



An  
Bord  
Pleanála

## Inspector's Report 300266-17

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<b>Development</b>	Construction of a new single and 2 storey extension to an existing dwelling, the demolition of an existing outbuilding, new replacement waste water treatment system and all associated works.
<b>Location</b>	Bayview Cottage, Clashanahy, Whiting Bay Ardmore, County Waterford.
<b>Planning Authority</b>	Waterford City and County Council.
<b>Planning Authority Reg. Ref.</b>	17/407.
<b>Applicants</b>	Andrew and Terri Hamill.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse permission.
<b>Type of Appeal</b>	First Party
<b>Appellant</b>	Andrew and Terri Hamill.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	27 <sup>th</sup> March 2018.
<b>Inspector</b>	Derek Daly.

## 1.0 Site Location and Description

- 1.1. The appeal site is located in a rural coastal area in close proximity to Whiting Bay and is approximately 6 kilometres west of the village of Ardmore in the west of County Waterford. The general area is relatively low lying and flat with a gentle fall in a southerly direction towards the coast. There is a gentle fall in level southwards on the site. The area is characterised by dwellings both single and two storied in height fronting onto the local road network.
- 1.2. On the site is a single storied dwelling which is located in the northern area of the site. The eastern and southern boundaries of the site are defined by local roads and the remaining boundaries adjoin open lands. There is a shed to the west of the dwelling. The site is accessed from the local road on the eastern boundary of the site.
- 1.3. The site has a stated area of 0.44 hectares.

## 2.0 Proposed Development

- 2.1. The proposal as submitted to the planning authority on the 8<sup>th</sup> of June 2017 was for;
  - The construction of a new single and 2 storey extension to an existing dwelling. In effect the existing cottage is retained and there is a two storied building proposed to the east of the cottage with a single storied link. There is also a garage to the front of the tow storied building which is internally linked to the main new structure. There is a variation in roofs and roof heights with a maximum height of 7405mm above finished floor level representing an increase of approximately 2965mm above the height of the ridge of the roof of the existing cottage. The external finish is primarily render but a zinc external finish is proposed in the link between the existing cottage and the two storied extension.
  - The existing floor area of buildings is stated as 50m<sup>2</sup> and the floor area of proposed works is stated as 338m<sup>2</sup>.
  - It is proposed to demolish an existing outbuilding with a stated floor area of 14m<sup>2</sup>.

- A new replacement waste water treatment system, septic tank and percolation area, is proposed in the southwestern area of the site and a site suitability report is submitted.
- A cover letter was also submitted in relation to the proposed development.

2.2. Further information was submitted on the 2<sup>nd</sup> of October 2017 which included;

- A landscaping proposal for the site.
- The appropriate design response was considered to be a farmhouse type design cluster. The existing cottage is restricted in use and area and small by the standards of similar cottages in the area.
- Various layouts were considered and a revised layout was submitted.
- The revised layout is essentially three interlinked blocks all single storied with an increased footprint in terms of length from east to west of the extended area but a reduction in overall terms in relation to area of footprint. The centre block is at right angles to the two outer blocks and has a dark grey rain screen metal cladding exterior in contrast to the rendered finish of the other two blocks. The overall height of the proposed buildings is reduced to a maximum above finished floor level of 5536mm. A more distinct ridge roof profile is also proposed in all three blocks.
- A detached garage is also proposed.

### 3.0 Planning Authority Decision

#### 3.1. Decision

The decision of the planning authority was to refuse planning permission for the development.

