is 5.95m in height. The rear of the proposed new dwelling is set back c. 1.35m from the boundary with no. 5 Lower Beecher Street. Except for 1 no. rooflight, there are no windows on the east elevation gable wall or rear section of the proposed dwelling. The proposed rear garden, including the rear terrace area, is 74m<sup>2</sup>. A timber gate separates the existing and proposed dwellings on the elevation to the public road.
- 2.4. The revised design submitted in response to the Request for Further Information (RFI) made no change to the overall area of the existing dwelling to be extended, and reduced the combined area of the ground floor and first floor of new dwelling from 128m<sup>2</sup> to 109.5m<sup>2</sup>. The ridge height of the proposed dwelling has been reduced to 58.62mOD relative to the ridge height of the existing dwelling, 57.68mOD, and the ridge height of no. 5 Lower Beecher Street, and the overall height reduced to 6.42m<sup>1</sup>.
- 2.5. A shadow study prepared in response to the RFI, which does not include an existing shadow study, demonstrates that there will be some overshadowing of part of the rear garden of no. 7 Lower Beecher Street at 9am on 21<sup>st</sup> March and 23<sup>rd</sup>

---

<sup>1</sup> There are some discrepancies in the dimensions shown on the drawings.

September, and of no. 5 Lower Beecher Street at 4pm on 21<sup>st</sup> March, at 4pm on 21<sup>st</sup> June, and at 4pm on 23<sup>rd</sup> September.

- 2.6. Proposed materials include rough cast plaster finish for the proposed dwelling to match the existing dwelling, with the rear section in a smooth painted plaster finish and selected metal cladding. Blue/black slate tiles are proposed to the new dwelling, again to match the existing dwelling. The revised private open space for the proposed new dwelling is increased to 86m<sup>2</sup>. The FFLs of proposed extension and the proposed new dwelling are increased to 52.03mOD and 52.20mOD respectively.
- 2.7. The block wall to the west is to be retained and a post and timber fence (1.8m high) is proposed as the site boundary with no. 5 Lower Beecher Street, between the existing dwelling and the proposed dwelling, and to the rear boundaries.
- 2.8. The application included an Historic & Fabric Assessment of the existing dwelling. The existing dwelling dates from the 19<sup>th</sup> Century, and that the fabric of the building is in reasonable shape. The areas of historic fabric that need to be addressed include the external masonry walls, roof covering and roof timbers. It states that the proposed extension is respectful of the building's size, scale and its siting in the streetscape. The new dwelling is modest in size and follows the existing plot patterns of the area.

## 2.9. **Decision**

The Planning Authority decided to grant permission by Order dated 30<sup>th</sup> January, 2023 subject to 11no. standard conditions.

The First Schedule states that the development, subject to compliance with conditions, would not adversely impact on the amenities of the area and the local environment, and would be in accordance with the proper planning and sustainable development of the area.

## 2.10. **Planning Authority Reports**

### 2.10.1. Planning Reports

The planner's report dated 6<sup>th</sup> July, 2022 commented that:

- The retention of the existing dwelling is positive.

- Residential development is acceptable in principle.
- The proposal would not give rise to undue overlooking on the neighbouring property.
- Potential overlooking within the site could be addressed.
- The private open space is satisfactory.
- The proposed development would generally comply with the standards of the Quality Housing for Sustainable Communities Guidelines.
- Further information is required in relation to a revised design; shadow study; clarification of the variation in levels; boundary treatment; car parking; surface water treatment; and a flood risk assessment.

The planner's report dated 30<sup>th</sup> January, 2023 on the response to the RFI noted the reduction in floorspace and the slight reduction in height of the proposed dwelling; the minimum separation distance of 5m, which extends to 8m, between the proposed dwelling and the property to the east; would not give rise to overshadowing or overlooking; and would integrate satisfactorily at this location. It is considered that the proposal would not have a significant adverse impact on the amenity of neighbouring residences.

The planner's report is the basis for the Planning Authority's decision to grant planning permission.

#### 2.10.2. Other Technical Reports

The report of the Conservation Architect dated 1<sup>st</sup> July, 2022 notes that the main architectural conservation issue has now been resolved. There is no objection to the demolition of the extension or the shed. There are concerns about the scale and design of the proposed dwelling which is higher than the existing dwelling and the neighbouring single-storey dwelling.

The Conservation Officer recommended a reduction in scale of the rear annex of no. 6A and a rationalisation of volumes/fenestration/materials for the rear extension and rear annex to nos. 6 and 6A, and a shadow study.

