



An
Bord
Pleanála

Inspector's Report ABP-301238-18

Development	Demolition of two existing dwellings and the construction of one new replacement dwelling house including new boundary wall and all associated site works as required
Location	Upper Rosses, Rosses Point, Co Sligo
Planning Authority	Sligo County Council
Planning Authority Reg. Ref.	PL 17/485
Applicant(s)	Brian Feeney
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Brian Feeney
Observer(s)	None.
Date of Site Inspection	18 th June 2018
Inspector	Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is located in Rosses Point, which is a coastal village, approximately 8 km north-west of Sligo City. The site is located on the Old Village (Upper) Road, which is elevated, parallel to the coastal road.
- 1.2. The site, which has a stated area of 0.065ha, comprises two semi-detached vernacular dwellings, which are set forward of the building line of the dwellings on either side. The varying building line is a feature of this street. The dwelling to the west is not attached but does directly abut the rear corner of the existing bungalow. The land to the rear of the properties rises up, with a more modern two storey backland dwelling positioned to the rear of the properties, which is in the same ownership. The two bungalows are currently unoccupied, one of which, it is stated, has been unoccupied for twenty years and the other intermittently used as a holiday home.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Demolition of two bungalows
 - Construction of one bungalow in its place, positioned approx. 5.5m behind the existing building line, and approx. 1.9m further west on the site, away from the bungalow to the west and removed from bungalow to which it currently abuts.
 - A new low level boundary wall to be constructed, with parking proposed to front of the house.

The floor area of the new build is stated to be 235sqm. The two dwellings to be demolished have a floor area of 161.8 sqm.

3.0 Planning Authority Decision

3.1. Decision

Permission REFUSED for three reasons, which are summarised hereunder:

R1: In order to retain the character and rhythm of the existing historical streetscape, policy 31.2E of the Sligo County Development Plan (Rosses Point Mini Plan) 2017-2023 requires the retention and refurbishment of existing properties along the old village (upper) road The proposed development ...would be inconsistent with this policy and would erode the character of the streetscape.

R2: Having regard to its height, design and form, it is considered that the proposed dwelling would form an obtrusive feature at this location which would detract from the character of the adjoining streetscape. The development would accordingly be seriously injurious to the visual amenities of the area.

R3: Having regard to the absence of adequate proposals for off-street car-parking and turning movements ... The proposed development would therefore interfere with the safety and free flow of traffic and pedestrians at this location and would endanger public safety by reason of a traffic hazard.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report generally reflects the decision of the Planning Authority.

3.2.2. Other Technical Reports

Area Engineer: Consultation with Sligo County Council in relation to set back and parking requirement recommended. Three standard conditions ticked from list attached in relation to surface water drainage and roadway.

3.3. Prescribed Bodies

Irish Water: No objection

3.4. Third Party Observations

None.

4.0 Planning History

The following applications relate to the dwelling to the rear of the existing cottages:

99/624 – Permission GRANTED for a dwelling.

10/12 – Permission GRANTED for single storey extension to split level dwelling.

5.0 Policy Context

5.1. Sligo County Development Plan 2017-2023

- Section 3.2 –Settlement hierarchy. Rosses Point is identified as a ‘Village Sustaining the Rural Community.
- Rural Area under Urban Influence.
- The built-up area is on lands classified as normal rural landscape, the surrounding coastal zone is extremely sensitive, with large areas classified as visually vulnerable and sensitive rural landscape.
- Section 7.3.4: Town and Village Streetscapes.
- Section 12.1 Historic Streetscapes
- Section 13.2.4 Development in Historic Streetscapes, development management standards in relation to proportions, gable width, plot width, chimneys, etc:

The integrity of the County’s historic streetscapes depends on the maintenance of traditional historic buildings and the careful design of refurbishment and new-build projects.

The following policies are of note:

P-ARH-6 Promote the retention and re-use of the vernacular built heritage through increasing public awareness of its potential for re-use and its adaptability to change.

