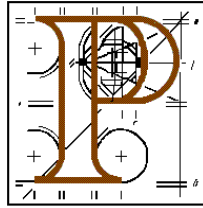


An Bord Pleanála



Inspector's Report

Appeal Ref No: PL 21.245961

Development: House, new front boundary wall, vehicular entrance and all associated site works at Larass or Strandhill TD, Strandhill, Co. Sligo

Planning Application

Planning Authority: Sligo County Council

Planning Authority Reg. Ref.: 15/262

Applicant: John Robinson

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Frank McMorrow

Type of Appeal: 3rd Party

Observers: None

Date of Site Inspection: 08/03/2016

Inspector: L. Dockery

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The subject site, which has a stated area of 0.6 hectares, is roughly rectangular in shape, and is located to the east of Strandhill village. It has direct access onto the Regional Road R292. The site may be considered an infill site with many dwellings in the immediate vicinity, mostly detached in nature. It is within the settlement envelope of Strandhill, within the 50kmph speed limit.
- 1.2 The site is currently under grass and rises in a southerly direction. The front boundary is comprised of a blockwork wall.

2.0 PROPOSED DEVELOPMENT

- 2.1 The proposed development, as per the submitted public notices, comprises the construction of a two-storey dwelling house, new front boundary wall, vehicular entrance, timber post and rail fencing to side and rear boundaries, connection to public watermain and all associated site works at Larass or Strandhill Td, Strandhill, Co. Sligo.
- 2.2 The stated floor area of the proposed dwelling is 203.5 square metres with a revised height of 8.2 metres (revised under a Further Information request by the Planning Authority). The floor plan comprises living accommodation at ground floor level with four bedrooms and three WCs at first floor level. Elevations to comprise nap plaster finish with stone detailing (shown on drawings, not specified) with blue/black slates to roof.
- 2.3 Connections to public sewer and public mains are proposed.

3.0 PLANNING AUTHORITY'S DECISION

- 3.1 Permission GRANTED, subject to 9 no. conditions

Condition No.6 relates to permanent frosted glazing on staircase window of western elevation. No openings shall exist within this glazing; together with frosting of glazing on all side elevation first floor windows

Condition No. 7 stipulates that finished first floor level of dwelling shall be 36.7 metres in accordance with details submitted to planning authority on 04/11/2015 and that the overall height of the proposed dwelling shall not exceed 8.2 metres.

Condition No. 8 relates to the protection of the existing hedge along the western side boundary and that proposed planting shall be completed within first planting season following completion of the development

3.2 Further Information was requested by the planning authority in relation to submission of accurate site layout plan; concerns regarding scale and height of proposed dwelling; contextual elevations and request for submission of a shadow study.

3.3 Revised public notices were submitted with the response.

4.0 TECHNICAL REPORTS

Planner's Report

The Planner's report generally reflects the decision of the Planning Authority.

Area Engineer

No objections, grant recommended- conditions attached

Road Design

Refers to Area Engineer's report

Irish Water

Conditions attached

5.0 APPEAL GROUNDS

5.1 The grounds of the third party appeal lodged on behalf of Frank McMorrow may be summarised as follows:

- Outlines site location and description; planning background and details of proposed development
- Concerns regarding traffic safety; sewerage; haphazard development; design concerns; impacts on privacy, amenity and value of appellant's home
- Proposal constitutes ribbon development- good planning practice demands that they are developed in a coordinated manner- by disposing of this individual site, it is not possible to see how the proposal will fit in with the development of the rest of the lands- a more satisfactory approach would have been to develop a site that takes access from a new internal road network and faces onto that network
- Proposal constitutes haphazard, individual and uncoordinated development, contrary to the coherent development of this block of residentially zoned lands and contrary to the future good planning of Strandhill
- Sightlines on drawings are incorrectly marked
- Very busy regional road where speed limit is widely ignored
- Contends that entrance is dangerous and represents a hazard on a busy regional road
- No spare capacity in sewage treatment plant
- Concerns regarding proximity to appellant's property- particular concerns regarding stairwell window
- Concerns regarding overshadowing and reduction in daylight to eastern elevation of appellant's property

- Concerns regarding height of proposed dwelling relative to appellant's property and house to west
- No change made to bulk of dwelling as requested in further information requested by planning authority- remains excessively bulky- not in compliance with Section 44.3 of Strandhill Mini-Plan
- Questions design of proposed dwelling- considers that proposal does not fit in or enhance the character of the area
- Suggests alterations to design to include relocation of single storey element; omission of stairwell window and replacement with rooflight; replacement of proposed gable roof with hipped roof and relocation of dwelling further north on site
- Photographs submitted in support of appeal

