



An  
Bord  
Pleanála

## Inspector's Report ABP-301828-18

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<b>Development</b>	Retention of Garden Shed
<b>Location</b>	Cahergal, Craughwell County Galway.
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	17/1827
<b>Applicant(s)</b>	Mark Higgins.
<b>Type of Application</b>	Retention.
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Mr and Mrs Harte.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	11 <sup>th</sup> of September 2018.
<b>Inspector</b>	Karen Hamilton

## 1.0 Site Location and Description

1.1. The subject site consists of a one-off rural dwelling in the townland of Cahergal, c.3.5km south west of Craughwell Village, south County Galway. Access into the site is via the local road and there is a large 2 storey detached dwelling with extensive gardens around the site and a large garage to the rear of the dwelling along the north west of the site. There is a large detached 2 storey dwelling along the north west of the site and the majority of the lands around the site are countryside. There are mature trees and hedging along the south west of the site, a high block wall along the north, rear, and a small block wall along the North West with trellising adjacent to the shed.

## 2.0 Proposed Development

2.1. The proposed development would comprise of:

- Retention of a garden shed/garage (67m<sup>2</sup>).

## 3.0 Planning Authority Decision

### 3.1. Decision

Decision to grant permission subject to 6 no conditions of which the following are of note:

C 2- The permission relates only to the development advertised on the public notices.

C 3- Within 3 months of a grant of permission, the applicant shall submit documentary evidence of the painting of the shed with a colour to match the existing dwelling on the house for the written approval of the planning authority.

C 4- a) The proposed trellis structure, indicated on the site layout map shall be implemented in full before the end of the planting season.

b) Any plants which die, are removed or become seriously damaged or diseased within 5 years shall be replaced within the next planting season.

C 5- The garage shall be ancillary to the existing dwelling on site and not used for any commercial purposes other than incidental to the use of the house.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The report of the area planner notes the material finish and proximity of the shed to the boundary wall and considered in the absence of any screening / landscaping the building could not be assimilated into the landscape and therefore did not comply with DM Standard 6 & 8 of the County Plan 2015-2021.

Following an Extension of Time (EOT) on the application and the submission of a landscaping scheme it was considered that with the inclusion of conditions in relation to a change of colour and landscaping, the proposal was acceptable.

#### **3.2.2. Other Technical Reports**

None received.

### **3.3. Prescribed Bodies**

None received.

### **3.4. Third Party Observations**

One third party submission was received from the appellants and the issues raised are the same as those summarised in the grounds of appeal.

## **4.0 Planning History**

None relevant

## 5.0 Policy Context

### 5.1. Galway County Development Plan 2015-2021

- The site is located on lands designated for landscape sensitivity Class 1 (where Class 1 is the least sensitive and Class 5 is the most sensitive).
- The site is located in an area that is in or adjacent to a possible flood plain.
- The site is located within an area designated as (L) locally important, generally moderately production in local zones.

#### **DM Standard 6:** Assimilation of Development into Landscape

All permissible buildings should avoid locally obtrusive elevated locations and should be located on mid slopes or lower slopes of rising ground where possible.

#### **DM Standard 8:** Landscaping

All planning applications must be accompanied by a landscaping plan

### 5.2. Natural Heritage Designations

The site is located 3.9km south of Rahasane Turlough SPA and 7.4km to the west of Lough Rea SPA.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are submitted from the resident's of the adjoining detached dwelling located to the north west of the applicant's site and the issues raised are summarised below:

- The steel tech type shed is 3 times the size of a normal shed (67m<sup>2</sup>) and is not in keeping with the character of the dwellings.
- The two properties are located within a peaceful part of the countryside.

- The patio and kitchen area are located 11 m from the shed and is visible from the living area.
- The shed appears to be in use as a commercial premises.
- The shed has a significant impact on the value of the dwelling (appellant's).
- The applicants could have located the shed on the opposite site of the site.
- A letter from a valuer accompanied the appeal to state that the shed would interfere with the peaceful nature of the countryside and devalue the appellant's property. (Photographs submitted)

## 6.2. Applicant Response

The applicant has submitted a response to the grounds of appeal and the issues raised are summarised below:

- There are various types of sheds in the vicinity of the site.
- The shed does not impinge on the peaceful countryside on anyway and is related to an agricultural area.
- The garden shed is not used for commercial purposes and there has never been any illegal activity.
- The items currently in the shed are owned by the applicant's brother who is moving house. There is also a water treatment system in the shed.
- There have been no public using the shed, only extended family.
- The appellant has unauthorised windows at the rear of their property.
- A number of 6ft evergreen trees have been recently acquired ready to be planted. In addition, a green garden trellis will be erected along the wall as per the planning conditions.
- Correspondence with Galway County Council indicates why the location of the shed is the only logical location.
- There is a large agricultural shed further over the field which would have the same impact on the appellants as the proposed development.

- The shed was initially required as a last minute decision to house the water system.