One reason was stated which refers “*having regard to the particularly modest size of the existing cottage on site, the low boundary wall treatment in the area, the relatively flat topography of the site and the surrounding area together with the location of the site in a visually sensitive area, in close proximity to and negatively impacting on a designated visually vulnerable landscape which it is necessary to*

*preserve, it is considered that the sprawling layout and overall size of the proposed extensions would seriously detract from the visual amenities of this rural area and coastal location would interfere negatively with the character of the landscape and would set an undesirable precedent for other such developments in the area”.*

## **4.0 Planning Authority Reports**

### **4.1.1. Planning Report**

The planning report dated the 31<sup>st</sup> of July 2017 refers to:

- The extension of a dwelling is accepted in principle.
- Relevant provisions of the current development plan including section 7.8 of a variation of the Waterford County Development Plan 2011 and that the proposal is considered obtrusive in relation to the receiving landscape.
- Further information was recommended including a landscaping plan and revision of the proposal to a more modest scale.

The planning report dated the 26<sup>th</sup> of October 2017 refers to the further information as submitted. The reduction in height is considered positive but the revised proposal is considered to be more sprawling with a longer axis.

Given the topography the proposed development is considered would be highly visible and would be visually obtrusive in the landscape.

Refusal was recommended.

## **5.0 Planning History**

5.1. The site has no planning history.

## **6.0 Policy Context**

### **6.1. Development Plan**

6.1.1. The current plan is the Waterford County Development Plan 2011-2017.

- 6.1.2. Chapter 8 Environment and Heritage and section 8.1 to landscape and that the management of the County's landscape involves: sustaining and conserving the landscape; protecting the landscape from inappropriate and unsustainable development; and ensuring adequate protection to sensitive and vulnerable landscapes through appropriate policies and objectives. Reference is made to Appendix A9 of the plan Scenic Landscape Evaluation and to various classifications of landscape including sensitive landscapes which have a distinctive character with some capacity to absorb a limited range of new developments while sustaining its existing character; and vulnerable landscapes which have very distinct features with a very low capacity to absorb new development without significant alterations of existing character over an extended area.
- 6.1.3. In relation to scenic landscape evaluation all coastlines are referred to as vulnerable in appendix 9 of the plan and the policy with regard to areas designated as vulnerable and to be considered in relation to for permission, development in the environs of these vulnerable areas must be shown not to impinge in any significant way upon its character, integrity or uniformity when viewed from the surroundings. Particular attention should be given to the preservation of the character and distinctiveness of these areas as viewed from scenic routes and the environs of archaeological and historic sites.
- 6.1.4. The site is in close proximity to an area defined as sensitive in the scenic landscape evaluation map for the county which largely centres on the beach area of Whiting Bay.
- 6.1.5. Development standards are also outlined in the plan but of relevance is the Development Management Standards Variation No 1 of the Waterford County Development Plan 2011, Waterford City Development Plan 2013 and Dungarvan Town Development Plan 2012 As adopted on 8<sup>th</sup> of September 2016.
- 6.1.6. Section 7.8 relates to house extensions and indicates,
- 6.1.7. *"The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy. The character and form of the existing building should be respected and external finishes and window types should match the existing."*

*Extensions should:*

- *Follow the pattern of the existing building as much as possible;*
- *Be constructed with similar finishes and with similar windows to the existing building so that they will integrate with it;*
- *Roof form should be compatible with the existing roof form and character. Traditional pitched roofs will generally be appropriate when visible from the public road. Given the high rainfall in Waterford the traditional ridged roof is likely to cause fewer maintenance problems in the future than flat ones. High quality mono-pitch and flat-roof solutions will be considered appropriate providing they are of a high standard and employ appropriate detailing and materials”.*

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

EPCA Architects on behalf of the applicants in a submission dated the 17<sup>th</sup> of November 2017 refers to:

- The appellant refers to the revised proposals submitted by way of further information which it is considers addresses minimising the scale, massing, height and visual impact of the proposed development in the area.
- By applying reduced levels and braking down the extension accommodation into a series of small narrow blocks the impact has been minimised.
- The site is low lying and is not an elevated or sloping location which is acknowledged as a vulnerable location.
- It is not possible to see the existing roof from anywhere in the immediate area and the proposed extension will be similarly unseen.
- There is no acknowledgement of the proposed landscaping.
- The existing cottage is deficient in terms of accommodation but the proposal to retain the cottage has determined the design and layout.
- There are a number of two storied properties in the area which is acknowledged by the planning authority.