P-UD-1 Seek the retention and refurbishment of historic buildings in traditional town and village streetscapes. Demolition will be considered only in exceptional circumstances.

P-UD-2 Maintain the traditional plot width within historic streetscapes, particularly where the building façade is manifested on the streetscape. In exceptional circumstances, a new building with a broader plot width may be permitted, but the façade will be required to include some form of articulation that emulates the original plot widths or fits in with the traditional streetscape character.

P-UD-3 Generally maintain a continuous building line along streetscapes. Car parks, loading bays and service yards shall be located to the rear of buildings.

P-UD-4 Promote the principles of contextual compatibility for all new buildings within the historic built environment and require carefully-designed architectural solutions in compliance with the guidance set out in Section 13.2.4 Development in historic streetscapes (development management standards)...

P-UD-5 Require the retention and restoration of historic windows, doors, renders, roof coverings, chimneys, rainwater goods and other significant features of structures of architectural heritage merit, whether protected or not.

Where retention is not possible, the replacement of original or historic features should be executed in a manner sympathetic to the original fabric and design intent of the building. Replacement with modern materials (such as PVC windows and doors) or designs that may be insensitive in their detailing or relief to traditional façades and roofs will be discouraged.

5.2. **Rosses Point Mini Plan, Sligo County Development Plan 2017-2023**

The CDP 2017-2023 contains mini-plans for 32 settlements throughout the County, including Rosses Point. The following sections of the Rosses Point Mini Plan are relevant:

- Objective 31.2 Built Heritage...

E. In order to retain the character and rhythm of the existing historical streetscape, require the retention and refurbishment of existing

properties along the old village (upper) road rather than demolition and reconstruction.

- Objective 31.4 Village-centre mixed-use zones

A. Encourage an appropriate mix of uses along the old village road, in order to protect the vitality and viability of the village centre.

B. Ensure that development within the village centre area is appropriately scaled, generally restricted to two storeys in height and designed to be in keeping with the character of existing development.

C. Encourage a range of services within the village centre, particularly tourism-related ones.

5.3. Natural Heritage Designations

The appeal site is located adjacent to Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627) and 40m north of Cummeen Strand SPA (004035).

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal as submitted by the applicant is summarised as follows:

Design

- Refusal related to the height, design and form being visually obtrusive. The ridge of the existing house is 4.9m, and the two storey rear return is 6.7m. The proposed ridge heights are 5.597 for the single storey elements and 6.875 for the two storey portion. The applicant does not consider this a significant variation in height.
- The design incorporates amendments, however keeps the form of a single storey block along the road and a two storey return. Sizes of windows have been increased to take advantage of the views, which a significant number of dwellings have undertaken along this road.

- The design has been modelled on a collection of narrow plan forms, in keeping with traditional development along the road. The ridge and eaves heights are in keeping with the vernacular.
- With regard to the historic character of the streetscape, it is clear the streetscape has evolved over time and that a significant number of buildings have been replaced/significantly renovated. The design as proposed does not detract from the character of the streetscape nor would it be seriously injurious to the visual amenities of the area.

Parking

- The applicant has no difficulty in further agreeing an alternative parking arrangement with Sligo County Council.

Character of the Streetscape

- It is argued that the buildings are not historic as they are not protected, not within an ACA and not listed in the Buildings of Note list. The term historic building differs from historic streetscape. The retention of the buildings is a desired outcome to help retain the character and rhythm of the existing historical streetscape and cannot be construed as no demolition ever being allowed.
- The development plan does not exclude consideration of demolition.
- P-UD-1 does not apply as the buildings are not historic; P-UD-2 does not apply as it is not sought to widen the plot width; P-UD-3 does not wholly apply as the applicant is maintaining a continuous building line and the parking can be relocated to the rear; P-UD-4 requirements are adhered to; in relation to P-UD-5, the design of the replacement dwelling is sympathetic to vernacular architectural features.
- The dwelling has been surveyed by an engineer and an architect who indicated that restoration is not practical or desirable.
- It is the policy of Sligo County Council to meet the needs of persons with special needs.

