



An
Bord
Pleanála

Inspector's Report PL19.249372.

Development	Permission for retention of turf shed and multipurpose domestic storage shed.
Location	19 Beechgrove. Bellmont, Co Offaly.
Planning Authority	Offaly County Council.
Planning Authority Reg. Ref.	17/35.
Applicant(s)	Sean Hynes.
Type of Application	Permission.
Planning Authority Decision	Grant Permission with conditions.
Type of Appeal	Third Party
Appellant(s)	Dermot & Ann Glennon.
Observer(s)	None.
Date of Site Inspection	24 th November 2017
Inspector	Bríd Maxwell.

1.0 Site Location and Description

1.1. The appeal site has a stated area of 0.049 hectares comprises an established semi detached single storey dwelling site located at 19 Beechgrove, within the village of Belmont Co Offaly. Belmont is a small settlement some 5km west of Ferbane and 4km north of Cloghan. The appeal site is one of 22 modest semi-detached single storey dwellings fronting onto a cul de sac within the settlement.

2.0 Proposed Development

2.1. The proposal involves permission for retention of turf shed 18.55 sq.m and a multipurpose domestic storage shed 36.2m² located within the rear yard of the established dwelling and directly abutting the common boundary with neighbouring dwellings to the south and northeast. The sheds are predominantly finished in a corrugated sheeting with a low block wall fronting the turf shed.

3.0 Planning Authority Decision

3.1. Decision

By order dated 15/9/17 Offaly County Council decided to grant permission and 3 conditions were attached.

Condition 1. Development in accordance with submitted plans and particulars

Condition 2 Surface water run off to site soakaways. Noise emission limits.

Condition 3. Turf shed and multipurpose domestic storage shed shall not be used for human habitation or any commercial activity or other purpose other than for purposes incidental to the enjoyment of the dwelling as such.

Planning Authority Reports

3.1.1. Planning Reports

Following a request for additional information regarding details of surface water disposal the final planning report recommends permission subject to conditions.

3.1.2. Other Technical Reports

Environment and Water Services report further information required regarding surface water disposal. Following submission of additional information report indicated no objection subject to conditions.

Area Engineer's report recommends that surface water from the sheds shall be disposed of to soakpits of suitable design.

3.2. Third Party Observations

Submission by the appellants Dermot and Anne Glennon, residents of the adjoining dwelling no 19, object to the structures and claim that pitched roof causes flooding of their rear yard and dampness to adjoining structures.

4.0 Planning History

17/35 Warning Letter issued regarding the erection of sheds to rear of dwelling exceeding 125m² and exceeding height of 3m.

5.0 Policy Context

5.1. Development Plan

The Offaly County Development Plan 2014-2020 refers.

5.2. Natural Heritage Designations

The site is not within or immediately adjacent to a designated site. Those in the vicinity include:

Moyclare Bog SAC (Site Code 000581) c .9km to northeast.

River Shannon Callows SAC (Site Code 00216) 4.7km to the west.

Fin Lough Offaly SAC (Site Code 00576) 7km northwest.

Mongan Bog SAC (Site Code 00580) 9km northwest

Mongan Bog SPA (Site Code 004017) 9km northwest

Ferbane Bog SAC (Site Code 000575) 4.2km to northeast.

6.0 The Appeal

6.1. Grounds of Appeal

The appeal is submitted by Dolan and Associates Ltd. on behalf of Dermot and Ann Glennon, 20 Beechgrove. Grounds of appeal are summarised as follows:

- Application fails to comply with Article 23 of the Planning and Development Regulations in respect of detailing site levels relative to a local benchmark. It is difficult to ascertain finished floor level of the structures for retention relative to appellant's utility room.
- Design is of poor quality. Height and massing of the turf shed, the material used in the external façade and quality of the finish are inappropriate.
- Rainwater from the property has been discharging to appellant's property for some time. Recent installation of rainwater gutters and downpipe has not resolved the issue. Downpipe is not adequately sized to take volume of water during heavy rain.
- Appellant's utility room has been suffering with moisture ingress since turf shed was erected.
- Appellant had erected a galvanised metal sheet as an interim measure to cover the gap between properties and to help alleviate and reduce the ingress of water from the applicant's property however this was removed by the applicant. Water surcharges over the gutters onto the client's property and the problem with moisture infiltration into the utility continues.
- Tests carried out were not in accordance with BRE 365.
- Request the removal of the turf shed or reduction in height to reflect that of the general purpose shed. Roofs should be sloped to applicant's property. No surface water should be allowed to discharge to appellant's property and should be discharged to soakaways.

6.2. Applicant Response

The response by Gerard Cleary Consultant Engineer, is summarised as follows:

- Applicant died on September 20th 2017.
- Shed constructed with sloping roof in order to allow a tractor / trailer to reverse partially into the shed and tip up.
- Floor level of the shed is slightly below the floor level of the applicant's dwelling. There is no indication of dampness in the house.
- The most likely cause of dampness is due to inferior construction or inadequate heat / ventilation.

6.3. Planning Authority Response

The Planning Authority notes the appeal and respectfully requests that An Bord Pleanála upholds the decision to grant permission for the development.

7.0 Assessment

- 7.1. From my review of the file, all relevant documents and inspection of the site and its environs, I consider that the key focus for assessment relates to the principle and use of the proposed structures and their visual impact and impact on the residential and other amenities of the area. The issue of appropriate assessment also needs to be addressed.
- 7.2 The structures proposed for retention whilst substantial in scale and height relative to the size of the dwelling on the site, they are not in my view out of character with existing structures in the vicinity or established pattern of development. I consider that subject to use as domestic shed / store the proposal will not give rise to undue impact on amenity in terms of noise or other impacts.
- 7.3 I note that the third party appellant expresses the view that the structures on the appeal site have given rise to significant water run off onto the appellant's property resulting in increased dampness within the appellants rear utility room. I note that gutters and downpipes have been installed on the structures for retention and disposal is to surface water soakaway. I note that soakage tests indicate adequate

capacity to cater for surface water run off and in my view the issue of surface water run off has been appropriately mitigated.

7.4 I conclude that having regard to the size and layout of the site, and subject to the use of the structures as ancillary to the use of the dwellinghouse as such the development proposed for retention would not seriously injure subject to the amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

7.4 As regards the issue of Appropriate Assessment having regard to the nature and scale of the development proposed for retention and nature of the receiving 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.

REASONS AND CONSIDERATIONS

Having regard to the pattern of development in the area, the design and nature of the development proposed for retention, it is considered that, subject to compliance with the conditions set out below, the development proposed for retention would not seriously injure the amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development proposed for retention shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by further information submitted on 28th August 2017, 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 and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The shed /store shall be used for purposes ancillary to the enjoyment of the dwelling house as such and not for human habitation.

Reason: In the interest of residential amenity.

3. 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 and to ensure a proper standard of development.

4. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of traffic safety and to ensure a proper standard of development.

Brid Maxwell
Planning Inspector

22rd December 2017