



An
Bord
Pleanála

Inspector's Report 312921-22

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| Development | Construction of extension to the side of dwelling, installation of a dormer window to the rear elevation of the existing dwelling and construction of a detached garage. |
| Location | Lackagh, Portnoo, Donegal |
| Planning Authority | Donegal County Council |
| Planning Authority Reg. Ref. | 21/52524 |
| Applicant(s) | Maryanna Rann |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | First Party vs. Condition |
| Appellant(s) | Maryanna Rann |
| Observer(s) | None |
| Date of Site Inspection | 9th April 2022 |
| Inspector | Stephen Ward |

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.16 hectares and is located in Lackagh, Portnoo, near the west Donegal coastline. It is distanced c. 700 metres southwest of Portnoo Pier and is within a large cluster of one-off houses extending to the west of Portnoo village. It is located near the confluence of several local roads, one of which curves around the site to the front (north) and side (west). There are one-off houses of various style and size to the east, south and west, while land to the north has remained relatively free from development.
- 1.2. The site accommodates an existing dwelling with a floor area of 143m², comprising a main dormer type block and a linked single-storey bedroom block to the rear. There is an existing sunroom to the western side of the dormer block. It is bounded by a stone wall to the front and hedgerow vegetation to the sides and rear. The site levels are relatively flat. However, it is located within wider topography that rises significantly from the coastline (to the north) to the rear of the site (to the south).

2.0 Proposed Development

In summary, the proposed development is comprised of the following:

- Demolition of existing sunroom and construction of a new double-height sunroom extension (32m²) to the western side of the dormer block.
- Installation of a dormer bedroom window to the rear of the dormer block.
- Construction of a garage (64m², excluding attic space) in the southeast corner of the site.

The external finishes of the garage and extensions would generally match those of the existing dwelling. The sunroom extension includes framed glazing for the full extent of the front elevation wall and the side elevation gable. The glazing is comprised of triple-glazed panels within a grey powder coated steel frame.

3.0 Planning Authority Decision

3.1. Decision

By order dated 10th February 2022, Donegal County Council (DCC) issued notification of the decision to Grant Permission subject to conditions. Of relevance to the current appeal, condition no. 2 states as follows:

a) The double height glazed section (extension) on the side elevation facing northwest shall be omitted and replaced with a substantially reduced glazing panel and blockwork.

b) Prior to the commencement of development revised plans drawn to a scale not less than 1:100 shall be submitted to the Planning Authority for written agreement in accordance with Condition 2. (a). The development shall thereafter proceed in strict conformity with the agreed plans.

Reason: To define the terms of the permission, protect the amenities of the area and ensure orderly development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The assessment by Donegal County Council's Planning Officer can be summarised as follows:

- The principle of the development is acceptable subject to further considerations.
- The scale of the extension is modest and has no implications for third-party properties.
- The design integration with the existing dwelling and wider development is considered acceptable subject to a significant reduction in glazing to the side elevation of the proposed extension. The glazing is considered excessive and there are concerns about precedent. It is noted that adjoining dwellings have similar glazing on side elevations but at a much smaller scale.
- The proposal does not detract in a significant way from private amenity space.

- No access considerations arise.
- There would be no additional loading on the wastewater treatment system.
- An Appropriate Assessment screening determination is not required.
- It is recommended to grant permission, subject to the revisions outlined in Condition no. 2. This recommendation forms the basis of the DCC decision.

3.2.3. Other Technical Reports

Executive Engineer (Roads): No objection subject to conditions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

There would not appear to be any recent relevant planning history pertaining to the site.

5.0 Policy and Context

5.1. County Donegal Development Plan 2018-2024

- 5.1.1. Section 6.3 of the Plan deals with Rural Housing and relevant objectives/policies can be summarised as follows:

RH-O-5 - To promote rural housing that is located, designed and constructed in a manner that is sustainable and does not detract from the character or quality of the

receiving landscape having particular regard to the Landscape Classifications illustrated on Map 7.1.1 and contained within Chapter 7 of this Plan.

