



An
Bord
Pleanála

Inspector's Report PL61.248987

Development	Demolition of house and garage, and construction of house, shed and associated works.
Location	56 Renmore Road, Renmore, Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	17/136
Applicant(s)	Breda & Christian Lees
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Rose Curran, Pat Carroll, Alan & Alma O' Boyle
Observer(s)	None
Date of Site Inspection	13 th October 2017
Inspector	Rónán O'Connor

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1.0 Site Location and Description

- 1.1. The appeal site is located on the eastern side of Renmore Road, approximately 2km north-east of Galway City Centre. On site is a single storey dwelling with an outbuilding to the rear that appears to be used as living accommodation and storage. The area is predominantly residential in nature. Renmore Road is made up of mostly detached dwellings, with a mixture of single storey and two storey dwellings.

2.0 Proposed Development

- 2.1. Demolition of house and garage, and construction of house, shed and associated works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Grant permission. Conditions of note are as follows:

- Condition 3 – Revised footprint showing a min separation distance of 1.5m from the north-eastern boundary of the site/boundary details/details of shed
- Condition 4 – Landscaping plan
- Condition 8 – Shed not be used for human habitation
- Condition 10 – First floor side elevation windows to be obscure glazed and top hung

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

The report of the Planning Officer reflects the decision of the Planning Authority.

Points of note are as follows:

- Notes that property is in state of dilapidation and disrepair despite being occupied.

- Demolition and replacement considered acceptable given condition of property
- No elevation details of shed provided
- Materials a modern and welcome addition to this part of Renmore Road
- Design would contrast with the surrounding dwelling houses – this would in itself not merit refusal
- May other examples of bungalows and 2 storey dwellings adjacent to each other without detriment to the character of residential amenity
- Boundary treatment of 2m in height required to safeguard the amenities of No. 57 Renmore Road
- No undue overshadowing of neighbours
- Private open space exceeds development plan standards,
- Plot ratio is in accordance with Development Plan standards.
- Windows facing No. 55 should be obscure glazed.
- Revised footprint requiring separation distance of 1.5m from the north-eastern boundary of the site.

3.2.2. Other Technical Reports

Recreation and Amenity – matters relating to amenity and natural conservation should be considered.

Environment – Recommend conditions

Surface Water Drainage – No objections

3.3. **Prescribed Bodies**

3.3.1. None

3.4. **Third Party Observations**

3.4.1. Submissions were received during the application period. The issues raised are covered in the grounds of appeal.

4.0 Planning History

- 4.1.1. 01/495 - Grant - Permission to demolish existing garage/apartment and stores and construct proposed apartment and store

5.0 Policy Context

5.1. Development Plan

Galway City Development Plan 2017-2023

- 5.1.1. The site is zoned R – Residential
- 5.1.2. Renmore is defined as an ‘Established Suburb’ within the Development Plan.
- 5.1.3. Relevant provisions of the Development Plan include:
- Section 2.6 of the CDP states *inter alia* that ‘Demolition of existing dwellings for replacement dwellings will not be acceptable in the established suburbs except in cases where it is demonstrated that the proposed development would make a positive contribution to the area’s urban design and where it does not represent a major intervention into or redevelopment of the urban fabric. This assessment will be balanced with the contribution that any proposed replacement would make to enhance the character of the area and will have regard to any sustainable benefits of such development. Where replacement is acceptable, new development will be required to comply with the Council’s development standards.
 - Chapter 11 – Land Use Zoning Objectives and Development Standards and Guidelines

5.2. Natural Heritage Designations

- 5.2.1. None.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. There is one Third Party appeal, and the named appellants have addresses at 52, 54 and 55 Renmore Road. The grounds of appeal, as submitted on behalf of the appellants, are as follows:

- Design has not had regard to the scale and proportion of existing dwellings, building lines, massing and height of buildings.
- Building height – ridge height of proposed dwelling is 7.9m, ridge height of No. 57 is 6.4m and the ridge height of No. 55 is 6.6m
- Floor Area – current dwelling is 149 sq. m., proposed is 231 sq. m.
- Design/Visual appearance – front elevation is not in keeping with the area
- Impact on the character of the area – all other neighbouring houses are single storey bungalows – would be injurious to the visual amenity of the area
- Will set an unwanted precedent
- Conditions imposed - will not allow scrutiny of the revised footprint, boundary and shed details - No. 55 shares a boundary wall with No. 56
- Roof currently proposed is zinc and will be grey in colour – condition No. 10 requires that the roof is blue/black
- Refer to other relevant applications in the vicinity

