



An
Bord
Pleanála

Inspector's Report 07.248211.

Development

Retention of a skylight to the south east and revised elevation to the north east and erection of a skylight to the south east and a veranda to the north west of the existing dwelling.

Location

Stradbally North, Clarinbridge, Co. Galway.

Planning Authority

Galway County Council.

Planning Authority Reg. Ref.

16/1762.

Applicant(s)

Eamonn Conneely.

Type of Application

Retention and Permission.

Planning Authority Decision

Grant.

Type of Appeal

Third Party

Appellant(s)

Audrey and Larry Craughwell.

Observer(s)

None

Date of Site Inspection

16th of May 2017.

Inspector

Karen Hamilton.

1.0 Site Location and Description

1.1. The subject site includes a two storey detached dwelling and is located in the townland of Stradbally North, Co Galway. The site adjoins a local road which leads onto the N18, into Galway City, 1.5km to the east of the site. The surrounding area is characterised by one-off dwellings and there is a bungalow to the east facing onto the public road and a large two storey detached dwelling, to the west which is set back from the public road within private grounds. The site is bounded along the northwest by mature trees and hedging. Construction works are currently ongoing under Reg. Ref 16/236 were substantially complete and there was no veranda on the first floor as per this previous permission.

2.0 Proposed Development

2.1. The proposed development includes alterations to an existing dwelling and may be summarised as follows:

- Retention of a skylight and revised elevation (3 no windows) to the east;
- Erection of a skylight along the west and a veranda to the north.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission, following the submission of a design statement as unsolicited information, with 5 conditions. Condition of note include the following:

C 5: Prior to the occupation of the extension the septic tank is to be decommissioned and replaced with a treatment system granted permission under 16/236, in compliance with the EPA Guidance.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission and refers to the need to remove the veranda to the rear and compliance with the conditions of

16/236 relating to a new septic tank. Condition to omit the veranda was removed prior to the Managers Order.

3.2.2. Other Technical Reports

None.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Two observations were submitted by neighbours of adjoining properties and the issues raised have been addressed in the grounds of appeal.

4.0 Planning History

5.0 16/1184

Permission granted for garage and all associated ancillary works (GFA 49m²).

16/236

Permission granted for rear extension to existing dwelling, elevational alterations to existing facades, new septic tanks with treatment plant and all associated ancillary site works (GFA 148m²).

6.0 Policy Context

6.1. Galway County Development Plan 2015- 2021

The site is located in an area designated as Landscape Sensitivity 3 and within a Rural Area Under Strong Urban pressure (GTPS).

- GCC Design Guidelines for Single Rural Houses.
- Section 13.4: Rural Residential Considerations

- DM 6: Assimilation of Development into Landscape: All buildings should avoid local obtrusive elevated locations and located on lower slopes.
- DM 8: All planning applications must be accompanied by a landscaping plan.

6.2. **Natural Heritage Designations**

The site is located c. 80m from the edge of the Galway Bay Complex SAC and the Inner Galway Bay SPA.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The grounds of appeal are submitted by an agent on behalf of the owner of the dwelling to the northwest of the site and may be summarised as follows:

- The definition of a veranda is a roofed platform along the outside of a house, level with the ground floor, therefore the proposed development is a balcony and the development description is incorrect.
- The veranda has a negative impact on the residential amenity by way of overlooking onto the front and rear of the property and an indicative field of view from the proposed balcony has been submitted.
- The submitted design statement is incorrect as the appellant's are now more exposed to overlooking from this viewing platform.
- The proposed veranda is 4m from the neighbours boundary.
- The proposed development does not comply with policies of the development plan in relation to the residential amenity.

7.2. **Applicant Response**

None received.

7.3. **Planning Authority Response**

None received.

7.4. **Observations**

None received.

