



An
Bord
Pleanála

Inspector's Report

Development	Domestic garage with first floor loft and ancillary works at Ballymacowen, Clonakilty, Co. Cork.
Planning Authority	Cork County Council
Planning Authority Reg. Ref.	16/100
Applicant	Colin O'Donovan
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions
Appellant	Colin O'Donovan
Type of Appeal	1 st Party v. Condition
Observer(s)	None
Inspector	Pauline Fitzpatrick
Date of Site Inspection	02/09/16

1.0 SITE LOCATION AND DESCRIPTION

- 1.1. The site, which has a stated area of 0.36 hectares, is located in the townland of Ballymacowen accessed via a local road close to its junction with the N71, c. 3km to the north-east of Clonakilty. The vicinity of the site is characterised by a material level of one off housing.
- 1.2. A two storey dwelling has been recently constructed on the site with the foundations of the originally permitted detached garage visible to the south-east of same. It is served by generous garden areas both to the front (north) and rear (south). The eastern site boundary is delineated by a hedge with the single storey dwelling bounding the site to the east stated to be the existing family home. The lands to the west are undeveloped.

2.0 PROPOSED DEVELOPMENT

- 2.1. The application was lodged with the planning authority on the **23/02/16** with further details submitted **08/06/16** following a request for further information dated 08/04/16.
- 2.2. The proposal entails the construction of a detached garage structure to the east (side) of the dwelling with a stated floor area of 66 sq.m. The garage is to provide for a 1st floor level divided into two rooms to be used for storage purposes. The ground floor is also to be divided providing for further storage separate to the garage. A garage door is proposed to the rear elevation with wrap around sliding doors to the front elevation and a further door and windows in the west elevation. Windows and a combi roof light are also proposed at 1st floor level. The structure is to be finished as the main house and is to have a stated height of 6.2 metres.
- 2.3. Following a request for further information two alternative design options were submitted. The 1st option (Option A) replaces the wrap around sliding doors with

sliding doors to the front elevation with the replacement of the combi velux to a single roof light. The ridge height is reduced to 5.7 metres.

- 2.4. Option B, while entailing the same internal layout, proposes a lower ridge height with alterations to the roof profile and incorporation of a double height glazed feature to the front elevation.

3.0 **PLANNING AUTHORITY DECISION**

3.1. **Decision**

The planning authority decided to grant permission for the above described development subject to 6 conditions. Of note:

Condition 2: The development to be amended as follows:

- (a) Ridge height not to exceed 5 metres with a pitch roof of 35-40 degrees
- (b) Double garage doors to be located in the northern elevation
- (c) Double sliding doors in the southern (sic) elevation and 1st floor windows in northern and southern elevations to be omitted.

Condition 3: Garage not to be used for the carrying out of any trade or business or for human habitation.

3.2. **Planning Authority Reports**

The 1st **Planner's** report dated **08/04/16** considers that the proposed design and layout has the hallmarks of a separate living unit. The internal ground floor garage space would not be adequate to accommodate a car. The garage as previously permitted would be appropriate in terms of scale and design. It is recommended that the ridge height be reduced to a maximum of 5 metres, the double garage doors

relocated to the northern elevation and the 2 sets of sliding doors and mid eaves velux window and single door ope omitted. A request for further information is recommended. The **2nd report** dated **23/06/16** following further information considers that the applicant has not responded with a revised design proposal for the garage which would be to the satisfaction of the planning authority. The argument put forward regarding the transition ratio between ridge levels of a dwelling and a garage is not accepted. The necessary changes should be sought by condition. A grant of permission subject to conditions is recommended.

3.3. **Other Technical Reports**

3.4. **Irish Water** has no objection.

3.5. The **Area Engineer** has no objection subject to conditions.

4.0 **PLANNING HISTORY**

4.1. 08/1344 – Permission granted for change of house plan and layout from that granted permission under reg. ref. 04/6096. The detached garage subject of the permission is single storey with a stated floor area of 31.66 sq.m.

