

An
Bord
Pleanála

Inspector's Report ABP321197-24

Development	Renovation and extension of existing 4 bedroom family dwelling.
Location	91 Ballinclea Heights, Killiney, Co. Dublin, A96P5K0.
Planning Authority	Dun Laoghaire-Rathdown County Council.
Planning Authority Reg. Ref.	D24A/0096.
Applicant(s)	Keiron Nolan & Chris Cannon Nolan.
Type of Application	Permission.
Planning Authority Decision	Grant permission with conditions.
Type of Appeal	Third Party
Appellant(s)	Mark and Salima Richards & others.
Observer(s)	None
Date of Site Inspection	15/01/25.
Inspector	Anthony Abbott King.

1.0 Site Location and Description

- 1.1. Ballinclea comprises a network of residential streets accessed via Killiney Road. No. 91 Ballinclea Heights is located within a cul-de-sac with a steep uphill gradient within the network of residential streets. The cul-de-sac backs onto the open amenity area at Flagstaff Hill.
- 1.2. Ballinclea Heights comprises twentieth-century detached houses circa.1970 with front and rear gardens, laid out on a suburban model of access roads and residential cul-de-sacs.
- 1.3. Ballinclea Heights is located in an elevated position within the overall network of residential cul-de-sacs. It is noted that within the overall Ballinclea estate that the housing stock has been extended and refurbished respecting the two-storey scale of the estate, including the incorporation of infill houses.
- 1.4. The streetscape on the south side of Ballinclea Heights comprises nine residential plots accommodating similar type detached two-storey houses. The gradient of Ballinclea Heights falls from east to west, which results in a stepped roof streetscape profile.
- 1.5. A number of the houses in Ballinclea Heights and generally in the broader estate have been extended including front, side and rear extension. It is noted where interventions have been made the street frontage has kept the scale and general appearance of the house type.
- 1.6. No. 91 Ballinclea Heights is a two-storey detached house with a single-storey side garage. The house is vacant and is in an unkempt condition.
- 1.7. Site area is given as is given as 0.067 hectares.

2.0 Proposed Development

- 2.1. The proposed renovation and extension of an existing 4 bedroom family dwelling comprising an attic conversion, demolition of the existing garage to the side of the house and construction of a two-storey side extension and extension to the rear. The inclusion of an integrated granny flat for a family member that is linked to the house

by a glazed link at ground floor, with all services to existing connections and associated site works.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to condition.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of CEO of Dublin City Council reflects the recommendation of the planning officer.

Further information request

The planning officer requested further information before a positive recommendation was made *inter alia* in the matter of clarification of the extent of the proposed demolition of the existing dwelling including a structural report by a qualified engineer to determine the integrity of the retained structure (Item 1). The applicant was asked to provide justification for the demolition elements in terms of minimising the carbon energy of the development by retaining and adapting / improving the existing building stock (Item 3).

The further information request also required clarification of the stated gross floor areas to be retained, demolished and extent of additional floor area proposed (Item 2).

Finally, the applicant was asked to clarify compliance with Section 12.3.7.3 (Family Member / Granny Flat Extension) in the matter of the requirement for a family member extension to be generally an extension of the existing dwelling or a conversion of an existing attached element of the dwelling rather than an apparently detached structure (with a 13m long glazed link) as proposed (Item 4).

Having regard to the extent of the site area, and the extent of the proposed works to the existing dwelling, the Planning authority consider that the proposed family member granny flat can be designed into the proposed extension works to the

existing dwelling rather than a separate 'linked' structure to the rear of the property enabling it to be readily subsumed back into the existing dwelling.

The applicant is asked to submit revised plans and particulars reflecting the above.

The Planning Authority consider the proposed family member granny flat structure as currently proposed is more akin to a detached habitable room, and the Applicant is advised to review section 12.3.7.4 Detached Habitable Room of the 2022-2028 County Development Plan, should they wish to explore additional ancillary rooms for the dwelling.

FI Response

The applicant responded to the further information request on the 17/09/24 including the provision of a revised public notice.

The revised public notice advertised that significant documentation had been furnished to the planning authority for public inspection.

Item 1& 2

The applicant responded with a revised set of drawings colour coding the extant fabric to be demolished (red), the extant fabric to be retained (green) and the proposed new build elements of the proposal (blue). A structural survey report was submitted, including a photographic inventory, prepared by Molony Millar Consulting Civil and Structural Engineers, detailing the extent of demolition works and clarifying the extant fabric to be retained.

Item 3

The applicant confirmed that the existing house would be renovated and would not be demolished confirming a gross floor area of 190 sqm. to be retained and a proposed extended floor area of 302 sqm. (including the proposed granny / family member flat).

Item 4

The applicant submitted a revised site plan and section drawings following a detailed topographical survey. The applicant understood that the drawings as originally submitted did not reflect a change of level on the site. It was evident following the survey that a stepped or slopped link between the existing house and the 'granny

flat' was required. Revised drawings were submitted illustrating the new reality. The applicant subsequently re-advertised the development proposal.

3.2.2. Other Technical Reports

The Drainage Division of the planning authority requested further information in the matter of surface water run-off.

4.0 Planning History

The following planning history is relevant.

Under Reg. Ref: D23A/0027 (ABP316181-23) planning permission was refused (notification of decision 07/03/2023) for the demolition of the existing 4 bedroom house, garage and replacement with a new 4 bedroom house with inclusion of an integrated granny flat at the ground floor with all services to existing connections and associated site works.