Reference is made in the planners' report dated 30<sup>th</sup> January, 2023 that a meeting was held with the Conservation Architect on 23<sup>rd</sup> January, 2023, where the latter stated that, on balance, the revised proposal can be considered favourably.

The Area Engineer in his report dated 6<sup>th</sup> July, 2022 requires further information in relation to parking and surface water management. A section of the site falls within Flood Zone B, therefore a flood risk assessment is required.

The Area Engineer's report dated 30<sup>th</sup> January, 2023 on the response to the RFI notes that he is satisfied with the proposed soakpits to reduce surface water run off, and the parking provisions that are in place in and around the site, and recommends a grant of planning permission.

#### 2.10.3. Prescribed Bodies:

Uisce Éireann had no objection in its submission dated 28<sup>th</sup> June, 2022.

#### 2.10.4. Observations:

There were 3no. observations on the application, citing the following:

- The proposed development is a contradiction of the Town Plan and will have a significant impact on the location and existing residential amenity.
- Impacts on privacy and visual amenity.
- No landscape provision.
- The modern building will compromise the existing architecture.
- The removal of the shed will impact existing foundations.
- There is no room for parking. The only available spaces are on street.
- There is no space between the proposed development and the adjoining property.
- There is no provision for public open space.
- There is a significant risk of flooding and existing public services are overburdened.
- An impact statement on the River Blackwater should be carried out.
- The proposed development is out of character.



- There are concerns about the variation in levels.

### 3.0 Planning History

PA Ref No. 20/6941: Permission was refused on 23<sup>rd</sup> February, 2021 for the demolition of the existing dwelling and garage on site and to construct 2no. dwellings and all associated site works for 1no. reason as follows:

The proposed development would be located in an established residential area of Mallow town. As stated in policy H1-2 of the Mallow Town Development Plan 2010, proposals for new residential development in established built up residential areas shall be permitted where it is demonstrated that the proposal will not be detrimental to the residential amenity or character of that residential area. It is considered that the proposed demolition of the existing dormer dwelling and its replacement with the proposed dwellings would be a significant loss to the vernacular architectural heritage, undermine the integrity of the wider built environment and detract from the visual amenity and character of the area. The Planning Authority is not satisfied that the proposed development would not detract from the residential amenity of neighbouring property, by virtue of overshadowing. The proposal would be contrary to the stated development plan objective and it would set an undesirable precedent for future similar development. Accordingly, the proposed development would be contrary to the proper planning and sustainable development of the area.

PA Ref No. 19/6502: Permission was refused on 11<sup>th</sup> December, 2019 for the demolition of the existing dwelling and garage on site and the construction of 3no. town houses and all associated site works for 1no. reason as follows:

The proposed development would be located in an established residential area of Mallow town. As stated in policy H1-2 of the Mallow Town Development Plan 2010, proposals for new residential development in established built up residential areas shall be permitted where it is demonstrated that the proposal will not be detrimental to the residential amenity or character of that residential area. Having regard to the proposal to demolish the existing dormer dwelling and the proposed layout, form, scale

and design of the development, combined with the restricted nature of the site and the relationship with adjoining property and the surrounding area, it is considered that the proposal would be seriously injurious to the residential amenity of the residences on adjoining sites, particularly due to overshadowing, visual obtrusiveness and overlooking and it would constitute overdevelopment and detract from the visual amenity and character of the area. Furthermore, the proposal would negatively impact on the residential amenity of the future occupants of the scheme. Accordingly, the proposal would be contrary to the stated development plan objective, it would set an undesirable precedent for future similar development, and the proposed development would be contrary to the proper planning and sustainable development of the area.

## **4.0 Policy and Context**

### **4.1. National Policy**

#### **4.1.1 National Planning Framework (NPF) 2018**

The NPF promotes the densification of urban areas in order to deliver the projected increase in population. There is a presumption in favour of the redevelopment of brownfield land.

#### **4.1.2 Sustainable Residential Development in Urban Areas 2009**

Section 5.9 of the Guidelines states that the provision of additional dwellings within inner suburban areas of towns or cities, proximate to existing or due to be improved public transport corridors, has the revitalising areas by utilising the capacity of existing social and physical infrastructure.

In relation to infill development, the Guidelines state that In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill.

Section 7.2 of the Guidelines states that overshadowing will generally only cause problems where buildings of significant height are involved or where new buildings are located very close to adjoining buildings.

