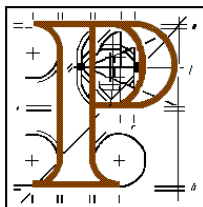


An Bord Pleanála



Inspectors Report

Development: Completion of previously approved house, retention of conservatory, alterations to front elevation and associated works at Keshcarrigan, Co. Leitrim.

Planning Application

Planning Authority: Leitrim County Council
Planning Authority Reg. Ref. 15/150
Applicant: Mary Keaney
Type of Application: Permission and Retention permission
Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Mary Keaney

Observers: None

Type of Appeal: First Party against Condition

Date of Site Inspection: 18/02/2016

Inspector: Gillian Kane

1.0.0 SITE LOCATION AND DESCRIPTION

1.0.1 The subject site is located on the eastern side of an unsurfaced track, running southwards from the R209. The R209 runs through the small village of Keshcarrigan, which lies between Lough Scur (north) and Keshcarrigan Lough (south). The track serves the subject site, a detached dwelling to the north and other agricultural land. Notwithstanding the location of the subject and neighbouring dwelling on the ridge of a hill, due to the topography of the wider area, the site is not visible from the public road, nor any of the wider area. The site is on the outskirts of the village, just east of the main residential area of the village. To the west of the main street and visible from a very wide area is a large quarry.

1.0.2 The site comprises a partially built two storey dwelling with a single storey extension to the side. The detached dwelling to the north has large concrete freestanding gates and gate piers.

1.0.3 Photographs and maps in Appendix 1 serve to describe the site and location in further detail.

2.0.0 PROPOSED DEVELOPMENT

2.0.1 Permission was sought for the completion of a previously approved one and a half storey house, retention of a conservatory and alterations to the front elevation of a 216.81sq.m. house on a site of 0.448ha

2.1.0 Reports on File following submission of application

2.1.1 **Planning Report:** Proposed development is a balcony at first floor level. The Planning Authority do not encourage balconies in rural areas. Balcony should be omitted by condition.

3.0.0 PLANNING AUTHORITY DECISION

3.0.1 By order dated 30/10/15 a notification of decision to **GRANT** permission for 4 no. conditions. Condition no. 2 stated:

“Within four weeks of the final grant of this permission revised plans and elevations shall be submitted for the written agreement of the Planning Authority showing the omission of the first floor French door serving the master bedroom on the front elevation and their replacement with a window of the same style as that serving the first floor bathroom. The galvanised steel railing above the ground floor windows serving the living-room shall also be omitted.

Reason: In the interests of the preservation of the rural character of the area and the amenities of property in the vicinity.”

4.0.0 PLANNING HISTORY

4.0.1 **Planning Register Reference No P04/1184:** Planning permission was granted for a 1.5 storey house, subject to 9 no. standard conditions.

5.0.0 LOCAL POLICY

5.1.0 Leitrim County Development Plan 2015 - 2021

5.1.1 The subject site is located within an area designated as being of High Visual Amenity. The site is not zoned and so development must comply with the Council's rural housing policies. Policies of relevance include:

5.1.2 **Section 4.1.4 Rural Areas:** Outside the built-up area of towns and villages, development proposals will be assessed according to:

The likely impact on the environment (including, inter alia, watercourses, ground water and habitats); The visual impact on the landscape; Heritage criteria (both natural and man-made); Traffic Safety; The social, community or economic gain accruing to the local community; whether the housing demand is urban or rural generated (this is particularly relevant in the medium capacity areas and the location of the proposed dwelling in relation to the rural capacity areas.

An important consideration in the assessment of development in rural areas will be design, particularly the appropriateness of the design with regard to the character of the area and whether the development can be absorbed into the landscape. Guidance is provided in the ***Design Guide for the Siting and Design of Single Houses within the Leitrim Countryside***, available from the Council. In order to advance this objective and, at the same time, to protect the rural environment, the following shall apply: - In areas of high visual amenity, houses shall be designed and located, as far as is practicable, so as to minimise the impact on the landscape.

5.1.3 **Section 4.2.1** of the plan requires that rural residential development complies with the Design Guide for the Siting and Design of Single Houses within the Leitrim Countryside.

5.2.0 Design Guide for the Siting and Design of Single Houses in Leitrim Countryside

5.2.1 The chapter on Design Modifications notes that ‘simplicity of elevations is a familiar characteristic of traditional houses in the countryside and should be retained’ and that ‘uniform external finishes and traditional elements and features are more successful’.

5.2.2 The chapter on Materials and Finishes recommends avoiding the use of inappropriate materials and colours, that the traditional materials and finishes on elevations are generally successful. The chapter recommends avoiding the importation into the countryside of suburban type elements and features such as concrete boundary walls surrounding front and rear gardens, the overuse of brick or a riot of external finishes. The use of red brick is generally to be discouraged in rural areas.