An Bord Pleanála subsequently refused permission on the 03/08/2003 for the following reasons and considerations:

- (1) Having regard to the harmonious streetscape and consistent for of residential dwellings within the immediate vicinity, the Board considered that the overall design of the proposed development would constitute an incongruous form of development, would not integrate well within the existing streetscape or retain the physical character of the area and would set an undesirable precedent. It would therefore fail to accord with Policy Objective 4.3.1.2 and Section 12.3.7.7 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*
- (2) Having regard to the proposed development, the Board was not satisfied that sufficient information was provided to justify the demolition of an existing dwelling, contrary to Policy Objectives CA6 and PHP19 and Sections 12.3.9 and 3.4.1.2 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, whereby it is the Council's policy objective to require, where possible, the retrofitting and reuse of existing buildings rather than their demolition and*

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

5.0 Policy and Context

5.1. Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

- Chapter 13 (Land Use Zoning Objectives) Table 13.1.1 (Development Plan Zoning Objectives) and Zoning Map 7 are relevant.

The area zoning objective is “A”: *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Residential is a ‘permitted in principle’ land use.

Climate Action

- The Chapter 3 (Climate Action) is relevant including the following policy objectives:

3.4.1.1 Policy CA5 states:

It is a Policy Objective to support high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing and new buildings, including retro fitting of energy efficiency measures in the existing building stock.

3.4.1.2 Policy CA6 (Retrofit and Reuse of Buildings) states:

It is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual

*(Department of Environment Heritage and Local Government, 2009).
(Consistent with RPO 7.40 and 7.41 of the RSES).*

3.4.1.4 Policy CA8 states:

It is a Policy Objective to promote sustainable approaches to the improvement of standards for habitable accommodation, by allowing dwellings to be flexible, accessible and adaptable in their spatial layout and design.

Urban Consolidation

- Chapter 4 (Neighbourhood-People, Homes and Place), Section 4.3.1.2, Policy Objective PHP19 (Existing Housing Stock-Adaptation) is relevant and states:
 - *Conserve and improve existing housing stock through supporting improvements and adaptation of homes consistent with NPO 34 of the NPF.*
 - *Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.*

And Policy Objective PHP20 (Protection of Existing Residential Amenity) is relevant and states:

It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

Extensions to Dwellings

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (ii) (Extensions to the Rear) is relevant and *inter alia* states:

Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private

open space remaining. The extension should match or complement the main house

First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- *Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries.*
 - *Remaining rear private open space, its orientation and usability.*
 - *Degree of set-back from mutual side boundaries.*
 - *External finishes and design, which shall generally be in harmony with existing.*
- *Section 12.3.7.1 (iii) (Extensions to the Side) is relevant and *inter alia* states:*

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.

First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect. External finishes shall normally be in harmony with existing.

- *Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) is relevant and *inter alia* states roof alterations / expansions to main roof profiles will be assessed against a number of criteria including:*
- *Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*

- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures, and prominence.

Dormer extensions to roofs, i.e. to the front, side, and rear, will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear.

- Section 12.3.7.7

In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings.....

- Section 12.3.7.3 (Family Member / Granny Flat Extension) *inter alia* states:

A 'family' or 'granny' flat refers to a temporary subdivision of a single dwelling - often by adding an extension to the dwelling or converting an attached garage which is linked to the main dwelling - for a subsidiary element, for use by a member of the immediate family (e.g. elderly parent), but not as a fully independent dwelling. These will be assessed against the criteria applied to 'normal' domestic extensions. The Planning Authority will generally consider such sub-division and/or extension favourably subject to ensuring no negative impacts on the integrity of the primary dwelling.

The criteria for assessing Family member / Granny Flat extensions include the following:

Proposals should be:

- *Interlinked with the primary dwelling and capable of being readily subsumed back into same.*
- *Any such extension to the main dwelling shall be subsidiary in scale relative to the main dwelling.*
- *Such that the Planning Authority is satisfied that there is a valid justification for the proposal in use terms.*

Permission will normally be on condition that:

- *The flat can be subsumed back into the main dwelling when it is no longer required.*
 - *It shall not be let or sold, other than as an intrinsic part of the overall property.*
 - *Where the owner wishes it to remain subdivided on a permanent basis, an application shall be made for sub-division which will be assessed on the more demanding criteria as would be applied to a separate dwelling house.*
- Section 12.3.9 is relevant and *inter alia* states:

The Planning Authority has a preference for and will promote the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. (See Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock - Adaptation)

The following national and regional planning policy documents are relevant in the context of sustainable residential land-use and the strategic policy objective to achieve compact growth:

- The National Planning Framework (NPF) (Project Ireland 2040) (Government of Ireland 2018);

- The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly (EMRA), (June 2019);
- The Department of Housing, Local Government and Heritage 'The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities', (15 January, 2024).

5.2. EIA Screening

The proposed development is not in a class where EIA would apply.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal, prepared by Marston Planning Consultancy, on behalf of Mark and Salima Richards of 92 Ballinclea Heights as well as Ingrid Hegarty Owens and Mojaba Rouholamin of 90 Ballinclea Heights are summarised below:

- The appellants request the Board to overturn the decision of the planning authority. A refusal of planning permission is requested on the grounds set out in the appeal statement. It is claimed the proposal is contrary to the policies and objectives of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- The appellants respectfully submit that the planning authority failed to adequately consider the adverse impacts of the development proposal on neighbouring properties in their assessment of the application and the further information response.

Clarity of submitted documentation

- The appellant claims that circa. 80-90% of the original walls and fabric of the existing house would be demolished. It is claimed that the works represent a substantive demolition of the existing house, which is contrary to development plan policy. It is claimed that insufficient justification has been submitted to justify the substantive demolition of the existing dwelling.

- The architectural drawings submitted initially and in response to further information are substandard and lack the required information to allow the planning authority to make an informed decision. The application lacks any form of detailed description of the development.
- The appellant notes that the finished floor level is indicated as dropping 0.82m (from 90.35m AOD to 89.53 AOD) as shown on Drawing no. 09 submitted as part of the further information response.