#### 4.1.3 Quality Housing for Sustainable Communities 2007

Table 5.1 of the Guidelines sets out the space provision and room sizes for typical dwellings.

#### 4.1.4 BRE Guidelines for daylight and Sunlight assessment (BRE 209) (3<sup>rd</sup> edition) 2022

These Guidelines state that: 50% of a proposed amenity space should receive more than two hours of sunlight on March 21<sup>st</sup>. The sunlight levels received on March 21<sup>st</sup> are considered to give an indicative level of sunlight access throughout the entire year.

## 4.2. Development Plan

### 4.2.1 Cork County Development Plan 2022-2028.

Mallow is designated as a Key Town in the Regional Spatial and Economic Strategy (RSES) for the Southern Region.

Section 2.4.6 of the Plan states that Mallow has been allocated a population target of 15,351 to 2028, representing growth of just over 2,892 people on Census 2016 figures. In order to accommodate this level of population growth, an additional 1,105 housing units will be required for the period 2020-2028.

A new focus is placed on the better utilisation of the existing building stock, prioritisation of brownfield and under-utilised land and identification of regeneration and infill opportunities that can contribute positively to Mallow's housing stock and 30% target of 331 units.

In relation to infill housing, section 3.5.13 of the Plan states that the planning authority will encourage the development of infill housing on suitable sites, subject to adherence to residential amenity standards and avoiding any undue impacts on the established character of an area. The layout and design of infill schemes should respect existing building lines and should generally follow established roof profiles, buildings heights and use of materials within the street.

Section 3.5.14 states that infill housing is often suitable as starter homes or housing for older people given their size and locations in central locations close to services and amenities.

3.5.15 In general, infill housing should comply with all relevant development plan standards for residential development, however, in certain limited circumstances; the planning authority may relax the normal planning standards in the interest of developing vacant, derelict and underutilised land.

Section 14.5.15 of the Plan states that in accordance with the Sustainable Residential Development in Urban Areas Guidelines 2009 all houses (terraced, semi-detached and detached) should have an area of private open space.

The site is zoned Existing Residential/Mixed Residential and Other Uses (objective ZU 19). The objective for this zoning is to conserve and enhance the quality and character of established residential communities and protect their amenities. Infill developments, extensions, and the refurbishment of existing dwellings will be considered where they are appropriate to the character and pattern of development in the area and do not significantly affect the amenities of surrounding properties.

Section 4.9.8 of the Plan states that lands defined as Existing Residential/Mixed Residential and Other Uses may contain residential development of varied densities ranging from high density historic terraces to more modern lower density housing schemes. The Plan generally supports proposals for increased densities within this category to optimise the development of lands within the built envelope of a settlement, subject to protecting existing residential amenities and adhering to proper planning and development standards.

Objective HE 16-19(c) states that there will generally be a presumption in favour of the retention of vernacular buildings and encouragement of the retention and re-use of vernacular buildings subject to normal planning considerations, while ensuring that the re-use is compatible with environmental and heritage protection.

#### **4.3. Natural Heritage Designations**

The proposed development site is at a remove, c. 630m, from the nearest Designated Site, the Blackwater River SAC (002170).

#### 4.4. EIA Screening

The proposed development is not one to which Schedule 5 of the Planning and Development Regulations, 2001, as amended, applies and therefore, the requirement for submission of an EIAR and carrying out of an EIA may be set aside at a preliminary stage.

### 5.0 The Appeal

#### 5.1. Grounds of Appeal

The Third Party appeal sets out the following grounds:

- Lower Beecher Street is a row of predominantly single storey houses with a characteristic building line. Lower Beecher Street is a particularly notable part of Mallow's architectural heritage.
- The proposed addition of a new dwelling of 109.5m<sup>2</sup> in place of the existing shed of 8m<sup>2</sup> and exceeding the height of the other buildings in the street is out of character with the area.
- The roof height of the proposed new dwelling, 6a, is almost 1m higher than that of No 5 Lower Beecher Street.
- The applicant state that the proposal is lower than its immediate neighbours to the north on Beecher Street. Beecher Street is completely different street to Lower Beecher Street and the ground elevation is significantly higher than that of Lower Beecher Street. There is no mention of the impact of the height of the proposed development on its immediate neighbouring properties.
- Lower Beecher Street is a quiet residential area. The proposed addition of a new, large three-bedroom two storey house and significant expansion of the existing house will lead to an increased occupancy and higher population density and will alter its character. There is no provision for public open space. A precedent is set.
- Current street parking is light and cannot accommodate additional cars or traffic. The area opposite the proposed development is not sufficiently wide enough to allow traffic to pass if there are cars parked there.