6.2. Applicant Response

6.2.1. A response to the Third Party Appeal has been submitted on behalf of the applicants. This is summarised below:

- Existing house was not salvageable.
- Upgrade in design makes a positive contribution to the areas urban design
- Two-storey dwelling offers a more compact design, better use of space and more efficient use of materials

- Houses on Renmore Road are increasingly being modernised.
- Have given due respect to the scale and rhythm of the street.
- Combination of traditional and modern materials.
- Designed the dwelling in the context of the street, not just the immediate neighbours.
- Dual monopitch roof reduces the height at the sides and raises in the middle.
- Other examples where single storey and two-storey houses existing side-by-side
- In relation to overlooking there will be approximately 35m from the rear first floor windows to the first floor windows of the house to the rear.
- Refers to other permissions in the area
- Site allows for a larger floor area – below the plot ratio of 2:1 as set out in the development plan
- It is a contemporary home that uses materials in a modern way – is not designed to undermine the visual and residential amenity in any way.
- Included are photographs of other houses on Renmore Road.

6.3. Planning Authority Response

6.3.1. A response to the Third Party grounds of appeal has been received from the LPA.

This is summarised below:

- Variances in height is acceptable as the proposed dwelling is set in almost 3m from the boundary with No. 55
- Impact of additional 1.5m height on No. 57 is not sufficient to merit refusal of the application.
- Overall height is considered modest, does not result in diminished standards of residential amenity, nor does it detract from the existing streetscape.
- Condition requiring increased setback will improve the relationship with No. 57
- 2m boundary could be erected under exempted development

- Lack of detail of boundary treatment is not fundamental to the assessment of this application.
- Condition in relation to the roof colour overrides the detail as shown on the proposed drawings.
- In relation to other decisions made on Renmore Road, it is noted that each application is assessed on its merits.
- There are other two-storey properties on Renmore Road and elsewhere.

6.4. **Observations**

6.4.1. None.

6.5. **Further Responses**

6.5.1. None.

7.0 **Assessment**

7.1. The following assessment covers the points made in the appeal submissions and also encapsulates my *de novo* consideration of the application. The main issues in the assessment of the proposed development are as follows:

- Principle of Development
- Design Issues
- Impact on Amenity
- Other Matters
- Appropriate Assessment

7.2. **Principle of Development**

7.2.1. The principle of replacement of the dwelling is not questioned by any of the parties. The evidence on file is that the existing dwelling is in relatively poor condition, with rising damp and structural cracks in the external walls, and as such, I concur that there is no issue with a replacement dwelling on site, having regard to Section 2.6 of the Development Plan, and subject to the detailed considerations below.

7.3. Design Issues

- 7.3.1. The appellants argue that the proposed height is out of keeping with the area and that the dwelling should be single storey. It is further argued that the design should be more traditional in appearance. The applicants, and the LPA, contend that the scale is appropriate and note that there are other two-storey dwellings on Renmore Road and the surrounding area, and that there are other examples of two-storey dwelling houses located adjacent to single storey properties. It is further argued that the use of traditional and contemporary materials is appropriate in this instance.
- 7.3.2. My observations on site were that there was a significant diversity in styles of houses along both sides of Renmore Road. While most of the houses on Renmore Road of the road are single storey, there are examples of two-storey properties also.
- 7.3.3. As such, I do not consider an appropriately designed and scaled two-storey dwelling would be out of place in this context. The design is such that the height close to the boundary is reduced with the ridge height greatest towards the mid-point of the roof. The massing is broken up by the use of setbacks and recesses.
- 7.3.4. I do not consider the differential in ridge height compared to neighbouring dwellings is significant and I do not consider that the proposed dwelling will appear as an overbearing or dominant feature in the streetscape.
- 7.3.5. In relation to the detailed design, the design approach is a contemporary one, utilising a mix of traditional and contemporary materials, and it is my view that this design approach is successful in this instance and will add to the visual amenity of the area.