- It is the policy of the council to ensure that an appropriate balance is maintained between the number of holiday/second homes and the number of permanent homes within each settlement. One in three homes along upper road is a holiday home or vacant indefinitely.
- A proper consideration and assessment of all relevant planning issues has not been carried out, contrary to section 34 of the Planning and Development Act 2000 (as amended).

6.2. Applicant Response

None.

6.3. Planning Authority Response

The planning authority has responded to the grounds of appeal as follows:

- While the buildings are not protected, they are historic buildings within this historic streetscape and dates from sometime between 1897 and 1913. The buildings were built in the vernacular style, comprising narrow gables, traditional pitch, flush eaves, and wide chimney placed centrally.
- The buildings should be retained and refurbished in accordance with P-UD-1.
- The planning authority is relying on policy 31.2E of the Rosses Point Mini Plan to protect the character of the streetscape. The buildings, their layout and relationship to the road are the defining characteristic of this streetscape.
- The proposal will harm the character and rhythm of this historic streetscape by altering the original layout of the street, the amalgamation of two units, replacement of a vernacular building with a modern one with very untraditional elements such as the roof to the return which protrudes over the ridge line of the front of the building and the irregular fenestration pattern. The proposed design has had little regard to vernacular architecture and will detract from the character of the old village road.
- The planning authority considers the needs of the applicant and the refurbishment of the two buildings are not mutually exclusive aims and can be achieved.

- The planning authority requests the Board to uphold its decision.

6.4. **Observations**

None.

6.5. **Further Responses**

None.

7.0 **Assessment**

- 7.1. The applicant proposes to demolish two bungalows, which have been in family ownership for approx. 150 years, and replace with one bungalow. A cover letter submitted with the application states the dwelling is to accommodate the applicant's son, who is confined to a wheelchair and is intellectually disabled. It is intended in the long term that the applicant's son will share the dwelling with his peers from Creggs Day Service, which he attends. It is stated that a structural engineer and architect has recommended that the current buildings are not fit for function and need to be condemned.

Zoning

- 7.2. The subject site is located within zoning objective Mix Use, where residential use is normally permitted. The proposed amalgamation of two units to one residential use is acceptable in principle within the zoning objective.
- 7.3. The primary issues for assessment include;
- Demolition of Existing Historic Dwellings
 - Design and Impact on the Streetscape

Demolition of Existing Historic Dwellings

- 7.4. Sligo County Development Plan states in relation to 'Built Heritage' that 'many historic buildings in Sligo's towns and villages have been altered in recent years and not always in the most sympathetic manner...it is the ensemble of many traditional building types, their plot patterns, their fenestration, materials, meandering building lines and subtle variations in building height that contribute to the inherent character

of a particular settlement. These details should be considered very carefully before allowing the alteration or replacement of buildings to occur’.

- 7.5. It is an objective of the Rosses Mini Plan under Built Heritage ‘...to retain the character and rhythm of the existing historical streetscape, require the retention and refurbishment of existing properties along the old village (upper) road rather than demolition and reconstruction’.
- 7.6. The applicant does not consider the buildings to be historic and the policy cannot be construed as never to allow for demolition.
- 7.7. The Old Village Upper Road comprises a mix of vernacular single and two storey dwellings, with a varied building line part of the character of the street. Buildings along this street have been significantly altered over time and at present comprises a mix of replacement buildings and amended buildings of various designs, as well as vernacular buildings. A number of buildings along this street have been retained and restored and have been successful in maintaining and referencing the character of the historic form. There is at present a delicate relationship between old and new/amended buildings and any further erosion of the existing vernacular form would be to the detriment of the character of the area.
- 7.8. The buildings on site are stated to date from between 1897-1913. The reference in the cover letter to the architect and engineers view on the structural integrity of the building is noted, albeit no structural survey has been submitted. It is clear from site inspection that the level of works and structural intervention required to restore the building to modern standards and facilitate the needs of the end user in this instance, who is wheelchair dependant, would be significant. The poor condition of the buildings was observed upon site inspection, with dampness and water damage and no real features of merit internally. The buildings, which I consider to be historic and of vernacular importance, are not protected structures and their value lies in their contribution to the streetscape. On balance, I consider it reasonable that should the structural integrity of the buildings be as described in the cover letter, that the existing buildings could be replaced and a new building constructed in its place, in accordance with Policy P-UD-1 of the development plan. The design of the replacement building and façade presented to the Old Village Upper Road is, however, of critical importance in maintaining the character of the existing

