



An  
Bord  
Pleanála

## Inspector's Report ABP-304338-19

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<b>Development</b>	Extension to side of house and new garage with associated works
<b>Location</b>	Aughrus More, Cleggan, Co. Galway
<b>Planning Authority</b>	Galway County Council
<b>Planning Authority Reg. Ref.</b>	181818
<b>Applicant(s)</b>	Joe Lynch and Michelle O'Toole
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Peggy Hannon and others
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	18 <sup>th</sup> July 2019
<b>Inspector</b>	Irené McCormack

## 1.0 Site Location and Description

- 1.1. The subject site is located in a rural coastal setting in the townland of Aughrus More, 1.2km west of Claddaghduff and 14km northwest of Clifden. The rear of the site overlooks Omev Island to the south and Omev strand to the southeast.
- 1.2. There is an existing early 1900's cottage on the site. The existing cottage is located perpendicular to the road. The cottage has previously been extended to the rear. The site falls gently from north to south (front to back).
- 1.3. The site is 0.3319ha in area. Access is from minor local road L-5116, which has a speed limit of 80kph. The carriageway is approx. 3m in width with no footpaths or public lighting.
- 1.4. The area is characterised by one-off dwellings and the site is an infill site between two suburban bungalows. There is a significant number of one-off rural dwellings located immediately vicinity of the site.

## 2.0 Proposed Development

- 2.1. The proposed development will comprise the following:
  - Construction of a one and a half storey extension to the existing dwelling,
  - Construction of a detached domestic garage,
  - All associated site works.
- 2.2. The proposed extension is located to the side of the cottage towards the rear of the site and runs parallel to the road. The extension is one and a half storeys and it is proposed to finish the extension in natural stone local to the area. It is proposed to connect to the existing septic tank and percolation area on site.
- 2.3. Unsolicited further information was submitted on 18<sup>th</sup> February 2019. Following a request for further information additional drawings, photomontages and a Design Statement were submitted on 19<sup>th</sup> March 2019.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1. Permission was granted subject to 7 standard conditions.

### 3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The initial Area Planners report (18<sup>th</sup> February 2019) noted that the site is located in a Class 4 coastal and rural landscape. Further information was requested in terms of a revised design having regard to the sensitive class 4 rural landscape.

3.2.3. The final report (9<sup>th</sup> April 2019) considered that the response to further information adequately addressed the concerns raised regarding the design. It was recommended that permission be granted subject to conditions.

3.2.4. Other Technical Reports

None

## 4.0 Planning History

*Site*

None

*Adjoining*

None recent

## 5.0 Policy and Context

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

5.1.1. 3.5.3 Extension to a Dwelling House

The construction of extensions to existing houses will be encouraged generally as it usually provides a less resource intensive method of expanding living space than building a new structure. Primarily the design and layout of extensions should have

regard to the amenities of adjoining properties, particularly as regards sunlight, daylight, overshadowing and privacy

5.1.2. The site is located in an area designated as Landscape Category 4 – Special.

The landscape value rating is considered outstanding.

Objective RHO 3 - Rural Housing Zone 3 (Landscape Category 3, 4 and 5) states - Those applicants seeking to construct individual houses in the open countryside in areas located in Landscape Categories 3, 4 and 5 are required to demonstrate their Rural Links\* to the area and are required to submit a Substantiated Rural Housing Need\*. In addition an Applicant may be required to submit a visual impact assessment of their development, where the proposal is located in an area identified as “Focal Points/Views” in the Landscape Character Assessment of the County or in Class 4 and 5 designated landscape areas.

#### Landscape

**Objective UHO9-** Ensure that new developments are responsive to their site context and in keeping with the character, amenity, heritage, environment and landscape of the area

**Policy LCM 1-** Landscape Sensitivity Classification.

**Policy LCM 2-** Landscape Sensitivity Ratings.

**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.

Development should seek to preserve traditional field patterns and established hedgerow and woodland. A visual impact assessment may be required where the proposal is located in an area identified as “Focal Points/Views” in the Landscape Character Assessment of the County or in Class 4 and 5 designated landscape sensitivity areas.

