



An  
Bord  
Pleanála

## Inspector's Report ABP 308225-20

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<b>Development</b>	Demolish existing 2-storey dwelling and separate single-storey garage; construct a 2-storey dwelling and reconnect associated facilities to public services
<b>Location</b>	Ballinagard, Galway Road, Roscommon Town, Co. Roscommon
<b>Planning Authority</b>	Roscommon County Council
<b>Planning Authority Reg. Ref.</b>	20/244
<b>Applicant(s)</b>	Lorenzo Morelli
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party v. Decision
<b>Appellant(s)</b>	Lorenzo Morelli
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	22 <sup>nd</sup> February 2021
<b>Inspector</b>	Louise Treacy

## 1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.153 ha and is located at Ballinagard, Galway Road, Roscommon Town, Co. Roscommon. The site is located on the southern outskirts of the town on the eastern side of the N63, with a recessed vehicular entrance providing access to the site from this national route.
- 1.2. The site is generally rectangular in shape and accommodates a detached, 2-storey dwelling and detached single-storey garage, with a stated floor area of 212.776 m<sup>2</sup>. The dwelling has a hipped roof and is finished in render, with a distinctive balcony feature at the 1<sup>st</sup> floor level to the front. The single-storey garage also has a hipped roof and is finished in render. The dwelling was noted to be occupied at the time of my inspection.
- 1.3. The lands in the vicinity of the application site, and on the approach road to the town, are characterised by a substantial amount of ribbon development. A detached, 2-storey dwelling adjoins the site to the north, while greenfield sites adjoin its southern and eastern boundaries. Further ribbon development is located to the south-east of the site, on a local road which extends in an east-west direction from the eastern side of the N63. A small housing estate of detached 2-storey dwellings known as “Wilson Close” is located to the south-west of the site on the opposite side of the N63.

## 2.0 Proposed Development

- 2.1. The proposed development will consist of the demolition of the existing 2-storey dwelling and separate single-storey garage and the construction of a 2-storey dwelling and reconnection of associated facilities to the public services.
- 2.2. The proposed 2-storey dwelling has a stated floor area of 414.5 m<sup>2</sup> and accommodates 4 no. bedrooms. The dwelling is proposed to be located centrally within the site, in the general location of the existing development. The front elevation is characterised by 2 no. projecting gables at either end, with a projecting central entrance. The projecting elements are proposed to be finished in natural dressed stone, with render proposed to the recessed components. It is also proposed to provide 3 no. balconies to the front of the dwelling at 1<sup>st</sup> floor level,

which will serve 2 no. bedrooms and the landing. The side elevations are proposed to be finished in stone, with render proposed to the rear.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.1.1. Roscommon County Council issued Notification of the Decision to Refuse Permission on 25<sup>th</sup> August 2020 for 1 no. reason as follows:

“The proposed dwelling house, by reason of its overall form, scale and general design features, does not reflect the existing property being replaced. The proposed development contravenes Policy 5.37 of the Roscommon County Development Plan 2014-2020 which requires replacement dwellings to reflect the existing property in terms of location, siting and design; and fails to accord with the provisions of Section 5.11.6 of the Roscommon County Development Plan 2014-2020, which refers to “Re-use and Replacement of Existing Dwellings”, as it neither echoes the scale and character of the existing dwelling nor does it present a high quality contemporary design alternative. The proposed development would therefore be contrary to the proper planning and sustainable development of the area”.

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

- 3.2.1. **Planning Reports**
- 3.2.2. Basis of Planning Authority’s decision.
- 3.2.3. **Other Technical Reports**
- 3.2.4. **National Roads Regional Office:** No comment.

#### **3.3. Prescribed Bodies**

- 3.3.1. **Transport Infrastructure Ireland:** No observations.
- 3.3.2. **Department of Culture, Heritage & the Gaeltacht:** None received.
- 3.3.3. **An Taisce:** None received.
- 3.3.4. **The Heritage Council:** None received.

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

3.4.1. None.

## 4.0 **Planning History**

4.1. No recent planning history.

## 5.0 **Policy and Context**

### 5.1. **Roscommon County Development Plan 2014-2020**

5.1.1. While the subject site is located on the outskirts of Roscommon Town, it falls outside the plan boundary of the Roscommon Local Area Plan 2014-2020. The Draft Roscommon County Development Plan 2021-2027 has not yet been published, and as such, the Roscommon County Development Plan 2014-2020 is the relevant local policy document in the context of this appeal case.