6.0.0 GROUNDS OF APPEAL

6.0.1 The grounds of the First party appeal can be summarised as follows:

- The subject site is located on the outskirts of Keshcarrigan Village on a semi-private roadway that serves a relations dwelling and farm buildings.
- The subject dwelling has views over the canal and mooring facilities on the Shannon Erne waterway.
- The proposed balcony off the master bedroom will not affect the amenity of property in the vicinity.
- The railing can be replaced with translucent glass. Photographs submitted.
- Two holiday homes adjacent to the site have balconies offering views towards the canal. Photographs submitted.
- The visual appearance of the dwelling will not be affected by the proposed balcony and railings and will be in keeping with the Design Guide for single houses in Leitrim rural countryside.
- The proposed balcony & railing are in keeping with the design, scale and character of the existing structure and will not impact the residential amenity of adjoining properties.

7.0.0 RESPONSES

7.1.0 Planning Authority Response

7.1.1 The Planning Authority have responded to the first party appeal as follows:

- Of the photographs submitted with the appeal. Dwellings no. 1 and 2 and the two rural dwellings pre-date the design guide. The remaining dwellings are in urban areas and holiday home developments.
- The Planning Authority have had regard to section 4.1.4 and section 4.2.1 of the development plan.
- The Design Guide refers to avoiding the importation into the countryside of suburban type elements and features.
- The proposed balcony is contrary to the Design Guide and therefore the development plan.

8.0.0 OBSERVATIONS

8.0.1 None on file.

9.0.0 ASSESSMENT

9.0.1 On reading of all documentation submitted with the appeal, I consider the issues to be:

- Principle of the Proposed Development
- Development Plan Compliance
- Appropriate Assessment

9.1.0 Principle of the Proposed Development

9.1.1 Permission is sought to amend and complete a previously approved dwelling, which has been partially built. The first party appeal related solely to condition no. 2, which required the replacement of the first floor French doors with a standard window and the omission of a balcony at first floor. Subject to section 139 of the Planning and Development Act, as amended, having regard to the nature of the condition and the ground of the first party appeal, it is considered that a de novo assessment of the development is not warranted in this instance.

9.2.0 Development Plan Compliance

9.2.1 The subject site, although outside an urban boundary, lies on the outskirts of the village and very much reads as an extension of the village rather than an isolated rural area. That the laneway serving

the dwelling has two other houses, serves to create a pattern of ribbon development more common to the outskirts of urban areas.

9.2.2 The subject partially completed dwelling is an L shaped two storey dwelling with three dormer windows that read as an extension of the elevation, an external chimney breast, a single storey conservatory and a large double bay projection at ground level. The finishes completed to date include yellow coloured plaster, brown / grey stone effect cladding, white pvc windows. a brown pvc door, and a slate roof with a decorative ridge tile. The house is relatively large yet the effect of so many finishes is disjointed and cluttered. It could not be described as a traditional rural dwelling, nor could it be described as vernacular. With the exception of the rising dormers, the overall effect is largely suburban. This is compounded by the large stone effect entrance walls and gate piers of the adjoining house, which read as part of the subject site as one travels southwards on the laneway. I note that the parent permission for the dwelling proposed similar entrance walls & gate piers. The design of the dwelling is in keeping with the wider pattern of development in this village environment.

9.2.2 I remain unconvinced that the removal of the French window and its replacement with a window ope (as proposed in the parent permission) would represent a significant improvement on the existing, or that it would accord to a greater degree with the design guide. Likewise, I fail to see how the introduction of a balcony would injure the amenity of the wider area or contravene the design guide. As can be seen in the appeal and my site inspection photos, a number of houses within the immediate vicinity of the subject dwelling have large balconies.

9.2.3 The design guide advises against the introduction of suburban features such as concrete, advises against a 'riot of finishes' and recommends simple and uniform elevations. The subject house, in its permitted form refers to its location on the outskirts of the village rather than an isolated rural location and so does not comply definitively with the design guide. A further deviation is not considered significant or material.

9.2.4 The subject French window and balcony do not have a visual impact outside of the subject site and certainly not one significant enough to be considered an adverse visual impact on the landscape or local residential amenity. I recommend that condition no. 2 should be omitted from the permission.

9.3.0 Appropriate Assessment

9.3.1 Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and or proximity to the nearest European site, no appropriate assessment issues arise and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

10.0.0 RECOMMENDATION

10.0.1 I have read the submissions on file, visited the site, and have had due regard to the provisions of the Leitrim County Development Plan 2015 - 2021, the Design Guide for the Siting and Design of Houses in the Leitrim Countryside and the planning history of the site. Having regard to the above I recommend that the appeal be determined under section 139 of the Planning and Development Act, as amended that Leitrim County Council be directed to REMOVE condition no. 2 and the reason therefore.

11.0.0 REASONS AND CONSIDERATIONS

11.0.1 The subject French windows and balcony railings are considered to be a minor deviation of the Design Guide for the Siting and Design of Houses in the Leitrim Countryside and as such are in accordance with the Leitrim County Development Plan 2015-2021. The proposed development is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

DECISION

11.1.0 Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefore

Gillian Kane
Planning Inspector
22/02/16