



An
Bord
Pleanála

Inspector's Report PL07.247750

Development	Construction of a detached garage structure.
Location	Moy, Kinvara, Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	16/1362
Applicant(s)	Sandra Murphy
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	First V Conditions
Appellant(s)	Sandra Murphy
Observer(s)	None
Date of Site Inspection	3 rd March 2017
Inspector	Rónán O'Connor

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	3
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy Context.....	4
5.1. Development Plan.....	4
5.2. Natural Heritage Designations	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Planning Authority Response	5
7.0 Assessment	6
8.0 Recommendation.....	7

1.0 Site Location and Description

- 1.1. The appeal site is located to the west of a local road (L-8588) in the townland of Moy, Kinvara and is approximately 2km south-west of Kinvara. The appeal site consists of a two-storey dwelling with front and rear gardens, and a garage structure to the rear, and also encompasses an adjoining undeveloped field.

2.0 Proposed Development

- 2.1. It is proposed to construct a single storey garage structure with pitched roof on the adjoining field to the north-east of the existing dwelling. The appeal relates to Condition 4 which requires the relocation of the garage structure.

3.0 Planning Authority Decision

3.1. Decision

Grant permission with conditions. A condition of note, and the subject of this appeal, is Condition 4 which requires the garage to be relocated to the south-west by 8m and to the south-east by 5m, with the length of the proposed access driveway to be curtailed accordingly.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planning officer reflects the decision of the planning authority. The following is of note:

- The planning officer raised concerns in relation to the location of the garage structure as it would read as a standalone site but considered that this could be addressed by way of condition.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

12/717 – Granted. Retention of house with revised site boundaries to that granted under 02/4860.

09/2222 – Refused. Dwelling house.

07/4321 – Refused. Dwelling House.

03/3123 – Refused. Outline permission for dwelling house.

02/4860 – Granted. Dwelling house.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Galway County Development Plan 2015 – 2021 (CDP) shows the site as lying within a rural area under strong urban influence (GTPS). The following Development Management Standards are relevant:

- DM Standard 1: Qualitative Assessment-Design Quality, Guidelines and Statements
- DM Standard 6: Assimilation of Development into Landscape

5.1.2. The site lies within the East Galway Bay Landscape Character area where the Landscape Sensitivity is deemed to be Class 3 (Medium) and the Landscape Value Rating is Medium.

5.1.3. According to OPW Mapping, the site is on or adjacent to an area at risk of Pluvial Flooding.

5.2. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal, as submitted by Gerard Hanniffy, Consultant Civil Engineer, are as follows:

- That the relates to condition 4 attached to the decision of the planning authority relating to the relocation of the proposed garage structure.
- Location of the garage was carefully chosen by the client so as to complement the existing dwelling house and to utilise the amenity of the site.
- Also chosen to minimise impact on an existing stone field wall and extensively landscaped garden.
- Consideration was also given to the building line of the neighbouring adjacent dwelling, north-east of the proposed development – Location is to the rear of the building line.
- Not excessive in size.
- Revised location creates a cluster effect of structures located on top of the existing dwelling house, maximises destruction of the stone wall and the landscaped garden and breaks the building line of the adjacent dwelling.
- Undeveloped field of the site could also accommodate an additional dwelling and garage structure.

6.2. Planning Authority Response

None

7.0 Assessment

- 7.1. The first party appeal relates solely to Condition 4 attached to the Notification of Decision to Grant Permission issued by the Planning Authority which relates to the location of the garage structure.
- 7.2. I am satisfied that the proposed form and design of the garage structure is in keeping with the appearance of an outbuilding within a rural area and is appropriate in appearance as well as being of an appropriate scale for a domestic garage structure.
- 7.3. I consider it appropriate, therefore, that the scope of the assessment is restricted to the consideration of Condition 4 as attached to the Notification of Decision issued by the Planning Authority, in accordance with S.139 of the Planning and Development Act (as amended).
- 7.4. Condition 4 relates to the location of the proposed garage structure and requires its relocation to the south-west by 8m and to the south-east by 5m.
- 7.5. I concur with the view of the Local Authority that the originally proposed location of the structure results in it appearing as a standalone structure, disassociated with the existing dwelling house. This exacerbates the visual impact within a relatively sensitive landscape. I also concur with the view of the Local Authority that a revised location closer to the main dwelling is more appropriate, as it will result in the garage structure appearing as part of the group of structures associated with the dwelling house (including the storage shed to the rear).
- 7.6. The revised location as required by Condition 4 results in the garage structure being moved closer to the dwelling although the boundary wall will be impacted as a result of the location suggested. However, the originally proposed extended driveway to the garage would also have impacted on the boundary wall and as such the impact of the revised location is acceptable.
- 7.7. In terms of building lines, the appellants have argued the garage will now sit forward of the building line of the dwelling to the north-east of the site. I do not consider this issue to be fundamental and in any case the originally proposed location of the garage was slightly forward of this building line.
- 7.8. In terms of the clustering of the buildings, the appellants have argued that this is an undesirable result of the relocation of the garage. It is my view that the clustering of

these structures that are associated with the main dwelling house is desirable for the reasons as set out above.

- 7.9. In view of the above, it is recommended that Condition 4 attached to the Notification of Decision to Grant Permission issued by the Planning Authority is retained.
- 7.10. The closest designated European Site is the Inner Galway Bay SPA which is located 2km north-east of the site. The Conservation Objective of this site is to maintain or restore the favourable conservation condition of 21 bird species and wetlands.
- 7.11. Having regard to the scale and nature of the proposed development, being a garage associated with an existing dwelling, and having regard to the distance to the nearest European Sites, and the absence of an evident pathway to the nearest European Sites, I am of the view that no appropriate assessment issues arise and the proposal would not be detrimental to the Conservation Objectives identified above and would not be likely to have a significant effect, individually or in combination with other plans or projects, on any designated European site.

8.0 Recommendation

- 8.1. Having regard to the above it is recommended that the Planning Authority be directed as follows:

That Condition 4 be retained on the grant of permission.

Rónán O'Connor
Planning Inspector

28th March 2017