### 6.3. **Planning Authority Response**

None received.

### 6.4. **Observations**

None received.

## 7.0 **Assessment**

7.1. The main issues of the appeal can be dealt under the following headings:

- Impact on the surrounding area
- Appropriate Assessment
- Environmental Impact Assessment

### **Impact on the surrounding area.**

7.2. The proposed development is for the retention of a large garage shed (67m<sup>2</sup>) located to the rear of an existing detached one of rural dwelling. The grounds of appeal are submitted from the residents of a similar one-off rural property located adjacent to and North West of the subject site. The issues raised relate to the inappropriate location and design of the shed and its impact on their residential amenity. It is stated in the grounds of appeal that there is a commercial activity within the shed, although having regard to the documentation submitted and inspection of the garage/ shed during a site inspection, I see no evidence to suggest that there is any commercial activity on the site. Therefore I have assessed the impact of the shed on the visual and residential amenity as follows.

7.3. The shed is currently located along the North West at the rear of the subject site and bounds a block wall, parity wall, which is c. 1m in height, with the appellant's. The shed is 67m<sup>2</sup> (5.4m by 12.1m) in size and 3.9m in height and is finished with a green metal deck sheeting material.

- 7.4. Development Management (DM) Standard 6 of the development plan provides guidance for new buildings where buildings should be assimilated into landscape and avoid locally obtrusive elevated locations. In addition DM standard 8 requires the submission of a landscape plan and I consider these standards reasonable to ensure the appropriate integration of buildings into the rural countryside.
- 7.5. An initial report from the area planner referenced the inappropriate material, location along the boundary and the lack of any existing or proposed landscaping or screening and considered the overall development was unreflective of the rural countryside and could not be easily assimilated into the area. Following an Extension of Time (EoT) and as part of the submission of unsolicited information, the applicant submitted a landscape layout which includes the planting of a beech hedge along the north west, adjoining the appellant's, up to the shed and then the inclusion of Hedra gold heart ivy (evergreen) on a trellis along the side, northern elevation, of the shed. The landscape scheme also includes the planting of 12-14cm high Betula Pendula (Silver Birch) along the rear boundary of the site.
- 7.6. I note the location of the shed along the boundary and the submission of the landscape plan which includes, amongst other planting details within the site, a trellis integrating evergreen planting. Upon site inspection I noted the inclusion of this trellis and some planting on site along the north west of the existing structure. In addition to Condition No 4, implementation of the landscaping scheme, Condition No 3 requires the applicant to paint the shed in a colour similar to the main dwelling (off white).
- 7.7. The size and scale of the shed is must larger than a standard garden shed and the overall design and external material of the shed does not match that of a residential garage and I consider the size and scale of the building, in particular the height, is excessive on the subject site and has a negative impact on the visual amenity of the adjoining residential property. I do not consider painting the structure to match the existing dwelling would significantly alter the appearance or provide greater integration into the surrounding area. The use of trellis along the north west of the property provides an element of screening, although having regard to the height of the shed the structure remains visible. I consider the design is similar to an agricultural shed and whilst it is of note the location of the site within the countryside, the current use on the subject site and the adjacent site is residential.

7.8. Having regard to the external materials, scale of the garage/ shed and height above the boundary wall I do not consider the painting and integration of the trellis and planting would significantly alter the overall appearance of the shed and I consider it inappropriate for a dwelling within a rural setting. Therefore, I do not consider the proposed development can successfully meet the requirements for assimilation into the landscape, wider countryside or comply with DM standards 6 & 8 of the development plan. I consider the excessive scale and use of inappropriate materials at the located along the boundary with the appellant's site would have a negative impact on the visual and residential amenity of the occupants and to permit the development would set an undesirable precedent for further similar developments in the vicinity and wider rural countryside.

### **Appropriate Assessment**

7.9. Having regard to the nature and scale of the proposed development within a serviced area and separation distance 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 and projects on the conservation objectives of any European site.

### **Environmental Impact Assessment**

7.10. Having regard to the nature and scale of the structure there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## **8.0 Recommendation**

8.1. It is recommended that the proposed development is refused for the reasons and considerations as set out below.



## 9.0 Reasons and Considerations

The site of the proposed development is located within the rural area of County Galway where emphasis is placed in Development Management Standards 6 & 8 of the Galway County Development Plan 2015-2021 on the importance of designing with the landscape and of siting of development to minimise visual intrusion, which are considered to be reasonable. Having regard to the rural nature of the site, the positioning of the proposed development along the north west boundary adjacent to an existing residential property, together with its excessive height and scale, it is considered that the proposed development would form a discordant and obtrusive feature on the landscape at this location, would seriously injure the visual amenities of the area, would fail to be adequately absorbed and integrated into the landscape, would militate against the preservation of the rural environment and would set an undesirable precedent for other such prominently located development in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Karen Hamilton  
Planning Inspector

13<sup>th</sup> of September 2018