Residential amenities & development plan policy considerations

- The appellant cites policy objectives CA6 and PH19, Section 12.3.9 and Section 4.3.1.2 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 in support of their claim that the proposed development represents the substantive demolition of the existing house contrary to development plan policy.
- The streetscape visual impact of the proposal represents an improvement on the previously refused development proposal under Reg. Ref: D23A/0027. However, the proposal to the rear would be incongruous, visually dominant, overbearing and would set an undesirable precedent for three storey 'extension' in the vicinity.
- The proposal would have a significant adverse impact on the adjoining houses and their rear gardens including nos. 90 & 92 Ballinclea Heights.

Previous precedents

- The appellants note that the floor area of the existing dwelling house was given as 166 sqm. on a previous planning application form (Reg. Ref: D23A/0027). The floor area of the existing dwelling house is now given as 190 sqm.
- The previous application for the demolition of the existing dwelling at no. 91 and its replacement was refused planning permission (Reg. Ref: D23A/0027). The incongruous nature of the previous application is clearly evident from the submitted drawings, including the front and rear elevations.

- The Board in the assessment of the previous refused application considered that the retrofit and re-use of the existing dwelling was viable. However, the subject proposal remains a significant demolition project.
- The appellant claims that the further information response in the matter of comparison analysis with development at no. 88 Ballinclea Heights (Reg. Ref: D18B/0176), No. 92 Ballinclea Heights (Reg. Ref: D09B/0148) and no. 86 Ballinclea Heights (Reg. Ref: D23B/0540) are flawed.
- It is claimed that the submitted examples do not offer a precedent given the extensive demolition proposed by the subject application.

Site levels

- The streetscape on Ballinclea Heights has a sloping nature resulting in a change in site levels, representing a 1m and 1.2m differential between the individual houses. The submitted drawings indicate a ground floor level of 90.35m AOD and a first floor level of 93.05m OD for the subject existing dwelling house.
- The applicant has not adequately addressed the proposed 820mm drop in ground level including how the proposal would impact on the structural integrity of the garage attached to no. 90 Ballinclea Heights.
- The appeal statement includes a Report from Chris Bakkala, consulting engineer, which includes an analysis of the Engineering Report, prepared by Molony Millar Consulting Engineers, submitted by the applicant to the planning authority as part of their further information response.
- The Chris Bakkala submission *inter alia* raises concerns over the lowering of the ground level given the potential impact on the adjoining properties at nos. 90 & 92 Ballinclea Heights, in particular, the impact on no. 90 Ballinclea Heights, which is located on higher ground

Existing building design & character

- The front brick facade of the existing dwelling house at no. 91 Ballinclea Heights is consistent with the that at no. 90 Ballinclea Heights (south-east) exhibiting white horizontal wall panelling attached between the ground and first floors and vertical brown panelling at ground and first floor level.

- The horizontal white panelling has been removed from no. 92 Ballinclea (north-west) Heights following refurbishment. However, the vertical brown panelling is retained.
- The other notable characteristics of the house type are the shallow pitch of the roof and the horizontal entrance canopy.
- The redevelopment of other houses in the vicinity have been enabled by retaining the substantive aspects of the original house while retaining the intrinsic character of the area.
- It is claimed that the properties at no. 90 and no. 92 have been retrofitted by their owners in a sympathetic manner increasing the BER rating to A3. The property at no. 92 has been extended to include a family flat. The BER certificates are attached to the appeal statement. The applicants could have taken a similar approach.

Family member flat

- The appellants dispute that the proposed family member flat located in the rear garden facing back toward the house is interlinked with the main dwelling claiming that the covered link does not amount to a reasonable interlinkage. It is claimed the flat and linkage cannot be subsumed back into the main dwelling unit.
- The further information response lacks any justification for the scale and the stand-alone nature of the flat. It is the appellants view that such an independent living unit should be integrated into the main house and not function as a separate unit removed from the main house in an elevated position.
- The design, scale and position of the independent living unit is unacceptable. The proposal will add to an unacceptable degree of enclosure and overshadowing further compounded by the covered walkway.
- The unit and walkway will be visible from the adjacent houses. The elevated position of the unit will make it appear over 4m in height when viewed from the adjoining property to the north west. The intended use is also unclear and must be questioned.

Rear and dormer extension

- The proposed rear two-storey extension and new attic level described as a dormer will extend beyond the existing footprint (rear building line). This will create an incongruous three storey tower feature. The negative visual impact on adjoining properties is clearly illustrated in Drawings 10 & 11 submitted with the further information response.
- The design, dimensions and bulk of the roof proposal relative to the overall size of the dwelling is unacceptable. The proposal is inconsistent with Section 1.2.7.1 (iv) of the development plan, which requires roof extensions not to read as third storeys. The attic dormer should have been removed by condition.

6.2. Applicant Response

None recorded to date.

6.3. Planning Authority Response

The planning authority refer the Board to the case officers report and consider that the grounds of appeal do not raise any new matters.

6.4. Observations

None.

7.0 Assessment

- 7.1. The following assessment covers the points made in the appeal submission and is my *de novo* consideration of the application. It is noted there are no new matters for consideration.
- 7.2. The floor area of the existing house is given as 190 sqm. The applicant proposes to renovate and extend the house to provide an additional floor area as given on the application form of 302 sqm. (including the proposed family member flat with an internal floor area of approximately 50sqm). The combined overall floor area of accommodation on site would be 492 sqm.