8.0 **Assessment**

8.1. The main issues of the appeal can be dealt with under the following headings:

- Residential and Visual Amenity
- Other matters
- Appropriate Assessment

Residential Amenity

8.2. The proposed development is for the retention and permission of minor elevational changes and a rear first floor veranda to an existing dwelling. The retention includes a skylight to the east and amendments of one large window for 2 smaller windows and additional window for the hall, whilst permission relates to skylight along the west and a veranda to the rear of the first floor of an existing detached two storey dwelling. The grounds of appeal are submitted from the occupant of the dwelling to the west of the site in relation to the impact of the veranda on their residential amenity by way of overlooking.

8.3. The proposed veranda is included within the original floor area of the master bedroom granted in Reg. Ref 16.236, for a rear two storey extension projecting 7m from the rear building line. The appellant's dwelling, to the west, is set back approx. 50m from the rear building line of the subject dwelling and there is a dwelling located to the east of the site which follows the same building line. A Design Statement submitted as unsolicited information refers to the set back of the bedroom windows 1.5m from the previous rear building line of the extension, behind a bathroom wall. I note the report of the area planner includes a recommendation for the omission of the proposed first floor veranda due to the rural nature and context of the site and the potential for overlooking on adjoining properties. This condition was removed

prior to the Managers Report, for reasons of location of the objectors' house 50m from the veranda and behind the rear building line of the applicants dwelling.

- 8.4. Upon site inspection I noted the extension was substantially complete and the veranda on the first floor had been omitted, and built partially in compliance with Reg Ref 16.236, with three smaller windows inserted along the northern elevation for the master bedroom. This aside, based on the location of the dwelling 50m to the north west, the design of the veranda set behind the bathroom wall I do not consider there would be significant overlooking to have a negative impact on the residential property in the vicinity.
- 8.5. The additional proposed elevational changes and skylights are in keeping with the design and character of the existing dwelling, are not visible from the main road nor would cause any overlooking onto adjoining properties, therefore I do not consider these proposed changes would have a negative impact on the visual amenity of the surrounding area or the residential amenity of the adjoining properties.

Other matters

- 8.6. Landscaping: The site is bound to the west by mature trees and hedging and there is no planting along the eastern boundary. Condition No 2 refers to compliance with a landscape scheme submitted on both 23rd of December and 30th of January 2017 of which has not been included in the plans and particular submitted to the Board. The submitted site location map includes a proposal for new trees within an existing hedge for screening along part of the south west boundary and no planting details are included. I consider it reasonable to include a condition requiring the submission of a landscape scheme.

Appropriate Assessment

- 8.7. The subject site is located approx. 80m from the edge of the Galway Bay Complex SAC (sire code 000268) and the Inner Galway Bay SPA (site code 004031). Condition No 5 links the proposed development to Reg. Ref. 16.236 for the replacement of the existing septic, percolation area and inclusion of a raised soil polishing filter. I note the location within the rear garden (site size 0.5 acres) and distance of 5.6m from an open well to the rear of the site and a report from the Drainage Department had no objection to the proposed design of the septic tank in 16.236.

8.8. Therefore, based on inclusion of a condition linking the proposed development to 16.236 I consider it is reasonable to conclude that on the basis of the information on the file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European Site No. 004031 and 000268, or any other European site, in view of the site's Conservation Objectives, and a Stage 2 Appropriate Assessment is not therefore required.

9.0 Recommendation

9.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

10.0 Reasons and Considerations

Having regard to the zoning objective, the nature and scale of the proposed development and the policies of the current Galway County Development Plan it is considered that subject to compliance with the conditions below, the proposed development would not seriously injure the residential or visual amenity of the area, or have a significant negative impact on the conservation objectives of any European Site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this or other permissions, the extension and waste water treatment system shall be carried out and completed in accordance with the terms and conditions of the permissions granted under planning register reference number 16.236, and any agreements entered into thereunder.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permissions.

3. The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) the establishment of a hedgerow along the north eastern boundary of the site, and

- (b) planting of trees at along the eastern boundaries of the site.

Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.

4. 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.

Karen Hamilton
Planning Inspector

02nd of June 2017