- The appellants addressed matters raised by the Planning Authority in the request of further information and discussed the various design options with the Planning Authority in advance of the submission of further information.
- Landscaping was included in the further information response.
- The further information addresses the issue of the proposed development being too large and too high and a cluster of buildings is an integral part of the design.
- The height is reduced to one storey and the ridge height is now only 772mm above the ridge height of the existing cottage.
- The total footprint is reduced by 20m<sup>2</sup> to 368m<sup>2</sup>.
- The use of dark rain screen material to the bedroom block reduces the overall massing.

## 7.2. Response to the Grounds of appeal

7.2.1. No responses to the appeal.

## 8.0 Assessment

8.1. Having regard to the submissions received and the documentation submitted the primary issue in relation to this appeal relates to the acceptability of the nature of the development in relation to scale and mass in the context of the receiving landscape. The proposed development represents an extension to an existing cottage and the principle of an extension is acceptable and this is acknowledged by the planning authority but the issue is whether the overall proposal is acceptable in relation to its mass and scale in the receiving landscape.

8.2. The existing cottage is modest in scale, height and floor area and is single storied and approximately 50m<sup>2</sup> in area. The proposal retains the existing cottage but whether in the initial submission to the planning authority or the proposal submitted in response to further information the floor area is increased to 388m<sup>2</sup> in the initial submission or 368m<sup>2</sup> in the FI submission. Both proposals represent a major increase in scale on what currently exists on the site in effect dwarfing the building which currently exists on the site.

- 8.3. The site is not located in a sensitive location as defined in the current county development though approximate to such an area located directly at the coastline at Whiting Bay and the area west of the appeal site. It is in an area which would be considered vulnerable and in this context scale, siting, mass and height are relevant matters to consider in assessing development on the appeal site.
- 8.4. In relation to the site it is indicated in the reason for refusal that it is considered that the sprawling layout and overall size of the proposed extensions would seriously detract from the visual amenities of this rural area and coastal location would interfere negatively with the character of the landscape and would set an undesirable precedent for other such developments in the area.
- 8.5. From my inspection of the site and area although the area is low lying the existing cottage is not visible in the wider area and only visible in the area immediate to the site. There are areas of enclosure in the landscape and mature vegetation along the local roads. The site is readily visible along the eastern boundary from the local road and also along the southern boundary along the roadside frontage. On the main road to the west leading down to the beach at Whiting Bay the cottage is only visible for a relatively short distance and the level of visibility is restricted to the chimney. The cottage and site is not visible from the beach area or lands to the north.
- 8.6. The site forms part of an open landscape with a gentle fall generally in a southerly direction to the coast. The site I consider has an ability to absorb sensitively designed development.
- 8.7. I wish to initially consider the original proposal.
- 8.7.1. This proposal has a significant two storey element in the design and provides for a link which has a zinc external finish contrasting with the predominant render finish. The design provides for a mix of heights and roof finishes with a strong pitched roof and also a flat roof. Although the development and design is modern it retains elements of traditional design and proportion.
- 8.7.2. My main reservation is the extent of glazing on the southern elevation of the two storied elements at both ground and first floor levels which I consider should in any grant of permission be amended to provide for a more vertical emphasis and an overall reduction in glazing. In overall terms I would not have any objection to the overall design and concept which adapts aspects of the informal cluster of buildings



associated with the Irish countryside. It would by reason of the additional height be more visible but the extent of visibility as I have already indicated is limited to the immediate area.