- 7.3. The appellant notes that the floor area of the dwelling house was given as 166 sqm. on a previous planning application form (Reg. Ref: D23A/0027). The stated gross floor areas to be retained (190 sqm.) and the extent of additional floor area proposed (302 sqm.) were clarified by further information request (12/04/24) and response (17/09/24).
- 7.4. The applicant confirmed that the existing house would be renovated and would not be demolished. I accept the bona fides of the applicant.
- 7.5. There is a history of refusal on the subject site. Under Reg. Ref: D23A/0027 (ABP316181-23) planning permission for the demolition of the existing 4 bedroom house, garage and replacement with a new 4 bedroom house with inclusion of an integrated granny flat at the ground floor was refused (07/03/2023). The reasons for refusal were subsequently upheld by An Board Pleanála.
- 7.6. It is considered that the subject application under appeal is a materially different application from the development proposal previously refused, as the current proposal would retain the existing house, renovate and extend the domestic footprint.
- 7.7. The applicant was asked for clarification of a number of matters by way of a further information request (12/04/24) including the clarification of the demolition element of the proposal and the extent of fabric to be retained. Furthermore, the applicant was advising that the family member flat element of the proposal should be significantly revised either by the incorporation of the family member flat within the main dwelling house or the redefinition of same as a detached habitable room providing ancillary accommodation.
- 7.8. The applicant responded to the planning authority further information request (17/09/24) stating that the request had been seriously considered including the employment of 2 additional consultants and a professional survey company in order to address the request.
- 7.9. The proposed development is assessed below under the following main headings.
- Extent of demolition and reconstruction works
 - Side extension
 - Rear extension

- Dormer extension
- Street frontage
- Family member flat

Demolition, fabric retention and extension of the existing dwelling house

Extent of demolition and reconstruction works

- 7.10. The appellants claim that circa. 80-90% of the original walls and fabric of the existing house would be demolished. It is claimed that the works represent a substantive demolition of the existing house, which is contrary to development plan policy. Furthermore, insufficient justification has been submitted to sanction the substantive demolition of the existing dwelling.
- 7.11. The applicant was asked to clarify having regard to the planning history of the site, the extent of demolition works, the floor area of the house to be retained and the extent of additional floor area proposed (Item 1 and 2 of the further information request). The applicant was asked to provide justification for demolition in terms of minimising the carbon energy of the development by retaining and adapting / improving the existing building stock (Item 3).
- 7.12. The applicant responded with a revised set of drawings colour coding showing the extant fabric to be demolished (red), the extant fabric to be retained (green) and the proposed new build elements of the proposal (blue). A survey report, including a photographic inventory, prepared by Molony Millar Consulting Civil and Structural Engineers, detailing the extent of demolition works and clarifying the extant of fabric to be retained formed part of the further information submission.
- 7.13. The appellants claim the architectural drawings submitted initially and in response to further information are substandard and lack the required information to allow the planning authority to make an informed decision. I consider that the colour coded drawings submitted by further information response complemented by the text and photographic record provided by the Molony Millar Consulting Civil and Structural Engineers Report can enable an informed decision.
- 7.14. The proposed demolition works would include removal of the rear façade of the house (south elevation), the removal of the substantial part of the single-storey side

garage structure (west elevation) and the removal of the ground floor concrete slab. The upper floors, internal floors and stairs would also be demolished.

7.15. The roof would be removed and replaced in its entirety with a new prefabricated timber truss roof structure while maintaining the front pitch of the main roof (the Engineer's Report notes the existing concrete roof tiles could be repurposed on site). The rear roof plane would comprise a new dormer extension structure.

7.16. In summation the existing street facade and the gable elevations of the existing dwelling house would be retained (elements of the garage would also be retained). All other structural elements and building fabric, including the existing roof and internal upper floors, would be replaced (Drawings 01 (Existing Ground) & 02 (Existing First Floor) dated 02/07/2024 as clarified by pg.1 of the Engineer's Report).

Chris Bakkala consulting engineer appeal submission

7.17. The appellants note that the finished floor level is indicated as dropping 0.82m (from 90.35m AOD to 89.53 AOD) as shown on revised section drawing no. 09 submitted as part of the further information response (Existing Section and Proposed Section – Section B) stamp dated 17/09/24.

7.18. Furthermore, the appellants note that the applicant has not adequately addressed the proposed 0.82m drop in site ground level, including how the proposal would impact on the structural integrity of the garage attached to no. 90 Ballinclea Heights located on the shared property boundary.

7.19. The applicant was asked by way of additional information request (Item 1) to submit a structural engineering report *inter alia* to determine the integrity of the walls / structure(s) to be retained and outline potential impacts on adjoining neighbours. I consider following review of the appeal statement that the applicant response may not have been fully comprehensive.

7.20. The appeal statement includes a submission from Chris Bakkala, consulting engineer, which includes an analysis of the report prepared by Molony Millar Consulting Engineers. The submission *inter alia* raises concerns over the lowering of the ground level given the potential impact on the adjoining properties at nos. 90 & 92 Ballinclea Heights, in particular the impact on no. 90 which is located on higher ground.

- 7.21. The submission notes that there is a significant reduction in ground level immediate to the boundary with no. 90 Ballinclea Heights, as clarified by the further information response drawings, which show the lowering of the ground level outside the building (in the location of the retained east gable). It is claimed this may not have been transparent to Molony Millar Consulting Engineers working off earlier drawings.
- 7.22. The submission notes that the level of excavation is not quantified and that excavation could exceed 1m below existing floor level, as no explicit excavation limitation is provided in the submitted drawings. The submission questions the feasibility of the retention of the existing walls in the instance of the foundations being undermined.
- 7.23. The Molony Millar Consulting Civil and Structural Engineers Report states that it will be necessary for the main contractor to provide a robust temporary works propping design for all wall elevations (which are of block masonry wall construction) to be retained until such time as the retained fabric is integrated into the new build construction. The Report concludes that the remaining walls can be safely retained utilising a robust temporary works façade retention structure.
- 7.24. I would concur with the planning case officer that the considerable level of intervention proposed requires the submission of a Construction Environmental Management Plan. This matter can be dealt with by way of condition if a positive recommendation is recorded.