#### Water

**Objective RHO 12 -** Waste Water Treatment Associated with Development in Un-Serviced Areas.

**DM 29:** Effluent Treatment Plants to comply with the EPA guidelines

## **5.2. Natural Heritage Designations**

- 5.2.1. The site is not located within or directly adjacent to any Natura 2000 sites. The site is located 300m north of West Connacht Coast SAC (site code 002998), 600m north of Inishbofin, Omey Island and Turbot Island SPA (site code 004231) and 800m southeast of Aughrusbeg Machair And Lake SAC (site code 001228).

## **5.3. Environmental Impact Assessment**

Having regard to the nature and scale of the proposed development 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.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The grounds of appeal, as submitted by the third-party appellants are as follows:

- The appeal refers to the original submission to the planning authority dated 27/2/2019 as the basis for the appeal and includes additional photographs in support of the original submission.
- It is set out that the design perpendicular to the existing cottage is unacceptable and the development is too high and too large in scale.
- The cottage has previously been extended and a further extension will encroach on the views of Aughrus Bay and Omey Island.
- The detached garage will also obstruct the views of Aughrus Bay and Omey Island. The need for velux windows in the garage is also queried.
- The planting of trees and shrubs to reduce the impact of the extension will also block the views from the public road.

### **6.2. Applicant Response**

The applicants did not respond to the grounds of appeal.

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

- 6.3.1. The Planning Authority did not respond to the grounds.

### 6.3.2. **Observations**

None

## 7.0 **Assessment**

### 7.1. **Introduction**

The main issues in this appeal are those raised in the grounds of appeal. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Design and Impact on Established Views
- Other Matters
- Appropriate Assessment

7.1.1. The proposal seeks to provide an extension to the existing cottage and detached domestic garage on the site. Section 3.5.3 of the development plan states the construction of extensions to existing houses will be encouraged generally as it usually provides a less resource intensive method of expanding living space than building a new structure. As such the proposal is acceptable in principle, subject to the detailed considerations below.

### 7.2. **Design and Impact on Established Views**

7.2.1. The existing house is a single storey traditional cottage with existing lean-to extension. The cottage is a typical vernacular farmhouse, 'four-bay' with a door and three windows in the front wall. The cottage is positioned perpendicular to the road, a traditional method of shelter from the North Atlantic current's prevailing winds. The house reflects traditional proportions and simplicity of design with small window openings and concrete barges. In relation to the **design** of the extension, the design approach incorporates a new one and a half storey symmetrical block to the rear of the cottage running parallel to the public road and linked to the cottage with a single storey flat roofed glazed porch creating a t-shape form. The finish floor level of the extension is stepped in line with the site levels, this serves to reduce the impact of the extension behind the cottage. I note the design reflects a contemporary take on the traditional cottage and as regards the façade treatment the use of the traditional stone with concrete rendered barges contrasts effectively with the white walls of the cottage whilst retaining some traditional features. The design approach sets a clear distinction between the old and the new and the palette of materials are appropriate,

in my view, and compliment the character of the original cottage. I consider this approach acceptable and in line with Section 3.5.3 of the Galway County Development Plan (2015-2021).

7.2.2. The site is in an area designated as Landscape Category 4 – *Special* in the Galway County Development Plan 2015-2021, where it is an objective to protect these lands from inappropriate development. The landscape value rating is considered outstanding. Policy LCM1 states that regard must be given to the landscape sensitivity classification of sites in the consideration of any significant development proposals and, where necessary, require a Landscape and Visual Impact Assessment (LVIA) to accompany such proposals. A LVIA and a Design Statement were submitted in response to a further information request by the planning authority. I am satisfied having regard to the design of the proposed development and the pattern of development in the vicinity, the proposed development would not have a significant negative impact on the visual amenities of the area.

7.2.3. The third party has raised concerns regarding the impact of the development on the **views** of Aughrus Bay and Omey Island to the rear of the site. Whilst, I note the site is located on the Wild Atlantic Way and forms part of the Clifden Cycle Hub route, the views from the site and the public road fronting the site are not protected views in the Galway County Development Plan (2015-2021). Furthermore, restriction of views from a property, where residential amenities are not affected are not a planning issue and no individual has a right to a particular view.

### 7.3. **Other Matters**

7.3.1. I note the drawings submitted indicate alterations to the front facade of the original cottage namely the removal of an existing window opening. This contradicts the design statement submitted which states that the original cottage will not be altered. In the context of retaining the traditional character of the original cottage, I consider it appropriate to retain all of the existing window openings, in the interest of symmetry and proportion and the preservation of the ‘vernacular’ character of the existing house.