- The existing system is already overburdened. The applicant's Flood Risk Assessment states that the proposed development does pose a flood risk as a pipe rupture or blockage could potentially result in a local flood water build up. There is a significant risk of flooding. The applicant's Flood Risk Assessment acknowledges that the area is at significant risk of fluvial flooding, and that surface water/pluvial flooding pose a moderate risk of flooding. The applicant mitigates by draining the rear roofs to soak pits in the garden, at the top rear of the proposed development. A percolation test should have been carried out.
- It is highly likely that that increasing the number of dwellings and population dwellings and population density on this site will have a negative impact on the Blackwater River Special Area of Conservation. The proposed development is within the screening zone of the SAC.
- It is not clear if it is proposed to let both houses long-term.
- The rear windows of both houses will overlook the garden of 5 Lower Beecher Street and destroy privacy.
- The height of the proposed mono pitch roof to be added to the back of no. 6 will be looming over no. 7's garden, and will lead to a significant loss of daylight/sunshine during daytime hours. The same will apply to no. 5's garden in the afternoon, even more so with the height and extent of the roof at 6A. The shadow studies claim that the proposed development will not create any adverse overshadowing. There will be overshadowing.
- In terms of visual amenity, metal cladding is not in keeping with the visual harmony and traditional pattern of development in the area.
- It is unclear if the ground floor level of no. 6a is elevated above road level. It is also unclear what the level is for the fence in the rear garden. There are concerns about loss of privacy.
- Concerns are raised about the lack of opportunity to comment on the application.
- The construction of the proposed development could undermine the garage of no. 5 and the walls of no. 7.

## 5.2. **Planning Authority Response**

The report of the Executive Planner dated 22<sup>nd</sup> March, 2023 states that conditional permission was recommended, having regard to the nature and scale of the proposed development, the policy context and designations, the location and characteristics of the site and potential impacts, in consultation with the Area Engineer, Architect and Conservation Architect.

## 5.3. **Observations**

None on file.

## 5.4. **Further Responses**

None on file.

## 6.0 **Assessment**

6.1. Having examined all the application and appeal documentation on file, and having regard to relevant local and national policy and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise.

6.2. The main issues, therefore, are as follows:

- Impact on amenities
- Appropriate Assessment

6.3. Impact on amenities

6.3.1 I have given due consideration to the appeal prepared by the Third Party, to the report of the Planning Authority, and to the planning history of the site.

6.3.2 The proposed development includes the demolition of a small existing rear extension and small storage shed of the existing dwelling house and the construction of a new contemporary rear extension to the existing dwelling house, and permission to subdivide the site and construct 1no. new dwelling house and all associated site works.

*Proposed rear extension to the existing dwelling (no. 6 Lower Beecher Street)*

- 6.3.3 The proposal to retain and extend the existing dwelling is welcomed by the Planning Authority who previously refused permission for its demolition.
- 6.3.4 The retention of the existing dwelling, while not a Protected Structure, nor is it listed on the NIAH, nor is it located in an ACA, is supported on the basis of its contribution to the character of the section of Lower Beecher Street in which it is located, being the dominant property at this location, and its vernacular late 19<sup>th</sup> century/early 20<sup>th</sup> century architecture.
- 6.3.5 The proposed extension, as modified in response to the RFI, is a modern intervention that will be successfully assimilated into the existing environment without significant impact. The proposed extension will preserve the existing dwelling and provide high quality accommodation for future occupants.
- 6.3.6 The proposal to retain the existing FFL of the existing dwelling, to maintain its original character, is considered to be appropriate, as is the proposed slightly raised FFL of the rear extension, to protect the extension from extreme flood events, as recommended in the applicant's Flood Risk Assessment.
- 6.3.7 The proposed materials for the rear extension are also considered to be appropriate, with the addition of the metal cladding to the rear elevation to create visual interest.
- 6.3.8 The rear garden space serving this extended dwelling is appropriately sized, and proposed boundary treatments will ensure adequate protection of amenities.
- 6.3.9 There are no concerns with the demolition of the existing extension to make way for the modern extension.
- 6.3.10 I would agree with the conclusions of the applicant's Historic & Fabric Assessment that the proposed extension is respectful of the existing dwelling's size, scale and its siting in the streetscape.
- 6.3.11 If the Board is minded to grant planning permission, it is considered that the proposed fenestration to the front elevation of the existing dwelling should be revised by condition to match the existing fenestration of the existing dwelling, to be consistent with the fenestration of the proposed dwelling.