Justification for the level of intervention to the existing house

- 7.25. The applicant justification for the level of intervention proposed is supported by the requirement for a full renovation and deep energy retrofit (including thermal insulation, heat pump and solar panels) of the subject house. It is claimed that the house is coming to the end of its life span being over 50 years old representing obsolescence.
- 7.26. The upgrade works *inter alia* would comprise installation of radon protection, enhanced thermal floor, wall and roof insulation and provision of universal access (the family have a dependent son who would be accommodated in the proposed family member accommodation to the rear of the house).
- 7.27. I concur with the planning case officer that the proposed works are considerable. I note policy objectives CA6 and PH19, Section 12.3.9 and Section 4.3.12 of the Dun

Laoghaire-Rathdown County Development Plan 2022-2028 cited by the appellants in support of their claim that the proposed development represents the unjustified substantive demolition of the existing house contrary to development plan policy.

- 7.28. I concur with the planning case officer that the extent and scope of works proposed, as clarified by further information response, to the existing dwelling house on site would constitute a house 'retrofit'. Section 3.4.1.2, Policy CA6 (Retrofit and Reuse of Buildings) requires the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction.
- 7.29. The appellants have demonstrated that they have retrofitted their respective properties at nos. 90 and 92 Ballinclea Heights to bring their properties to BER A3 status (the appeal statement attaches BER certificates for no. 90 Ballinclea Heights and the family flat attached to no. 92 Ballinclea Heights) without requiring the level of intervention to building fabric envisaged by the proposal.
- 7.30. I can only infer that the objective of the applicant is to achieve an A1 BER energy rating based on the level of intervention proposed, including the removal of the ground floor slab. However, the submitted documentation does not clarify the BER energy target.

House retrofit justification

- 7.31. Notwithstanding the proposal would in practice result in the demolition and reconstruction of a substantial part of the existing house on site, it is considered on balance given the present condition of the existing dwelling house, in terms of building age, deficient thermal insulation and the requirement to bring the building up to code (including significantly increasing the BER) that the subject proposal would in general be consistent with Section 3.4.1.2, Policy CA6 (Retrofit and Reuse of Buildings).
- 7.32. Furthermore, it is considered that the proposal would in general be consistent with Section 4.3.1.2, Policy Objective PHP19 (Existing Housing Stock-Adaptation), of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, which *inter alia* requires the conservation and improvement of the existing housing stock through supporting improvements and adaptation of homes consistent with NPO34.

- 7.33. NPO 34 supports the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time. I consider that the proposal for the renovation, reconfiguration (including universal access) and deep retrofit of the subject house aligns with the rehabilitation of the existing housing stock, including obsolete dwellings, as provided for by the national policy objective.
- 7.34. It is considered that the proposed demolition works are considerable in scope and are a significant planning consideration given the policy requirement to re-use existing building fabric. However, I conclude given the requirements of the applicant to deep retrofit, extend and provide universal access that the demolition and reconstruction proposed is acceptable in principal subject to condition.
- 7.35. Finally, one of the substantive grounds of appeal is the potential impact on the structural integrity of the garage attached to no. 90 Ballinclea Heights located along the shared property boundary. It is noted that any issue of oversailing or encroachment into neighbouring property is a civil matter and cannot be resolved through the planning process.
- 7.36. I note that the proposed works are located within the site boundary red line. I consider that there are no reasonable foreseeable adverse impacts arising from the demolition and construction project subject to condition.

Extension of main house

Side extension

- 7.37. Section 12.3.7.1 (Extensions to Dwellings) Dun Laoghaire-Rathdown Development Plan 2022-2028 provides guidance in the matter of front, side, rear and dormer extensions.
- 7.38. Section 12.3.7.1(iii) (Side Extensions) *inter alia* provides that first floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. The applicant proposes to build a two-storey side extension over the existing flat roof garage. The proposed side extension would have an A-frame roof and would match the main house in terms of the front building line, eaves height and ridge height (Proposed Elevation 2 submitted 17/09/24).
- 7.39. The front facade would exhibit a brick and render finish to match the overall renewed streetscape elevation. The extension would accommodate the main entrance to the

house, which would be relocated to the western extremity of the street elevation. The main entrance to the house would also provide direct access from the street to the glazed link accessing the family member flat, which would be located to the rear of the property within the back garden.

- 7.40. The extension fenestration would be located on the front and back elevations. The side elevation of the extension (west) would not have fenestration, as such, there would be no direct overlooking of adjoining properties.
- 7.41. I note that a number of houses in Ballinclea Heights and in the estate generally have been extended to side providing for a two-storey street façade for the full width of the street frontage. I consider that the side extension is acceptable in principle.

Rear extension

- 7.42. The applicant proposes to build a two-storey rear extension with an additional dormer extension at roof level positioned above the two-storey extension. The extension would accommodate additional reception floor area at ground floor level and allow for the reconfiguration of the first floor bedroom accommodation.
- 7.43. Section 12.3.7.1 (ii) relates to the provision of rear extensions, which *inter alia* will be considered in terms of their length, height, proximity to mutual boundaries and the quantum of usable rear private open space remaining.
- 7.44. The proposed two-storey rear extension would project 3m from the existing rear elevation of the house effectively extending into the garden for the full width of the site at ground floor level (with an approximate 1m separation distance from the shared property boundary with no. 90 Ballinclea Heights).
- 7.45. The first floor element of the extension would also project 3m. However, it would be setback from the shared property boundaries with the adjoining houses at no. 90 (a set-back of approximately 5m) and no. 92 Ballinclea Heights (a set-back of approximately 3m).
- 7.46. I consider that a two-storey extension set-back from the property boundaries would not result in significant adverse overbearing and overshadowing impacts on adjoining properties and would be acceptable in principle.