streetscape as required by the Sligo County Development Plan, and this is discussed further hereunder.

Design and Impact on the Streetscape

- 7.9. The applicant considers the proposed development complies with P-UD-2, P-UD-3, PUD-4, and P-UD-5. The plot width is not proposed to be increased, the building line while amended will be continuous, sizes of windows have been increased to take advantage of the views, which a significant number of dwellings have undertaken along this road and overall the design has been modelled on a collection of narrow plan forms, in keeping with traditional development along the road. The ridge and eaves heights are in keeping with the vernacular.
- 7.10. The Planning Authority in their response to the appeal states the buildings were built in the vernacular style, comprising narrow gables, traditional pitch, flush eaves, and wide chimneys placed centrally. The replacement building will harm the character and rhythm of this historic streetscape by altering the original layout of the street, proposing the amalgamation of two units, replacement of a vernacular building with a modern one with very untraditional elements such as the roof to the return which protrudes over the ridge line of the front of the building and the irregular fenestration pattern. The proposed design has had little regard to vernacular architecture and will detract from the character of the Old Village Road.
- 7.11. The Development Plan states the council shall generally require the retention and refurbishment of traditional buildings in a streetscape. However, there will be cases when reconstruction is warranted or where there is a gap site. In such cases, the development of the site or reconstruction of the building should ensure that the resulting structure keeps in character with the street. The following items should be considered: chimneys, ridge tiles, slates, verges and eaves, rainwater goods, wall finishes, windows, cills, doors, base plinth, the solid-to-void ratio of the façade, gable width etc. The design of new buildings should reflect the most significant elements of the traditional streetscape in their vicinity and should respect the established building line.
- 7.12. In accordance with the development plan policies and objectives, I am of the view that any replacement building should present a modern interpretation, sympathetic to the vernacular form, in their principle elements. The narrow plan form of the new

design is welcomed and the slight increase in overall height is in my view acceptable given the maintenance of a narrow roof pitch reflective of a traditional building. The alteration of the original plot width to form one residential unit is also acceptable. However, the setting back of the building line by 5.5m would result in an unnecessary loss and alteration of the historic building line, whose varied form is a characteristic of this street, and similarly the relocation of the building west from its current location would also impact the historic rhythm of the street.

- 7.13. The existing dwellings on this street do not generally contain parking in front gardens, with the buildings or boundaries where they exist defining the street edge. There is sufficient scope on this site to locate the parking to the rear and retain the existing building line.
- 7.14. The existing two storey return, as can be seen from the plans, is slightly stepped back from the existing single storey form, and while its height is visible over the roof plane of the single storey dwelling, given it is set back from it, it does not detract from the building or the streetscape. The proposed two storey element of the new dwelling is, however, built into the rear roof plane of the single storey form, therefore its visibility over the ridge line would in my view detract significantly from the single storey form and from the character of the streetscape.
- 7.15. Notwithstanding the varying amendments to existing dwellings along this street, a number of which have prioritised views toward the sea over the visual impact on the streetscape, it is my view that the introduction of a horizontal window style to the front elevation to the street is unsympathetic to the vernacular form, with the scale of the living room window and the width/scale of the two proposed velux windows detracting from the character of the street, as does the loss of a chimney from this amalgamated dwelling, leading to an overly long façade without the defining chimney stack. Significant views over the sea could in this instance be satisfactorily achieved through a moderately increased vertical form, as can be seen on other modern refurbishments along this street.
- 7.16. Overall, I am of the view that it is reasonable in this instance to allow for the replacement of the existing vernacular buildings, however the design of the replacement building must respond to the historic form and characteristics of this street in a more sympathetic manner, particularly given the delicate