6.3.12 The applicant's shadow study confirms that the proposed extension will not result in any significant overshadowing of adjacent properties. There will also be no overlooking of existing properties.

*Proposed new dwelling (no. 6A Lower Beecher Street)*

6.3.13 The proposed new dwelling, as modified and reduced in response to the RFI, is considered to be appropriate at this location.

6.3.14 The intensification of our urban areas is generally supported by the provisions of the applicable planning policies, as are infill developments that are appropriately scaled and can be assimilated into their existing context without significant impact.

6.3.15 The site is of sufficient size to accommodate an additional dwelling.

6.3.16 The design of the proposed two-storey dwelling, and its height and scale, as modified, is considered to be appropriate at this location.

6.3.17 The design and materials of the proposed dwelling complement the character of the existing dwelling.

6.3.18 The proposed dwelling fully addresses the street and the building line is maintained. The FFL of the proposed dwelling is set at 52.03mOD in line with the recommendation of the applicant's Flood Risk Assessment. A front door step is proposed to address this raised level on the street elevation.

6.3.19 The height of the proposed dwelling, while c. 1m higher than the existing dwellings (no. 5 and no. 6 Lower Beecher Street), is acceptable.

6.3.20 The design, as modified, of the rear extension to the proposed dwelling, with an extended flat roof section and lean to element on the eastern elevation is also considered to be acceptable. It is noted that there is a shed between the proposed dwelling and no. 5 Lower Beecher Street, and a distance of 5-8m between the eastern gable of the proposed dwelling and the side wall of no. 5 Lower Beecher Street.

6.3.21 The shadow study indicates that there will be no significant overshadowing of no. 5 or no. 7 Lower Beecher Street.

6.3.22 Except for 1no. rooflight, there are no windows on the east elevation gable wall or rear section of the proposed dwelling.

6.3.23 As with the existing extended dwelling, the rear garden space serving the proposed dwelling is also appropriately sized, and the proposed boundary treatments will also ensure adequate protection of amenities. The levels of the eastern boundary fence with no. 5 Lower Beecher Street are illustrated on the applicant's drawings

6.3.24 I would agree with the conclusions of the applicant's Historic & Fabric Assessment that the proposed dwelling is modest in size and follows the existing plot patterns of the area.

6.3.25 There is adequate on-street parking to serve the proposed development.

6.3.26 In relation to services, it is noted that Uisce Éireann has no objection to the proposed development, and the Area Engineer raised no concerns with the applicant's Flood Risk Assessment.

6.3.27 In terms of public open space, the proposed development site is close to the town's amenities, including Mallow Park and the grounds of Mallow Castle.

6.3.28 The overall construction of the proposed development will be subject to the preparation of a Construction and Environment Management Plan to be agreed with the Planning Authority prior to the commencement of development.

#### 6.4 Appropriate Assessment

Having regard to the nature and scale of the proposed development and 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.

## 7.0 Recommendation

7.1. I recommend that planning permission be granted based on the reasons and considerations set out below.

## 8.0 Reasons and Considerations

Having regard to the provisions of national and local planning policy, to the nature and extent of proposed development, and to the pattern of development in the vicinity, it is considered that, subject to compliance with conditions set out below, the

proposed development would not seriously injure the residential or visual amenities of adjoining properties, will not result in a traffic hazard, and will not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 9.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 12<sup>th</sup> May, 2022 as amended by the further plans and particulars submitted on the 3<sup>rd</sup> January, 2023 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed fenestration to the front elevation of the existing dwelling should be revised to match the existing fenestration of the existing dwelling.</p> <p>Reason: In the interests of clarity, and in the interests of visual amenity.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Roof covering shall be slate or flat tile and the colour shall be blue/black only.</p> <p>Reason: In the interests of visual amenity.</p>
4.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>

5.	<p>(a) All foul sewage and soiled water shall be discharged to the public foul sewer.</p> <p>(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.</p> <p>Reason: In the interest of public health.</p>
6.	<p>Prior to the commencement of development, the developer shall submit a Construction and Environment Management Plan for agreement with the Planning Authority. Site development and building works shall be carried out only between the hours of 0800 to 1900 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<p>The developer shall enter into water and wastewater connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
8.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In order to screen the development, in the interest of visual amenity.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning</p>

	<p>and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
--	--

**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.**



---

Aiden O'Neill  
Planning Inspector

30<sup>th</sup> September, 2023.