7.47. I note that the subject house has a substantial rear garden and the useable open space remaining would be acceptable notwithstanding the foot print of the proposed garden family member flat and link.

7.48. The fenestration of the extension would orientate toward the back garden. There would be no window openings in the side elevations of the first floor extension, as such, there would be no direct overlooking of adjoining properties.

7.49. I note that the fenestration of the extension would have an opposing window distance with the proposed fenestration of the family member flat of approximately 14m (13750mm) (see revised proposed site plan submitted on the 17/09/2024).

7.50. The dormer structure above the first floor extension would extend the rear elevation of the first floor extension into the rear roof plane of the house effectively articulating the attic level as a second floor (Proposed Elevation 3 submitted 17/09/24).

Rear dormer extension

7.51. The applicant proposes to construct a rear flat roof dormer. The dormer would contain a master bedroom suite and store (Bedroom 4 – ensuite). The further information response notes that the development plan provides for dormer extensions to roofs.

7.52. The further information response notes that the dormer / roof extension to the rear will not be seen from the road. It is stated that there are no houses to the rear of the property minimising the perception of overlooking and that the existing first floor window openings have the potential to overlook adjacent properties.

7.53. On the day of my site visit I noted that the dormer extension will be visible from the amenity space to the rear of the house at 'Flagstaff' from where it would be clearly visible.

7.54. The appellants claim the design, dimensions and bulk of the roof proposal relative to the overall size of the dwelling is unacceptable. The dormer extension is not set back from the eaves and represents a 3-storey tower feature to the rear of the house. It is claimed the dormer structure should have been removed by the planning authority by way of condition.

7.55. The overall height of the two-storey extension and the dormer structure is given as 7980mm.

- 7.56. Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) *inter alia* requires dormer extensions to set back from the eaves and to be set down from the existing ridge level so as to not read as a third storey extension at roof level. The proposed dormer would have an approximate width of 7.5m measured externally, would project 3m from the roof eaves measured externally and would be aligned with the ridgeline of the pitched roof of the house.
- 7.57. Section 12.3.7.1 (Extensions to Dwellings) (iv) (Alterations at Roof / Attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 also provides general guidance for dormer extensions. T
- 7.58. The Section states that roof alterations / expansions to the main roof profile will be assessed *inter alia* against a number of criteria including: the character and size of the dormer structure; roof variations on the streetscape and positioning and; harmony with the rest of the structure, adjacent structures and prominence.
- 7.59. The appellants claim that the scale and width of the dormer and the expanse of the dormer fenestration glazing will result in overbearing and overlooking impacts.
- 7.60. I note that the dormer extension would exhibit a large window opening with a horizontal emphasis comprising 6 glazed panels approximately 5.5m in width and 1.7m in height.
- 7.61. I would concur with the planning case officer that the dormer with a direct outlook to the open space at 'Flagstaff Hill' would not result in any undue overlooking to neighbouring properties. However, I would not concur with the planning case officer that the bulk and massing of the dormer would not detract from the existing building and roof profile.
- 7.62. I consider that the proposed dormer extension would be inconsistent with Section 12.3.7.1 (iv) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 in terms of its scale, design and position forward of the eaves line of the main roof and aligned with the main roof ridgeline, as such, the dormer would read as a third storey.
- 7.63. Finally, I consider that the rear dormer extension would be an incongruous feature in the rear roof scape. It would be out of character in terms of scale and design with existing dormer structures in the vicinity and in the estate generally. I would agree

with the appellant that the prominence of the dormer structure would represent a third floor at roof level.

Street frontage

- 7.64. The applicant proposes to make significant alterations to the street elevation, including the extension of the two-storey elevation for the full width of the street frontage (Proposed Elevation 1 submitted 17/09/24). The front roof profile would be maintained albeit that the existing roof would be removed and replaced. The proposed material finish of the front elevation would be a combination of brick and insulation render exhibiting a contemporary design approach.
- 7.65. I consider that the stepped nature of the streetscape characterised by a cascading pitched roofscape descending from the apex of the cul-de-sac to the entrance would be preserved. I note the gable chimney stacks would be removed.
- 7.66. The proposed street frontage would retain the scale and general appearance of the house type. Therefore, it is considered that the street façade albeit significantly altered, including the relocation of the main entrance door to the extremity of the elevation, would be consistent with interventions made to date in the estate generally and within the Ballinclea Heights cul-de-sac.

Family Member / Granny Flat Extension

- 7.67. The applicant proposes as part of the overall development to construct a family member flat. The flat would be accommodated within a substantial garden pavilion in a satellite location in the rear garden and would be linked to the main house by a flat-roofed glazed corridor measuring approximately 14m in length (13750mm). The corridor would have an approximate 2m width.
- 7.68. The link corridor as shown on the original drawings would be separated from the shared property boundary with no.92 Ballinclea Heights by a distance of 1.6m. The family member flat is for the use of a dependent adult child.
- 7.69. The family member flat design as originally submitted to the planning authority would provide for a single-storey flat roof pavilion structure and link. The pavilion floor area would be 62 sqm measured externally (5m x 12.4m) (Drawing no. 07 Proposed Ground Plan dated 02/09/2023 and stamp dated 20/02/2024).

- 7.70. The pavilion would extend across the rear garden providing a separation distance of 1.6m with the shared property boundaries to the east (no. 90 Ballinclea Heights) and west (no. 92 Ballinclea Heights). The pavilion would accommodate a kitchen / living room, bathroom and double bedroom.