6.0 RESPONSES

6.1 A response was received from the planning authority which may be summarised as follows:

- Proposal consistent with residential zoning of site- not considered that the development of the subject site would adversely impact on the potential development of surrounding lands in the future- site size is consistent with some of the larger sites within the Sycamores development to the east- number of properties with direct access onto this road- no objection in principle to the provision of one dwelling
- No objections from Roads Engineer in relation to sightlines/traffic hazard- site located within 50kmph zone, there are numerous properties exiting onto the road and the adjoining properties are well setback from adjoining road edge- no alteration to the roadside boundary of the adjoining property to west is required

- Capacity issues with respect to waste water treatment are acknowledged- such issues relate to larger scale, multi housing schemes and should not affect small, extension and single houses which have relatively insignificant impact on plant loading- Irish Water have no objection, subject to conditions
- Given location and context of site within zoned area, it is considered that proposed proximity is acceptable- well in excess of 1.5 metres distance recommended in Development Plan- conditions provide for permanently obscured glazing on all windows on side elevations
- Shadow study shows that property to east is sufficiently distanced so as not to be significantly affected- shadowing of property to west would be limited to very early hours of the morning- not considered to be so significant that it would seriously detract from the residential amenity of adjoining property
- Scale of dwelling was reduced through the reduction of proposed roof volume- considered acceptable in the context of the wider surrounding area
- Proposed dwelling would appear smaller in scale than appears in contextual drawing as it is setback further from the roadway than adjoining properties
- Proposal considered acceptable in the context of existing and future development

7.0 OBSERVATIONS

7.1 None

8.0 PLANNING HISTORY

No recent history

9.0 DEVELOPMENT PLAN

The Sligo County Development Plan 2011-2017 is the operative County Development Plan for the area. The site is located within the area covered by the Strandhill Mini-Plan.

Zoning

The site is located within an area zoned for 'residential uses' which seeks to 'protect and enhance existing residential amenity, promote infill/backland development and, where appropriate, development of housing on greenfield lands'.

Strandhill is listed as a settlement subject to a moratorium on multiple housing development, as set out in the Core Strategy of the operative County Development Plan.

The R292 is designated as a 'Scenic Route' within the operative County Development Plan and views to Knocknarea are to be preserved

10.0 ASSESSMENT

10.0.1 I have examined all the documentation before me and have conducted a visit of the site and its environs. In my mind, the main issues relating to this appeal are

- Principle of proposed development
- Impacts on amenity of area
- Traffic Issues
- Other issues

10.1 PRINCIPLE OF PROPOSED DEVELOPMENT

10.1.1 The subject site is located within the development envelope of Strandhill village, within the 50kmph speed limit. It is located within a residentially zoned area, as set out in the operative County Development Plan with an objective to 'protect and enhance existing residential amenity, promote infill/backland development and, where appropriate, development of housing on greenfield lands'. This objective is considered reasonable. The subject site could be accurately described as an infill site. The proposed development, as described in the submitted public notices, provides for the construction of a two-storey dwelling, within an established area. I consider that the site has adequate capacity to accommodate a dwelling of the size and scale proposed, subject to compliance with all other Development Plan requirements. I note the argument put forward in the appeal submission regarding the prejudicing of further development on the overall land block. I would agree with the assertion of the planning authority in their response that the proposed development if permitted would not prejudice the further development of lands to the north. There are numerous locations where access to these lands could be achieved. I also note that a precedent has been set for dwellings fronting directly onto this roadway.

10.1.2 Having regard to all of the above, I consider the development as proposed to be acceptable in principle and generally in compliance with the zoning objective of the area.

10.2 IMPACTS ON AMENITY

10.2.1 I acknowledge the concerns raised in the submission in relation primarily to issues of residential amenity. Having examined the documentation before me, together with having carried out a visit of the site and its environs, I am of the opinion that the proposal is generally considered acceptable and I consider that the site has adequate

capacity to accommodate a development of the nature, size and scale proposed without detriment to the amenity of the area. The height was reduced from 9.2 to 8.2 metres, by a request for Further Information from the planning authority. The design, building lines and finishes are all considered acceptable. The proposed dwelling will integrate well with existing development in the vicinity and I do not anticipate that it will negatively impact on the character of the area. I consider that issues of overlooking, impacts on privacy or overshadowing are not substantial in this instance. I note the concerns raised in relation to the proposed window to stairwell on the eastern elevation. The issue of permanently frosting this window and ensuring that it is unopenable has been dealt with by condition by the planning authority and I consider this to be reasonable. I recommend that if the Board is disposed towards a grant of permission that a similarly worded condition be attached to any such grant. Adequate private open space is proposed to comply with Development Plan standards.