- 8.8. In relation to the revised proposal submitted by way of further information the proposal has been modified to essentially a single storied proposal with three interlinked blocks.
  - 8.8.1. To break up what would otherwise be an extremely long east to west axis the middle block in terms of emphasis has a north south access and the external finish with a dark grey rain screen metal cladding exterior in contrast to the rendered finish of the other two blocks to west which is a new extension and the block to the east the renovated existing cottage.
  - 8.8.2. The main benefit is a reduction in overall height but in meeting this and retaining a similar floor area the design has a long east to west axis and is over 6 metres longer than the initial proposal. I would consider that as with the initial proposal the level of grazing in the western block should be amended
  - 8.8.3. I would have no objection to the proposal as submitted but the long linear nature would present some concern in relation to the overall design concept.
- 8.9. In overall terms the addition of landscaping as proposed will assist in assimilating both designs. I would note that the both proposals will result in an increased visual impact in the immediate environs but the visual impact will be I consider limited in extent. I do not consider that development in this area is required or necessary to be limited to single storied. There are two storied dwellings in the area which assimilate into the landscape.
- 8.10. I would therefore consider that the original proposal as submitted to be the preferred design if permission is to be granted. Although it is of a greater height it is a more aesthetic response to its surroundings with an overall design which provides variation in level and design and a balanced cluster of building forms.
- 8.11. In relation to services it is proposed and to provide a new on-site wastewater treatment site and details have been submitted.
  - 8.11.1. It is proposed to install a new septic tank and percolation area to treat foul effluent located to the south of the proposed dwelling. The applicant has submitted site

suitability tests in accordance with the EPA publications Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. 10) 2009 and its subsequent clarifications which outlines site suitability assessment methodology including site character assessment and suitability tests.

8.11.2. The site is I consider of an adequate area and it is also proposed to provide for a receiving media of an adequate percolation quality to treat the loading and effluent anticipated to arise. The proposal I consider complies with the EPA Code of Practice and I would have no objections in principle to the proposed method of effluent disposal based on the details as submitted.

8.12. I note reference in the planning report to the Development Management Standards Variation No 1 of the Waterford County Development Plan 2011 and in particular section 7.8 which relates to house extensions. I would note that as already indicated the proposal is of a greater scale that the current cottage/building on the site but the design as submitted does I consider provide for a design solution which is not averse to the character and form of the existing building and the provisions as stated do permit consideration of high quality mono-pitch and flat-roof solutions to be considered as appropriate providing they are of a high standard and employ appropriate detailing and materials. I am satisfied that the design solution is not at variance with the provisions of the plan as stated.

## **9.0 Recommendation**

9.1. It is recommended that permission for the development be granted for the following reasons and considerations.

## **10.0 Reasons and Considerations**

10.1. Having regard to the presence of an existing dwelling on the site and the provisions of the current Waterford County Development Plan 2011-2017 and adopted variations it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 8<sup>th</sup> of June 2017 and the 2<sup>nd</sup> of October 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 prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interests of clarity

2. The proposed extension shall be constructed in accordance with the details submitted on the 8<sup>th</sup> of June 2017 subject to the following amendment. The southern elevation of the western block shall be revised to provide for the omission of the large single glazing area indicated for the dining room area at ground floor level and replaced by two window with a vertical emphasis with a render panel located between the windows. The proposed development shall also provide for the reduction of the glazing at first floor level on the southern elevation to provide for windows with a strong vertical emphasis. Revised proposal to comply with this amendment development shall be shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity

4. The roof colour of the proposed development shall be blue-black, dark brown or dark-grey. The colour of the ridge tile shall be the same as the colour of the roof.

**Reason:** In the interest of visual amenity.

- .5 The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details submitted to the planning authority 2<sup>nd</sup> of October 2017. Prior to the commencement of any development works on the site the applicant shall submit to and agree in writing with the planning authority the following:

(a) details relating to the planting proposed including species.

- (b) a timescale for the implementation of the planting and landscaping.

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

- .6 The proposed septic tank drainage system shall be in accordance with the standards set out in the document entitled "Code of Practice - Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)" – Environmental Protection Agency, 2009.

**Reason:** In the interest of public health.

- 7 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 prior to 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 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.

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Derek Daly  
Planning Inspector

28<sup>th</sup> March 2018