Further information request and response

- 7.71. The applicant was asked to clarify compliance with Section 12.3.7.3 (Family Member / Granny Flat Extension) by way of further information (Item 4 further information request).
- 7.72. The planning authority noted the requirement for a family member extension to be generally an extension of the existing dwelling or a conversion of an existing attached element of the dwelling rather than an apparently detached structure.
- 7.73. Furthermore, the applicant was advised to review Section 12.3.7.4 (Detached Habitable Room) of the development plan, should they wish to explore additional ancillary rooms for the dwelling, as the proposal was similar to a detached habitable room (Item 4).
- 7.74. The further information response notes that the applicant's neighbour at no. 92 Ballinclea Heights has availed of the habitable room provision. However, a habitable room would not meet the needs of the family member who requires a bedroom with additional space plus the contingency for a career to stay overnight to meet additional needs.
- 7.75. The further information response explains that the family member flat was originally proposed as an integral part of the main dwelling. However, following review of the previous refusal on site, the family member flat was located in the rear garden given family household requirements, the requirements / needs of the designated family member with a disability and the potential adverse impact on the character of the streetscape of integrating the flat within the main house.
- 7.76. The applicant claims that the proposed 'granny flat' would satisfy planning authority social inclusion, flexibility and adaptability objectives required to meet the needs of those with disabilities while providing access to the rear garden amenity space and allowing for supervision of the unit from the main house.

- 7.77. The applicant cites Page 92 (ii) Housing for Persons with Disability and Section 4.2.2.2 Policy Objective PHP13 (Equality, Social Inclusion & Participation) of the development plan.
- 7.78. The applicant assures the planning authority that the family member flat is not an independent residential unit. Rather it is the objective to create a second family unit on site for the use of an immediate family member (i.e. the applicant's son who has an unspecified disability). I note that there is no documentation on file confirming the status of the applicant's adult son who it is stated has a number of disabilities.
- 7.79. I also note that part of the further information response is redacted. I note that the response cites a letter of confirmation of need above the redaction sentence(s). I can only assume that the cited letter has itself been redacted.
- 7.80. The applicant accepts that the family member flat would be conditional on appropriate regulation of the use as provided for in Section 12.3.10.6 of the development plan, including for it to be subsumed back into the main house, if the planning authority is satisfied that there is a valid justification for the proposal in use terms.

Revised site plan and section drawings

- 7.81. The applicant has submitted revised drawings by way of further information response clarifying the detail of the proposed link following a detailed topographical survey prepared by 'Murphy Geospatial Project Delivery'. (not on file) The applicant confirms that the drawings as originally submitted did not reflect a change of level on the site. It is now evident that a stepped or slopped link between the existing house and the 'granny flat' is required.
- 7.82. The applicant chose to readvertise the development given that the original submitted drawings had been revised. The applicant argues that the revision(s) is not material, however, noting that the submissions of third parties motivated re-advertisement.
- 7.83. The re-advertisement *inter alia* states: (3) *the inclusion of an integrated single storey granny flat in the rear garden for a family member that is linked to the house by a glazed link at ground floor, which steps up to the proposed granny flat, with all services to existing connections and associated site works.*

- 7.84. The applicant response to further information notes that the location of the link is flexible and a relocation can be accommodated by condition (potentially on the eastern boundary). The applicant notes that ground conditions including underlying rock may best determine location. The applicant claims that the additional ground level height of the pavilion would not result in overlooking and that precedent for 'external rooms' is established in neighbouring properties.
- 7.85. Drawing no. 9 (Existing Section and Proposed Section – Section B stamped dated 17/ 09/24) illustrates the detail of the proposed link, including a series of steps within the link corresponding to changes in roof profile as the link ascends the site to the pavilion structure.
- 7.86. The link would have an internal height of approximately 2.5m and would locate along a north-south axis. The link externally would increase in height, relative to the ground floor level of the main house, as it progresses toward the elevated pavilion following the gradient of the site, which increases moving north to south.
- 7.87. Drawing no. 9 also illustrates the relative height of the pavilion to the rear elevation of the main house. The rear garden pavilion roof height would approximate to the midpoint height of the first floor level of the main house.
- 7.88. I consider that the elevated position of the proposed family member flat would make the garden pavilion and the link corridor visible from the adjoining properties, including at no. 92 Ballinclea Heights, and from the amenity area at "Flagstaff" to the rear of the site.
- 7.89. The rear elevation of the pavilion is shown on the original drawings located 3.6m from the rear property boundary. The applicant following the further information request modified the location of the garden pavilion and link, as shown on revised Drawing no.3 (Revision Proposed Site Plan) and Drawing no. 9 (Revised Existing Section and Proposed Section – Section B) submitted on the 17/ 09/24.
- 7.90. The revised drawings provide a reduced separation distance between the shared property boundary to the west (no. 92 Ballinclea Heights) of 1270mm (reduced from 1600mm) and a significantly reduced separation distance with the rear property boundary of 1106mm at the closest separation point (reduced from 3600mm).
- 7.91. There is an inconsistency in the originally submitted site plan (submitted 20/02/24) and the revised site plan (submitted 17/09/24) given that the relocation of the

pavilion significantly closer to the rear boundary wall (3600mm - 1106mm = 2440mm) would not modify the length of the glazed corridor, which would remain at 13750mm. This inconsistency is not explained in the submitted documentation.