7.4. Impact on Residential Amenity

- 7.4.1. The main potential impacts on residential amenity relate to overshadowing and loss of daylight/sunlight, overlooking/loss of privacy and loss of outlook/creation of a sense of enclosure.
- 7.4.2. In relation to overshadowing, I note that the highest point of the dwelling is set back from the boundaries of the site, this limiting the potential for loss of daylight and sunlight. I note there are two rooflights on the side roofslope of No. 55 Renmore but the proposed dwelling is set back sufficiently from this dwelling so as to ensure that there will be no significant loss of daylight/sunlight to these rooflights.

7.4.3. In relation to overlooking, there is sufficient distance from directly opposing rear windows on the properties on Dun Na Mara, so as to ensure that no overlooking will result. In relation to overlooking of directly adjacent properties, I note that windows are proposed for the side elevations of the proposed dwelling. Facing, No. 57 there is a window at first floor level serving an ensuite. Facing No. 55 there are glazed doors serving a plant room and utility room. From the proposed plans there also appears to be a window serving the stairs at ground floor level but this is not shown on the proposed elevations. At first floor level there are two windows serving a bathroom and the stairs. I concur with the view of the LPA that the windows on the first floor side elevations should be obscure glazed and top hung, in order to protect the privacy of the adjacent dwellings. Furthermore, should the Board be minded to grant, a condition should be imposed to clarify the inconsistency in the plans noted above.

7.4.4. In relation to the creation of sense of enclosure, I note the LPA has imposed a condition requiring a setback from No. 57 Renmore Road. The applicant has not contested this condition. I do consider that the amenity of No. 57 would benefit from a greater setback of 1.5m, in line with the condition imposed by the LPA. As such, should the Board be minded to grant permission, this condition should be re-imposed.

7.5. **Other issues**

7.6. I note the other applications cited by the appellants and the applicants. While I note the contents of same, each application is treated on its merits and I do not consider that there are any issues raised in these applications that would preclude a grant of permission in this instance.

7.7. **Appropriate Assessment**

7.8. I note the appeal site is located approximately 210m to the east of Lough Atalia, which forms part of the Inner Galway Bay SPA and the Galway Bay Complex SAC.

7.9. However, having regard to the nature and scale of the proposed development, the replacement of an existing dwelling with a new dwelling, the nature of the receiving environment, a serviced suburban location, no Appropriate Assessment issues arise and it is not considered 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

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

9.0 Reasons and Considerations

Having regard to the zoning of the site, the acceptable scale, layout and design of the proposed dwellings, and the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual 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 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 construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition

waste.

Reason: In the interest of public safety and residential amenity.

3. Prior the commencement of development, the following shall be submitted to, and agreed in writing with, the planning authority:

- Revised footprint showing a minimum separation distance of 1.5m from the north-eastern boundary of the site;
- Boundary treatment details for the entire site, not exceeding 1m in height at the front of the site and 2m in height at the rear of the site;
- Elevation details of the proposed garden shed as well as a floor plan and detail of material to be use;

Reason: In the interest of residential amenity and for the proper planning and sustainable development of the area.

4. Prior to the commencement of development, a detailed landscaping plan, including boundary treatment, prepared by a suitable qualified person, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours 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 residential amenities of property in the vicinity.

6. The exposed wall of the adjoining property shall be suitably waterproofed and made good, after the demolition of the existing dwelling house and prior to the commencement of construction of the replacement dwelling house.

Reason: In order to safeguard the residential amenities of property in the

vicinity.

7. 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.

8. The proposed garden shed hereby approved shall not be used for commercial purposes or for human habitation or for any other purpose other than a purpose incidental to the enjoyment of the dwelling house as such.

Reason: in the interest of securing the proper planning and sustainable development of the area.

9. The dwelling shall be used as a single dwelling unit only.

Reason: To protect the residential amenities of the area.

10. The roof shall be a blue/black colour.

Reason: In the interest of visual amenity.

11. Prior to the commencement of development, clarification on the number of ground floor windows on the south-east elevation shall be submitted to, and agreed in writing with, the planning authority. Notwithstanding the above, all windows at first floor level, on the south-eastern and north-western elevations, shall be glazed with obscure glass and opening sections shall be restricted to the top-hung pivot.

Reason: In the interest of proper planning and sustainable development and to prevent overlooking of adjoining residential property.

12. The flat roof sections of the proposed dwelling shall not be used as a balcony, platform or other means of enclosure.

Reason: In the interest of proper planning and sustainable development and in the interest of residential amenity.

Rónán O'Connor
Planning Inspector

9th November 2017