### 5.2. **Housing**

5.2.1. The site is located in an Area Under Urban Influence. In such areas, the reuse and replacement of existing structures and dwellings will be considered regardless of rural or urban-generated housing need (table 5.4 refers).

5.2.2. **Policy 5.6:** Emphasise quality, innovation and a design-led approach in all housing development with proposals appropriate to each site and location.

### 5.3. **Housing in the Countryside**

5.3.1. The reuse and replacement of existing dwellings in the countryside is discussed in Section 5.11.6 of the development plan, wherein it is noted that Roscommon has a rich heritage of traditional farm buildings. The reuse and restoration of such derelict buildings will be encouraged to help ease the pressure to build on agricultural land and reduce the demand for new rural housing. Where such buildings are not suitable for restoration, consideration will be given to proposals for a replacement dwelling.

5.3.2. **Policy 5.37:** Promote the conversion, redevelopment and re-use of traditional farm buildings and existing housing stock in rural areas for residential use without applying the requirement of rural-generated local housing need. Consider proposals for the replacement of existing dwellings on their merits where it can be shown that

the original structure was last used as a habitable house and its roof, internal and external walls are generally intact. The location, siting and design of any such proposal shall also reflect those of the existing property. In the case of refurbishment and extension proposals, the scale of the proposed works should normally be sympathetic to the character of the original structure and the surrounding area, including adjoining or nearby development.

#### **5.4. Natural Heritage Designations**

5.4.1. None.

#### **5.5. EIA Screening**

5.5.1. Having regard to the nature and scale of the proposed development, comprising the demolition of an existing 2-storey dwelling and single-storey garage and the construction of a 2-storey dwelling, which will be served by public water and wastewater connections, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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**

6.1.1. A first-party appeal has been lodged by Turner Design Services on behalf of the applicant, the grounds of which can be summarised as follows:

- The site lies in an area which is already characterised by significant and continuous road frontage residential development, consonant with a suburban location;
- The area is also characterised by substantial suburban style housing on large sites, with a diversity of scale, design and external finish;
- The application of Policy 5.3.7 and Section 5.11.6 of the Roscommon County Development Plan is an erroneous misapplication of development plan policy by the Planning Authority, given that the site is located in a suburban area and is not occupied by a traditional farm building/farmhouse or other rural building;

- While the site is located outside of the development boundary of Roscommon Town, it does not lie within a rural area but rather a strongly suburban area of the town which is subject to further consolidation by way of ongoing residential development;
- Housing development in this suburban area varies widely in terms of scale, design and external finishes, and while the proposed 1<sup>st</sup> floor balconies are not a feature of development elsewhere in the immediate vicinity, it is a feature of the existing dwelling on the site;
- While the Planning Authority notes that their pre-planning advice on the proposed development appears to have been rejected, the applicant remains positively disposed towards revisions to the dwelling design, where deemed necessary and appropriate with respect to the existing context.

6.1.2. The appeal includes photographs showing examples of detached 2-storey dwellings in the vicinity of the application site.