5.0 **POLICY CONTEXT**

Skibbereen Electoral Area Local Area Plan, 2011

The site is within the designated Green Belt for Clonakilty town

6.0 THE APPEAL

6.1. Grounds of Appeal

The submission by Construction and Interior Design Co. Ltd. on behalf of the 1st party appeal against the decision and, in particular the requirements of condition 2, can be summarised as follows:

- The applicant's requirements in terms of the garage have changed since permission was granted on the site under file refs. 04/6096 and 08/1344 including the need for further storage and a hobby room (exercise room).
- The location was selected following assessment of impact of views from the applicant's parents' house adjoining. The permitted location would have impacted on same.
- The design is deemed to be the most efficient and design sensitive for the transition space between the main dwelling and the family home and provides for a soft separation between the public and private garden areas and the screening of cars and garden equipment from the roadside.
- The garage door is located to the rear as cars and garden equipment are parked/kept in the rear courtyard to the south.
- The location of the original wrap around glazing to the front and side would reflect that of the main dwelling and provide light and rapid ventilation for the exercise/hobby room. It would also serve to avoid a suburban design which a garage door to the front elevation would result in, which would be contrary to the rural greenbelt designation of the area.
- Condition 2 will require the exclusion of the 1st floor thereby removing key elements of the design brief.
- The garage is not for habitable purposes. It is considered that the planning authority's view that it is intended to be used as a separate dwelling prejudiced the outcome. It can accommodate a vehicle but its primary role is the storage of domestic vehicles ancillary to the main dwelling.

- Conditions safeguarding the use of the property and restricting the use of the structure to uses incidental to the enjoyment of the main dwelling is accepted by the applicant.

6.2. Planning Authority Response

No further comment.

6.3. Observations

None

7.0 ASSESSMENT

- 7.1. Permission was previously granted for a single storey detached garage on the site with a stated floor area of 31.68 sq.m., the foundations of which were noted on day of inspection. The approved plans provide for double garage doors in the side elevation allowing for access from the courtyard area to the rear of the dwelling with a further door and windows in the front and rear elevations. With the structure to have been setback from the building line of the main dwelling it would have appeared subservient to it.
- 7.2. The applicant is now seeking what is effectively a two storey detached garage structure which, in addition to storage provision, will also accommodate a home gym. The floor area of the structure is effectively being doubled to 66 sq.m
- 7.3. Whilst I note the concerns expressed in the Planners' report on file regarding the design and layout being conducive to use as a living unit separate from the main dwelling, this is not what is being sought by the applicant. The structure is intended for purposes ancillary to the main dwelling. In my opinion the limitations in the use of the structure can be explicitly spelt out in a condition should the Board be disposed to a grant of permission.

Certainly by reason of the proposed fenestration and door arrangement it does not have the appearance commonly associated with garage structures. However this, in itself, does not render it unsuitable. The design as proposed is comparable in execution to that of the main dwelling. The site is big and there is sufficient space to accommodate the structure. In the context of the dwelling as constructed it will appear subservient to same however I consider that this could be further accentuated by the lowering of the ridge height to no more than 5.8 metres and setting back its building line from that of the dwelling by 3 metres. I note that the external finishes will match those used in the dwelling.

As such I have no objection to the plans for the garage structure which accompanied the application as originally submitted to the planning authority. However were the Board to consider the amended plans submitted by way of further information I submit that option A would be the more appropriate alternative. Option B by reason of the proposed roof profile is not considered to complement the dwelling as constructed.

AA- Screening

Having regard to the fact that there is an existing permission for a garage on site and the limited nature and scale of the development, 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.

8.0 RECOMMENDATION

- 8.1. Having regard to the documentation on file, the grounds of appeal, a site inspection and the assessment above, I recommend that planning permission be granted, subject to conditions, for the reasons and considerations as set out below.

REASONS AND CONSIDERATIONS

Having regard to the size and design of the proposed garage, its location within the site, to the pattern of development in the vicinity and to the planning history on the site, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would, therefore, be 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 received by the planning authority on the 23rd day of February, 2016 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 proposed garage structure shall be amended as follows:
 - (a) The ridge height shall not exceed 5.8 metres.
 - (b) The structure shall be relocated three metres to the south of its position as delineated on the site layout plan (DWG No.1) received by the planning authority on the 23rd day of February, 2016.

Revised drawings with the amendments delineated thereon shall be

submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of visual amenity

3. The external finishes of the proposed garage (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity

4. The garage structure hereby permitted shall be used as a private domestic garage solely for purposes incidental to the enjoyment of the dwellinghouse and shall not be used for human habitation, commercial, trade or industrial purposes.

Reason: To restrict the use of the garage structure in the interest of residential amenity

5. Surface water shall be disposed within the site and shall not be permitted to drain onto the adjoining public road.

Reason: In the interest of traffic safety

Pauline Fitzpatrick

Inspectorate

September, 2016

Attachment - Photographs