7.3.2. In relation to the proposed detached domestic garage, I note the presence of an existing shed on site. I also note a separation distance of 22.6m between the proposed garage and the existing cottage. A traditional vernacular layout would have provided for a courtyard type development where all structures on site are positioned close

together. In the context of the site location within landscape category 4 – *Special* and the landscape value rating which is considered outstanding, I consider it appropriate to consolidate the development by relocating the garage in line with the existing shed on site and turning the garage so that a gable end addresses the road similar to the existing cottage. The ridge height shall be reduced in height to reflect a single storey 5.5m high structure subordinate to the dwelling.

**7.4. Appropriate Assessment**

7.4.1. The proposed development is not directly connected with or necessary to the management of any European site.

7.4.2. A screening report for Appropriate Assessment was submitted with the planning application.

7.4.3. The applicants Stage 1 AA Screening report described the site, the location and the proposed development, it summarised the regulatory context, it carried out a desk top surveys and identified the European sites considered to fall within the zone of influence of the works. It confirmed that the proposed development would not be located within any European sites. 2 European sites that could be affected were assessed; the West Connacht Coast SAC (site code 002998) 300m south of the site and Inishbofin, Omey Island and Turbot Island SPA (site code 004231) 600m south of the site. It described these sites and their respective qualifying habitats and species, it listed their conservation objectives and targets and attributes. The report concluded that having regard to the nature and scale of the development and nature of the receiving environment, the proximity 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 a European Site.

7.4.4. Appropriate Assessment Screening Assessment

**Conservation Objectives:** to maintain or restore the favourable conservation condition of the Annex 1 habitat(s) and / or the Annex II species for which the SAC and SPA'S have been selected.

<i>European Site</i>	<i>Site Code</i>	<i>Relevant QI's and CI's</i>	<i>Distance</i>
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West Connacht Coast SAC	002998	Bottlenose Dolphin <i>Tursiops truncatus</i>	300mm
Inishbofin, Omev Island and Turbot Island SPA	004231	Corncrake <i>Crex Crex</i>	600mm
Aughrusbeg Machair And Lake SAC	001228	Oligotrophic waters containing very few minerals of sandy plains ( <i>Littorelletalia uniflorae</i> )  Northern Atlantic wet heaths with <i>Erica tetralix</i>	800mm

7.4.10. The site is elevated above the West Connacht Coast SAC and the Aughrusbeg Machair And Lake SAC is upland of the site. I am satisfied these can be screened out of any further assessment due to the absence of an aquatic connection between the European sites and the proposed development.

7.4.11. In relation to the Inishbofin, Omev Island and Turbot Island SPA the potential indirect effects relate to:

- Disturbance from noise and light pollution and emissions during the construction phase.

7.5. The development is for an extension and given the nature of the works within the applicants existing site and outside the Natura 2000 sites, it is not expected that any habitat fragmentation would take place. The limited periods of disturbance caused by the works would not add to any disturbance or displacement effects that would result in lessening of species density.

7.5.1. It is reasonable to conclude that on the basis of the information on the file, which I considered 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 any European site, in view of the sites'

conservation objectives, and a Stage 2 Appropriate Assessment (and submission of an NIS) is not therefore required.

## 8.0 Recommendation

I recommend that planning permission be **GRANTED** for the proposed development having regard to the reasons and considerations and subject to conditions as set out below.

## 9.0 Reasons and Considerations

Having regard to the design and appearance of the proposed extension, and the pattern of development in the vicinity, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the residential amenities of property in the vicinity and would not adversely impact on the character of the area. The proposed development, therefore, would 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 as amended by further plans and particulars submitted on 19<sup>th</sup> March 2019 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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:
  - (a) The existing window openings on the front facade of the cottage shall not be altered.
  - (b) The garage shall be relocated in a westerly direction in front of the existing shed on site.
  - (c) The garage shall be reduced to a maximum height of 5.5m.
  - (d) The gable end of the garage shall face the public road.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests 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

4. Site development and building works shall be carried out only between the hours of 0800 to 1900 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:** To protect the residential amenities of property in the vicinity of the site.

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Irené McCormack  
Planning Inspector

1<sup>st</sup> August 2019