## 6.2. **Planning Authority Response**

6.2.1. None received.

## 6.3. **Observations**

6.3.1. None.

## 7.0 **Assessment**

7.1. I am satisfied that the main issues for consideration in this case include:

- Compliance with Development Plan Policy
- Appropriate Assessment

7.2. Each of these issues is addressed in turn below.

### **7.3. Compliance with Development Plan Policy**

- 7.3.1. In my opinion, the key issue for consideration in this case is the compliance of the proposed development with development plan policy concerning replacement dwellings. In issuing Notification of the Decision to Refuse Permission, Roscommon County Council considered that the overall form, scale and design of the proposed dwelling did not reflect the property being replaced. As such, it was considered that the proposed development would contravene Policy 5.37 and the provisions of Section 5.11.6 of the development plan.
- 7.3.2. In considering the visual impact, siting and design of the proposed development, Roscommon County Council's Planning Officer considered that the existing dwelling has no architectural merit which would warrant its retention. The Planning Officer further noted the provisions of Section 5.11.6 of the plan, which states that the Council will consider replacement dwellings, provided they echo the scale, character and external finish of the original house. The Planning Officer also referred to Policy 5.37, which requires the location, siting and design of a replacement dwelling to reflect those of the existing property. In this instance, the Planning Officer considered that the design of the proposed dwelling was unacceptable by reason of its scale, character and external finish.
- 7.3.3. In considering the issue at hand, I agree with the applicant's agent that the Planning Authority has inappropriately applied the provisions of Policy 5.37 and Section 5.11.6 of the development plan. In reaching this conclusion, I consider that the discussion contained in Section 5.11.6 of the development plan (Re-use and Replacement of Existing Dwellings), primarily relates to traditional farm buildings. Where such buildings cannot be restored, the Planning Authority will consider proposals for replacement dwellings, which should echo the scale, character and external finish of the original dwelling. Policy 5.37 immediately follows Section 5.11.6 of the Plan, and as such, I consider that this policy is most applicable to vernacular housing. Notwithstanding the foregoing, I note that this policy states that the Planning Authority will consider proposals for the replacement of existing dwellings on their merits, with the location, siting and design of any such proposal required to reflect those of the existing property.

- 7.3.4. In my opinion, given that the existing dwelling is a modern, 2-storey, suburban style property, it would be unreasonable to refuse planning permission for the replacement 2-storey dwelling based on its form, scale and design. While the subject site is located outside of the development boundary of Roscommon Town, it is located in an area which is characterised by a significant amount of ribbon development, comprising 2-storey, family homes. I note that the adjoining site immediately to the north and the Wilson Close estate on the opposite side of the N63, are both characterised by modern, detached 2-storey dwellings. As such, I consider that the proposed replacement dwelling would generally reflect both the established pattern of development on the subject site, that of the lands in the immediate vicinity and on the north-eastern approach to Roscommon Town along the Galway Road/N63.
- 7.3.5. Roscommon County Council's Planning Officer considered that the inclusion of "add-on" detailing features on the replacement dwelling, including stone, balconies and differing glazing styles should be avoided, with these elements noted to make the overall form fussy and complicated. In consider the foregoing, I note that the existing dwelling accommodates a balcony at 1<sup>st</sup> floor level on the front elevation as highlighted in the applicant's appeal submission. As such, I consider that the inclusion of the balconies at the 1<sup>st</sup> floor level of the replacement dwelling would be acceptable. I further consider that the proposed fenestration to the front elevation is acceptable, with a symmetry noted across each half of the façade at ground and 1<sup>st</sup> floor levels. In my opinion, the materials and finishes to the building façades can be agreed by condition with the Planning Authority in the event the Board decides to grant planning permission in this instance.

#### **7.4. Appropriate Assessment**

- 7.4.1. Given that the development is proposed to be connected to the public water supply and drainage networks and having regard to its nature, scale and location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.



## 7.5. Note

- 7.5.1. The Roscommon County Council Development Contribution Scheme 2014 (as amended on 24<sup>th</sup> February 2020) confirms that, where the original house is currently occupied, replacement dwellings benefit from a 100% exemption from the requirement to pay a S. 48 development contribution. The existing house was occupied at the time of my inspection, and as such, I consider that a condition requiring the payment of a S. 48 development contribution should not be attached in the event the Board grants planning permission in this instance.

## 8.0 Recommendation

- 8.1. I recommend that planning permission be granted for the proposed development subject to conditions.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the existing pattern of development on the subject site and on the lands in the immediate vicinity, which includes modern, 2-storey, residential properties, and having regard to the nature of the proposed development, which seeks to redevelop a 2-storey dwelling house on the subject site, it is considered that, subject to compliance with the conditions set out below, the proposed development would reflect the established pattern of development at this location. The proposed development would, therefore, 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, 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 the commencement of development and the development
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>(a) 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, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p>(b) The access driveway to the proposed development shall be provided with adequately sized pipes or ducts to ensure that no interference will be caused to existing roadside drainage.</p> <p><b>Reason:</b> In the interest of traffic safety and to prevent pollution.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.</p>

	<b>Reason:</b> In the interest of sustainable waste management.
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Louise Treacy  
Planning Inspector

26<sup>th</sup> February 2021