



An
Bord
Pleanála

Inspector's Report PL21.247422

Development	Renovation of timber dwelling and permission for extension to dwelling, altered finishes and site works at Kilkilloge, Mullaghmore, Co. Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	16/322
Applicant(s)	Columba Eastwood
Type of Application	Retention and Permission
Planning Authority Decision	Refuse
Appellant(s)	Columba Eastwood
Observer(s)	None
Date of Site Inspection	19 th January 2017
Inspector	Lorraine Dockery

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 0.0513 hectares is located within the development boundary of Mullaghmore, Co. Sligo. The general area is residential in nature. This is considered to be an infill site with the general area on comprised of low density detached dwellings on relatively large sites. Most of the dwellings are low rise, but there are some exceptions.
- 1.2. The subject site currently contains a detached, timber clad chalet-type dwelling of stated floor area 41.4 square metres. It would appear from a visual inspection that the property is connected to mains drainage. The area surrounding the property the front/sides is comprised of hardcore and there is currently no defined front boundary. The site in its present state would benefit from some upgrading/completion works.

2.0 Proposed Development

- 2.1 The proposed development, as described in the submitted public notices, comprises retention permission for dwelling and planning permissions to for extensions to dwelling and completion of works at Kilkilloge, Mullaghmore, Co. Sligo.
- 2.2 The existing structure on site is single storey in height (with loft space), has external timber cladding and a stated floor area of 41.4 square metres. The proposed works have a floor area of 47.5 square metres.
- 2.3 The proposed extensions provide for additional living space at ground floor level and is to be located to the front and rear of the existing structure. The proposed works involve the removal of the external timber cladding an its replacement with a render finish for the entirety of the proposed structure.

2.4 **Planning Authority Decision**

2.5 **Decision**

Permission REFUSED for 1 no. reason as follows:

1. Having regard to the character and form of the proposed development, it is considered that the proposed development would be incongruous with existing residential development at this location, would be seriously injurious to the visual amenities of the immediate area, would set an undesirable precedent for further such development at this location and accordingly would be contrary to the proper planning and sustainable development of the area.

2.6 **Planning Authority Reports**

The report of the area planner reflects the decision of the planning authority

2.7 **Other Technical Reports**

Area Engineer Sligo/Drumcliffe: Recommendation to grant permission, subject to condition.

3.0 **Planning History**

There is quite a protracted history pertaining to this site. There are a number of refusals from the planning authority for a dwelling on the site.

Of relevance:

PL10/148

Permission GRANTED for dwelling on this site (not constructed)

Two applications in 2015 (15/37 and 15/144) were refused for a dwelling on the site for reasons similar to that in this current appeal.

4.0 **Development Plan**

4.1. The Sligo County Development Plan 2011-2017 is the operative County Development Plan for the area.

The Mullaghmore Mini-Plan 2011-2017 applies

'Residential' zoning

Section 38.6 deals with Residential Development

5.0 **The Appeal**

5.1. **Grounds of Appeal**

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

- Considers decision of planning authority to be unreasonable
- Complies with policies of operative Development Plan
- Proposal will be satisfactorily absorbed into the landscape and will respond to existing site characteristics without the need for excessive excavation or landscaping
- Accepts that timber dwelling on site did not comply with housing policies and instructed architect to design a dwelling which would incorporate existing structure and address concerns of planning authority
- When complete considers that proposal will fit comfortably within this high density housing development- see photomontages included
- Proposal is sited behind building line- see Map 2
- Many houses do not have rectangular plan and cites examples

- Different forms of residential development need not necessarily result in incongruous intrusion within any housing scheme- wide range of house types and sizes evident in Mullaghmore
- Addresses third party submission received by planning authority
- Screen wall proposed, together with design of dwelling ensures no overlooking of adjoining properties
- Dwellings of varying heights have been allowed within the housing scheme
- Planning legislation cannot protect private views

