



An
Bord
Pleanála

Inspector's Report PL27.248769

Development	60.4sqm extension to shed.
Location	Glen Pines, Old Long Hill, Enniskerry, Co.Wickow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	17/363
Applicant(s)	Tiarnan O'Mahoney
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First-v-Refusal
Appellant(s).	Tiarnan O'Mahoney
Date of Site Inspection	23 rd August 2017
Inspector	Colin McBride

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 0.563 hectares, is located to the south west of Kilmacanogue, Co. Wicklow in the rural area. The site is located a short distance to the north west of the Great Sugar Loaf mountain. The appeal site is occupied by an existing two-storey split level dwelling. Ground levels on site fall east away from the public road which runs along the western boundary of the site. Boundary treatment on site consists of a high stone wall (over 2m) along the public road/western boundary and existing tress and hedgerow along the southern boundary. There are two existing sheds located along the northern boundary of the site.

2.0 Proposed Development

2.1. Permission is sought for a single-storey extension to the western side of an existing shed. The shed has a floor area of 67sqm and the extension is 60.4sqm in area. The extension is similar in design and height (5.094m) featuring similar external finishes to the existing shed.

3.0 Planning Authority Decision

3.1. Decision

Permission refused based on one reason...

1. *Having regard to*

- (i) *The size and scale of the proposed development.*
- (ii) *The design of the development*
- (iii) *Lack of details regarding the proposed use for a shed of this size.*
- (iv) *The Wicklow County Council Single House Design guidelines which states that garages in excess of 40sqm will not normally be permitted.*

It is considered that the proposed extension to the existing shed would result in a building that would be considered over and above the needs to serve a domestic dwelling and would therefore be considered contrary to the proper planning and sustainable development of the area.

3.2. Local Authority reports

3.2.1. Planning Report (22/05/17): The PA questioned the overall scale and design of the proposal and its justification for such noting that it has potential as a second dwelling on site. Refusal was recommended based on the reason outlined above.

4.0 Planning History

4.1 10/2679: permission refused for a vehicular entrance in the location of a current agricultural entrance and closing off of existing entrance as per ref no. 09/1260.

4.2 09/1260: Permission granted for demolition of an existing dwelling and construction of a new dwelling on site.

4.3 02/6337: Permission refused for a single-storey dwelling.

4.4 95/2403: Permission granted for an extension to an existing dwelling.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development plan is the Wicklow County Development Plan 2016-2022. The site is located in an area of high amenity and is classified as north east mountain lowlands in relation to landscape character assessment.

5.1.2 Wicklow County Council Single Rural House Design Guidelines.

Outbuildings: The number of detached outbuildings on a rural site shall be kept to the minimum necessary and permission may be refused for excessive additional garages or stores where the need for same cannot be clearly demonstrated.

Outbuildings should be located close to the main house and should be positioned to replicate a rural vernacular/farmyard format. Two-storey garages or garages in excess of 40sqm will not normally be permitted.

6.0 The Appeal

6.1 Grounds of appeal

6.1.1 A first party appeal has been lodged by Throton O'Connor Town Planning on behalf of Tiarnan O'Mahoney, Glen Pines, Old Long Hill, Enniskerry, Co. Wicklow. The grounds of appeal are as follows...

- The extension is an appropriate scale for the applicant's and his family storage and recreational needs.
- It is noted that the design and scale of the extension would be satisfactory in the context of visual amenity and that no issues were raised by the Planning Authority in regards to visual impact.
- It is noted the proposal is not a 'garage' as it is not possible to store a vehicle in it and it is to store equipment associated with hobbies and recreational activities (woodwork, canoeing and cycling) with it noted that the applicant is currently using an off-site storage facility (details of such provided). It is considered that the applicant has a justification for the proposed additional space.
- It is noted that the applicant has no intention of providing a second dwelling on site and note that the existing shed is not suitable for human habitation anyway. It is noted that the applicant is happy to accept a condition precluding such future use.

6.2 Responses

6.2.1 No responses

7.0 Assessment

7.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Design/scale/visual amenity

Principle of the proposed development/development plan policy

Appropriate assessment

7.2 Design/scale/visual amenity:

7.2.1 The proposal is for an extension to an existing single-storey shed within the curtilage of an existing dwelling. The extension is to match the design and height of the existing shed. The existing shed is located along the southern boundary of the site and the extension is to be on the western side of the existing shed. Although the site is located in an area of high amenity with good open views of the Great Sugar Loaf mountain to the east of the site, the existing shed is not a visible element at this location from the surrounding area. This is due to the position of shed relative to existing dwelling and existing boundary treatment of consisting mature hedgerow along the southern boundary and an existing high stone wall along the western (roadside) boundary). The extended structure would also be subordinate in scale to the existing dwelling on site. I would consider that the existing shed and proposed extension would have no significant or adverse visual impact at this location.

7.3 Principle of the proposed development/development plan policy:

7.3.1 The proposal is for an extension of an existing single-storey storage shed within the curtilage of an existing dwelling. The main reason for refusal relates to justification for the scale of development with the existing shed having a floor area of 67sqm and the extension being 60.4sqm in area. It is noted that the applicant has not provided justification for such a floor area and that such would be contrary the provisions of

the Design guidelines for rural housing under Development Plan policy where garages of over 40sqm would not normally be permitted. It is speculated in the Planning Report that the proposal might potentially be used as a second dwelling on site.

7.3.2 The applicants have noted that the space is required for storage associated with recreational activities (woodwork, canoeing and cycling). I am satisfied that what is proposed is for domestic storage and that a condition can be applied limiting the structure to such. In terms of the Planning Authority's concerns regarding the potential use as a second dwelling, such is speculation and pre-empting actions that have not and may not take place. Notwithstanding such, use a second dwelling is not what is being sought or being assessed in this case.

7.3.3 The Planning Authority in their reason for refusal noted that under the Wicklow County Council Single Rural House Guidelines that garages in excess of 40sqm will not normally be permitted. I would note that such does not completely preclude a development in excess of 40sqm and in refusing permission that Planning Authority did not consider the proposal would materially contravene Development Plan Policy meaning Section 37(2)(b) of the Planning and Development Act, 2000 (as amended) does not apply. I am satisfied that based on its merits there is adequate justification for the proposal and that the overall nature and scale of such would mean it would have no significant or adverse impact on the proper planning and sustainable development of the area.

7.4 Appropriate Assessment:

7.4.1 Having regard to the nature and scale of the proposed development and its 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 a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

9.1 Having regard to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable having regard to its design, would not seriously injure the visual or residential amenities of the area and would not contravene the policies or provisions of the current development plan for the area. 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 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be used for domestic storage ancillary to the use of the existing dwelling and shall not be used for any commercial/business use or as an independent dwelling unit.

Reason: In the interest of orderly development.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

4. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Colin McBride
Planning Inspector

29th August 2017