10.2.2 I have no information before me to believe that the proposed development, if permitted would lead to devaluation of property values in the vicinity. I consider that the works proposed would not detract from the visual or residential amenities of the area. The site is located within a residentially zoned area of Strandhill village and I consider proximity to site boundaries to be reasonable at such urban locations. Given the location of the site within the Strandhill settlement envelope, I consider that the proposal would not detract from the designated Scenic Route along the R292 to such an extent as to warrant a refusal of permission. I consider that the proposal is in compliance with relevant Development Plan policies in relation to such works and that the proposal is consistent with the proper planning and sustainable development of the area.

10.3 TRAFFIC ISSUES

10.3.1 Concerns have been raised in relation to traffic issues. In relation to parking, I note that adequate off-street parking is proposed to the new dwelling. I anticipate that the traffic generated by a single proposed dwelling would not be substantial. I note the report of the Roads Engineer of the planning authority which states that they have no objections to the proposal, subject to conditions. The site is located within an urban area where the speed limit is set at 50kmph. The assertion that speeds are higher than the legal limit is an enforcement issue for the Gardai, outside the remit of this planning appeal. A number of properties exit directly onto this regional road so the proposal would not be setting a precedent in this regard.

10.3.2 I have no information before me to believe that the proposal, if permitted would lead to the creation of a traffic hazard or obstruction of road users in the vicinity.

10.4 OTHER ISSUES

10.4.1 I note the concerns raised in relation to the capacity of the wastewater treatment system. I note however that Irish Water, who has responsibility for this area, expressed no objections to the proposed development, subject to conditions. I would concur with the opinion of the planning authority that the wastewater generated by one dwelling would be expected not to be excessive. I have no information before me to believe that that the proposal, if permitted would be prejudicial to public health.

10.4.2 The subject site is located in an established residential area, within development envelope of Strandhill and is not located adjacent to nor in close proximity to any European sites, as defined in Section 177R of the Habitats Directive. Having regard to the nature and scale of the proposed development and/or the nature of the receiving environment and/or 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.

11.0 CONCLUSION

11.1 Having regard to all of issues raised above, I consider that the proposed development is acceptable and consistent with the proper planning and sustainable development of the area, subject to conditions.

12.0 RECOMMENDATION

In light of the above assessment, I recommend that the decision of the planning authority be UPHeld and that permission be GRANTED for the said works, based on the reasons and considerations under.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Sligo County Development Plan 2011-2017 and to the nature, form, scale and design of the proposed development; together with the existing pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not adversely affect the residential or visual amenities of the area, would not lead to the depreciation of property values and would not lead to the creation of a traffic hazard in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, together with Further Information received by the planning authority on the 04th day of November 2015, 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.

REASON: In the interest of clarity.

2. The developer shall comply with the following requirements:
 - a. The height of the proposed dwelling shall not exceed 8.2 metres above existing ground level, as shown on drawings received by the planning authority on the 04th day of November 2015. In this regard, the finished floor level shall be 36.75 metres
 - b. All windows in side elevations at first floor level shall be permanently comprised glazing
 - c. The proposed stairwell window on western elevation shall be permanently comprised of obscure glazing and shall be unopenable
 - d. The existing hedging along the western site boundary shall be protected insofar as possible during construction works

REASON: In the interests of amenity

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

REASON: In the interest of public health and to ensure a proper standard of development.

4. The entire dwelling shall be used as a single residential unit

REASON: In the interests of clarity

5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

REASON: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

6. Site development and building works shall be carried only out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

REASON: In order to safeguard the amenities of property in the vicinity.

7. Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

REASON: In the interest of visual amenity.

8. The applicant shall ascertain and comply with all requirements of the planning authority in relation to roads, access and parking issues, prior to the commencement of any works on site

REASON: In the interests of traffic safety

9. Details of proposed boundary treatments and landscaping shall be submitted to the planning authority for their written consent, prior to the construction of any works on site

REASON: In the interests of amenity

10. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

REASON: In the interest of visual amenity.

11. Prior to commencement of development, the naming and numbering of the proposed house shall be agreed in writing with the planning authority.

REASON: In the interest of orderly development.

12. 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 and Development Act 2000. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

REASON: It is a requirement of the Planning and Development Act 2000 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.

L. Dockery

Planning Inspector

4th April 2016