5.2. Planning Authority Response

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

- Character and form of proposed development is considered to be incongruous with existing residential development at this location
- Concerns do not relate to the absorption of the dwelling into the landscape
- Proposal would set an undesirable precedent for further such development at this location
- Gable ended front elevation, which extends forward of the front building line of the adjacent dwellings is not in keeping with the established pattern of development in this area
- Concerns regarding orientation of dwelling which is not in keeping with existing dwellings
- No objection to principle of dwelling on this site

5.3. **Other Party Responses**

None

5.4. **Observations**

None

6.0 **Assessment**

6.1. I consider the key issues in determining this appeal are as follows:

- Principle of development
- Amenity issues
- Appropriate Assessment

7.2 **Principle of development**

7.2.1 I note the location of the subject site, within the built-up area of Mullaghmore, on a site which is zoned for residential development within the operative Mullaghmore Mini-Plan. This is an infill serviced site, with residential property on either side. The planning authority have stated that they do not have issue with the principle of a dwelling on the site.

7.2.2 Having regard to all of the above, I consider that the proposed works to be acceptable in principle and consistent with the proper planning and sustainable development of the area.

7.3 **Amenity Issues**

7.3.1 The main issue of concern of the planning authority relates to the impact of the proposed development on the character and form of the development and that it would be incongruous with existing residential development at this location. They

consider the proposal to be injurious to the visual amenities of the area and if permitted would set an undesirable precedent for further similar development in the area.

7.3.2 Having regard to all of the information before me, including having visited the site and its environs, I do not concur with this assertion. I note that the existing structure in its current form differs in style, size and finishes to those dwellings on surrounding sites. It has been accepted by the appellants that this structure in its current form is inappropriate at this location and I would concur with this. However, the current proposal includes for alterations and extensions as outlined above and it is this proposal which is being assessed in this instance. I consider the proposal before me to be acceptable in terms of height, design, orientation and materials. The proposed render finish will integrate better with existing dwellings than that currently existing. I consider that the site is of adequate size to cater for a dwelling of the size and scale proposed and adequate open space is available.

7.3.3 There are no special designations pertaining to the site or its environs. No one style of property dominates- houses of varying styles and height are evident and the character of the area is such that the proposed development would not detract from it to any great degree. A stepped front building line currently exists and the location of the proposed works integrate well with this. Having regard to all of the above, I consider the proposed development to be acceptable and if permitted would not detract the visual or residential amenities of the area. This is a serviced, infill site within the centre of the village and its appropriate development is acceptable and consistent with the proper planning and sustainable development of the area. If the Bord is disposed towards a grant of permission, I recommend that a condition be attached to any such grant stipulating that a landscaping plan with boundary treatments be submitted to and agreed with the planning authority and that the subject landscaping be completed within the first growing season of occupation of the dwelling.

7.4 Appropriate Assessment

7.4.1 The current proposal is proposed to connect to both mains water and sewer and is considered to be an infill site within the village of Mullaghmore. There will be no disturbance of any Natura sites due to the distances involved between the sites and the proposed development. 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.

8.0 Recommendation

8.1 I recommend that planning permission should be granted, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Sligo County Development Plan 2011-2017 and to the nature, scale, height and design of the proposed development, 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 creation of an undesirable precedent and would not unduly impact on the character and form of this established residential area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, 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. 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.

3. A detailed landscaping plan, to include for boundary treatments shall be agreed with the planning authority prior to the commencement of further works on site. All agreed works shall be duly completed within the first growing season of occupation of the dwelling.

Reason: In the interests of visual amenity

4. Prior to the commencement of any works on site, the applicant shall agree in writing with the planning authority details of all proposed external finishes.

Reason: In the interest of visual amenity.

5. 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.

6. Prior to the commencement of any development on site the applicant shall ascertain and comply with all requirements of the planning authority in relation to roads and access issues

Reason: In the interests of traffic safety

7. All service cables associated with the proposed development shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interest of orderly development and the visual amenities of the area.

8. 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

9. 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, as amended. The contribution shall be paid prior to

commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Lorraine Dockery
Planning Inspector

30th January 2017