balance/imbalance that currently exists between old and new. In my view the proposed building does not sufficiently respect the character of the historic form of the street by virtue of the repositioning of the building 5.5m back from the original street edge, the positioning and scale of the two storey form relative to the single storey form, and the implications of the window proportions and loss of central chimneys to the rhythm of the traditional façade/streetscape. It is my view that permission should be refused.

Appropriate Assessment

- 7.17. The appeal site is located adjacent to Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627), which includes part of the Old Village Road, and is 40m north of Cummeen Strand SPA (004035).
- 7.18. The conservation objectives for Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (000627) are to maintain or restore the favourable conservation status of habitats and species of community interest. The qualifying interests are: 1014 Marsh Snail *Vertigo angustior*; 1095 Sea Lamprey *Petromyzon marinus*; 1099 River Lamprey *Lampetra fluviatilis*; 1130 Estuaries; 1140 Mudflats and sandflats not covered by seawater at low tide; 1365 Harbour seal *Phoca vitulina*; 2110 Embryonic shifting dunes; 2120 Shifting dunes along the shoreline with (white dunes); 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes); 5130 formations on heaths or calcareous grasslands; 6210 Orchid-rich Calcareous Grassland; 7220 Petrifying springs with tufa formation (Cratoneurion).
- 7.19. The conservation objectives for Cummeen Strand SPA (004035) are to maintain or restore the favourable conservation status of habitats and species of community interest. The qualifying interests are A046 Brent Goose *Branta bernicla hrota*; A130 Oystercatcher *Haematopus ostralegus*; A162 Redshank *Tringa tetanus*; A999 Wetlands. Other species occurring include Shelduck (86), Wigeon (149), Teal (54), Mallard (145), Red-breasted Merganser (15), Golden Plover (428), Lapwing (695), Knot (165), Sanderling (14), Dunlin (539), Bar-tailed Godwit (85), Curlew (430), Greenshank (13) and Turnstone (62) - all figures are mean peak counts for 4 of the 5 winters between 1995/96 and 1999/2000. Whooper Swan (7) also uses the site, though not regularly.

- 7.20. The appeal site is a serviced site within the village of Rosses Point, connected to public water mains, wastewater and surface water systems. The Cummeen Strand/Drumcliff Bay SAC is located adjoining the appeal site and includes the land area from the Upper Road, west of the site, and lands south of the site between the road and the coast. The Cummeen Strand SPA is located approx. 40m south of the site at the coast. I consider there to be a potential source/pathway receptor route between the site and the Natura 2000 site with regard to surface water. However, given the serviced nature of the site, I am satisfied that standard construction management and operational practices would be sufficient to avoid an indirect effect on water quality.
- 7.21. It is reasonable to conclude that on the basis of the information on the file, which I consider to be 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. 000627 (Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC), No. 004035 (Cummeen Strand SPA), or any other European Site, in view of the site's conservation objectives, and that a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

8.0 Recommendation

- 8.1. It is recommended that permission be refused.

9.0 Reasons and Considerations

- 9.1. The proposed development, by reason of the amended building line of the replacement dwelling and its overall design, including positioning of the higher two-storey element relative to the single storey element fronting the street and the inclusion of horizontal windows to the front elevation, would be detrimental to the distinctive historic character of this streetscape, which it is appropriate to preserve. The proposed development would seriously injure the visual amenities of the area, would be contrary to the stated policy of the planning authority, policy P-UD-4, as set out in the Sligo County Development Plan 2017-2023, and would, therefore, be contrary to the proper planning and sustainable development of the area.

Una O'Neill
Senior Planning Inspector

2nd July 2018