



An
Bord
Pleanála

Inspector's Report PL28.247977.

Development	Retain a storage shed.
Location	19 Hartland's Road, Cork.
Planning Authority	Cork City Council.
Planning Authority Reg. Ref.	16/37161.
Applicant	Mary Desmond.
Type of Application	Retention.
Planning Authority Decision	Grant Permission for Retention.
Type of Appeal	Third Party versus decision.
Appellant	John McSweeney.
Observer(s)	None.
Date of Site Inspection	18 April 2017.
Inspector	Stephen Rhys Thomas.

1.0 Site Location and Description

- 1.1. The appeal site is located at the end of Hartland's Road, a cul-de-sac in the *The Lough* area of Cork City. The cul-de-sac links the Glasheen Road with a public park, The Lough, which comprises a large body of water surrounding by open space, playgrounds and walks.
- 1.2. Hartland's Road is a narrow and straight road which gently slopes down to The Lough. The road is characterised by a narrow footpath on both sides, designated parking bays and high ornate boundary walls. The front gardens are narrow in width and this brings the building line of one and two storey houses close to the road. All of which gives an enclosed feeling to the street.
- 1.3. The steel shed is located in the front garden of the appeal site. The front and side garden of the site is bounded by a high hedge and plastered concrete block wall and by a plastered wall topped by a railing. The steel shed is located behind the high hedge.

2.0 Proposed Development

- 2.1. Permission is sought for:
 - The retention of a steel garden storage shed located in the front garden of the property. The shed is 2.6 metres in height and approximately 9 sq.m. in floor area.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission for retention, the relevant conditions are as follows:

- Condition 2 refers to the use of the shed for domestic purposes.
- Condition 3 refers to development contributions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Basis for the planning authority's decision Report includes:

- The planning history of the site, specifically an open enforcement file.
- An assessment of the need for EIA, AA and flood risk.
- An assessment that visual amenity from the Lough is the key issue. The conclusion reached is that given the scale of the shed, the existence of a boundary hedge and mature trees in public open space, the shed does not impact greatly on the visual amenities of the area.

3.2.2. Other Technical Reports

Roads Design Report, no comments in relation to roads and an assessment of contributions payable.

Drainage Report, the attachment of a condition with regard to technical matters to do with surface water drainage.

3.3. Prescribed Bodies

Irish Water Report, no objections subject to technical notes.

3.4. Third Party Observations

There were two submissions on the planning application, issues of concern included those contained in the appeal. In addition, concern was raised at the loss of views to the Lough from the public road as a result of the raised nature of the shed.

4.0 Planning History

4.1. Appeal Site

Enforcement Case Number E7770 – Unauthorised shed to front of property.

Planning register reference TP00/24506: Retain a two storey extension and sunroom. November 2000.

5.0 Policy Context

5.1. Development Plan

5.2. Cork City Development Plan 2015-2021

5.2.1. The site is situated on lands subject to zoning objective - Residential, Local Services and Institutional Uses. To the south of the appeal site is a designated Area of High Landscape Value.

5.2.2. There are no specific policies or objectives in the City Development Plan with regard to standalone garden sheds. Part D *Alterations to Existing Dwellings* is really only relevant to structures attached to existing dwellings.

5.3. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The location of the shed is to the front building line of the existing dwelling. The shed is in view from both the public road and from the public open space of the Lough. Structures of this nature should be to the rear of properties.
- The materials used in the construction of the shed are at odds with the existing building finishes in the area. The steel construction adds to the visual impact of the structure.
- The shed size, height and location gives a sense of a congested layout and is out of character with the surrounding development. There should be space to the rear to accommodate the shed.

6.2. Applicant Response

None.

6.3. **Planning Authority Response**

None.

6.4. **Observations**

None.

7.0 **Assessment**

7.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Visual Amenity.
- Appropriate Assessment.

7.2. **Visual Amenity**

7.2.1. The principal cause of planning concern in this appeal is visual amenity and how it has been impacted upon by the construction of a steel shed in a front garden. The appellant is also concerned that the building line has been broken and the shed is constructed of materials which do not match existing structures. It is also stated that the shed adds to visual clutter and detracts from the amenity of the street and should be located to the rear.

7.2.2. The shed it is intended to retain is located in the front garden of the property. The shed is a steel structure with a dark coloured roof with opaque panels and light coloured walls and door. The shed is set on a paved surface within the driveway behind an internal gateway and behind a high hedge on its south eastern and south western sides. To the rear of the property is a narrow yard which accommodates another small shed.

7.2.3. Firstly, the shed is located to the front of an established building line of one and two storey dwellings along the eastern side of Hartland's Road. The building line is located quite close to the street edge and consequently front gardens are narrow in

width. In addition, the front boundaries along the street are irregular, quite high and of differing materials, including railings, hedging and masonry. Some properties have opened the front gardens to create driveways in which cars are parked. All of these elements combine to produce a visually cluttered appearance to the overall street. Though the steel shed has broken a building line I do not consider that the impact is so great that it detracts from an otherwise irregular streetscape.

7.2.4. Secondly, the shed is located behind a large evergreen hedge which provides a high degree of screening. The roof element of the shed protrudes above the hedge line and this is visible from the street and to some extent from the public park to the south. However, given the residential backdrop to the shed, it is not readily noticeable. The shed is really only visible from the immediate vicinity and only the roof is visible from properties to the west. The shed cannot be easily viewed from vantage points further afield, either along Hartland's Road or the public park to the south.

7.2.5. The materials from which the shed is constructed do not match the existing dwelling on the site or other structures in the vicinity. However, given the diminutive scale of the shed and its screened location, it is unlikely that an alternative building finish would have any impact. I consider the form and scale of the shed structure to be acceptable in this urban setting, it is not unusual in terms of appearance or design. In addition, the provision of a mature evergreen hedge provides a good level of screening from public view.

7.2.6. Given the irregular character and pattern of development along the street, the design, scale and siting of the shed, I conclude that the development it is proposed to retain will not impact upon visual amenity or an Area of High Value Landscape and is therefore acceptable.

7.3. **Appropriate Assessment**

7.3.1. Having regard to the nature and scale of the development it is proposed to retain and nature of the receiving urban environment, 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, subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Cork City Development Plan 2015-2021, and to the design and scale of the garden shed it is intended to retain, and to the pattern of development in the area, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be retained 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.

Reason: In the interest of clarity.

Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

2. 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 within a period of three months 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.

Stephen Rhys Thomas
Planning Inspector

27 April 2017