Principle of satellite development in the rear garden

- 7.92. The appellants claim that the further information response lacks any justification for the scale and the stand-alone nature of the independent living unit. I note that the applicant justifies the principle of satellite development in the rear garden linked by a glazed corridor by reason of the proposed use of the garden pavilion as a family member flat and by precedent of similar 'external rooms' in adjoining properties.
- 7.93. The link in profile would exhibit as a series of conjoined glazed compartments with solid roofs. The link roof would rise from north to south in increment as it negotiates the gradient to connect with the elevated garden pavilion.
- 7.94. The rear elevation of the main house, the link and garden pavilion would enclose 3-sides of a courtyard garden to the rear of the subject dwelling house open to the east (boundary with no. 90 Ballinclea Heights). The remaining garden space would be residual providing a buffer open area between the property boundaries and the garden pavilion and link.
- 7.95. Section 12.3.7.3 (Family Member / Granny Flat Extension) refers to a temporary subdivision of a single dwelling for use by a member of the immediate family but not as a fully independent dwelling. The family member flat is often achieved by adding an extension to the dwelling or converting an attached garage, which is linked to the main dwelling. The development plan criteria guidance includes:
- *Interlinked with the primary dwelling and capable of being readily subsumed back into same.*
 - *Any such extension to the main dwelling shall be subsidiary in scale relative to the main dwelling.*
 - *Such that the Planning Authority is satisfied that there is a valid justification for the proposal in use terms.*
- 7.96. In the instance of the proposed family member flat the subsidiary accommodation is neither a conjoined extension of the main dwelling house or a conversion of existing floor area rather it is an independent pavilion structure located in the rear garden

connected to the main house by a glazed link positioned at a right angle to the pavilion.

- 7.97. I do not consider that the garden pavilion is capable of being readily subsumed back into the main dwelling given its scale, location and external linkage.
- 7.98. Furthermore, I consider that the link connection would be out of character with the pattern of development in the area and should be omitted from the proposal. The garden pavilion without the link structure fails to connect and integrate with the main dwelling house.
- 7.99. Therefore, the proposed development would result in a separate detached dwelling unit representing the creation of a second building line behind the main established building line on Ballinclea Heights. I consider that the proposed garden pavilion and link should be refused.

Conclusion

- 7.100. The development plan supports the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time. I consider on balance that the proposal for the renovation, reconfiguration of internal accommodation, extension and deep retrofit of the subject house would align with development plan policy objectives on the reuse of existing buildings.
- 7.101. However, the proposed dormer extension would be inconsistent with Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. I consider that the rear dormer extension would be an incongruous feature in the rear roofscape. It would be out of character in terms of scale and design with existing dormer structures in the vicinity and in the estate generally. I would agree with the appellant that the prominence of the dormer structure would represent a third floor at roof level.
- 7.102. Finally, in the matter of the family member flat, I consider that the link connection would be out of character with the pattern of development in the area and should be omitted from the proposal. The garden pavilion without the link structure would fail to connect and integrate with the main dwelling house. Therefore, the proposed subsidiary accommodation would be inconsistent with Section 12.3.7.3 (Family Member / Granny Flat Extension) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

7.103. Furthermore, the proposed development would result in a separate detached dwelling unit representing the creation of a second building line behind the main established building line on Ballinclea Heights.

7.104. In the matter of my recommendation, I considered the redesign of the dormer extension by way of condition in order to arrive at a split decision. However, I concluded that a refusal is warranted. The development proposal would be significantly altered by the redesign of the dormer, which is an integral component of the rear extension, without the right of public consultation under a redesign negotiated between the applicant and the planning authority.

7.105. I conclude that the proposed development should be refused permission, as the proposal would be inconsistent with the pattern of development in the vicinity, would be inconsistent with development plan policy both for dormer extension and subsidiary family accommodation and, as such, would be inconsistent with the proper planning and sustainable development of the area.

7.106. Appropriate Assessment Screening

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located within an established urban area and is connected to piped services and is not immediate to a European Site. The proposed development comprises the renovation and extension of an existing 4-bedroom family dwelling as set out in Section 2.0 of this report.

No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site given the small-scale nature of the development.

I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

8.0 Recommendation

- 8.1. I recommend a refusal of planning permission for the reasons and considerations set out below.

9.0 Reasons and Considerations

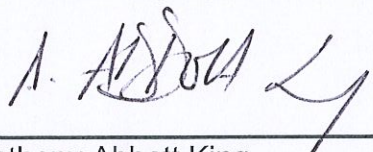
Having regard to the residential zoning objective, the grounds of appeal and the policy context provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the proposed development would be inconsistent with the pattern of development in the area, would be inconsistent with Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) and Section 12.3.7.3 (Family Member / Granny Flat Extension) of the Dun Laoghaire-Rathdown Development Plan 2022-2028, would set a precedent for similar development inconsistent with the character of the area and, as such, would be inconsistent with the proper planning and sustainable development of the area.

10.0 Refusal

1.	The proposed dormer extension would be inconsistent with Section 12.3.7.1 (iv) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 in terms of the scale, design and position of the dormer extension forward of the eaves line of the main roof and aligned with the main roof ridgeline, as such, the dormer would read as a third storey. Therefore, the rear dormer extension would be an incongruous feature in the rear roofscape of no. 91 Ballinclea Heights, would set a poor precedent for similar roof level extension that would be out of character with the established pattern of dormer extension in the area inconsistent with visual amenities and, as such, would be inconsistent with the proper planning and sustainable development of the area.
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2.	<p>The proposed garden pavilion and external link structure (family member flat) would not follow the established pattern of development of house extension in the area and would be an inappropriate building form in this suburban location. The proposed family member flat would result in the introduce of a second residential building line behind the establish building line on Ballinclea Heights and would set a poor precedent for similar development in the rear gardens of suburban dwelling houses. Therefore, the proposed garden pavilion and external link structure would be inconsistent with Section 12.3.7.3 (Family Member / Granny Flat Extension) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, which requires that additional family accommodation is capable of being subsumed into the main dwelling house on cessation of subsidiary use, and by reason of the precedent for similar back land development in the rear gardens of adjoining properties, which would seriously injure the amenities of properties in the vicinity.</p>
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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.



Anthony Abbott King
Planning Inspector

27 January 2025