5.1.2. Appendix 4 of the Plan 'Building a House in Rural Donegal – A location, siting and Design Guide' contains further guidance on the matter.

5.1.3 In terms of landscape character, the county has been categorised into three layers of landscape value (Especially High Scenic Amenity', 'High Scenic Amenity' and 'Moderate Scenic Amenity'), which are illustrated on Map 7.1.1 of the Plan. The subject site is within an area classified as 'High Scenic Amenity', which are described as landscapes of significant aesthetic, cultural, heritage and environmental quality that are unique to their locality and are a fundamental element of the landscape and identity of County Donegal. These areas have the capacity to absorb sensitively located development of scale, design and use that will enable assimilation into the receiving landscape and which does not detract from the quality of the landscape, subject to compliance with all other objectives and policies of the plan. Policy NH-P-7 seeks to facilitate development in areas of 'High Scenic Amenity' of nature, location and scale that allows the development to integrate within and reflect the character and amenity designation of the landscape.

5.1.4 Policy NH-P-17 seeks to preserve views and prospects of special amenity value and interest, in particular views between public roads and the sea, lakes and rivers. Assessment criteria is outlined, and a balanced and reasonable approach will be applied. Map 7.1.1 of the Plan includes a designated view from the elevated ground to the south (near Pound Lough) northwards towards the coastline and Inishkeel island.

5.2. Natural Heritage Designations

The West of Ardara/Mass Road SAC effectively surrounds the wider landscape. At its closest point (to the south) it is within c. 220 metres of the appeal site.

6.0 The Appeal

6.1. Grounds of Appeal

This first party appeal relates to condition no. 2 only, which requires the omission of the fully glazed side elevation and agreement with the planning authority of revised proposals to substantially reduce the extent of glazing in this elevation. The grounds of appeal can be summarised as follows:

- The brief for the extension is to create a family space that incorporates contemporary design and maximises the availability of daylight and views.
- The Planner's report confirms that the extension is modest in scale; has no implications for third parties; and that no third-party submissions were received.
- The design of the double height glazing was carefully considered to avoid any impacts on neighbouring properties. This architectural feature is intended to provide a contemporary element to the design.
- Reference is made to planning application reference no. 21/52186, which was recently granted permission by DCC in Naran, Portnoo. This permitted extension would also have a double height glazing to the gable end wall, which is almost identical to the proposed extension.
- Reference is also made to existing dwelling with double height gable glazing to the west of the appeal site, which clearly creates a precedent for the design.

6.2. Planning Authority Response

The planning authority response can be summarised as follows:

- The imposition of Condition 2 is reasonable and appropriate.
- The extent of glazing is excessive and there are precedent concerns in this rural context of 'High Scenic Amenity'.
- The permission granted under P.A. Reg. Ref. 21/52186 is noted. However, it is not within visual proximity to the appeal site and therefore no precedence

has been established in this context. That site was not as prominent as the appeal site, which is openly visible and would set an undesirable precedent.

- Reference is made to the Planner's Report and the Board is requested to uphold the decision of the Planning Authority.

6.3. Observations

None.

7.0 Assessment

- 7.1. This appeal relates to condition no. 2 only, which requires the omission of the fully glazed side elevation and agreement with the planning authority of revised proposals to substantially reduce the extent of glazing in this elevation. I am satisfied that the development is otherwise in accordance with the proper planning and sustainable development of the area, and that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted. My assessment will therefore be limited to the matters raised in relation to the terms of the condition, pursuant to the provisions of section 139 of the Planning and Development Act 2000 (as amended).
- 7.2. The stated reason for the application of condition No. 2 is '*To define the terms of the permission, protect the amenities of the area and ensure orderly development*'. More specifically, I note that the Planner's Report does not raise any concerns about impacts on the residential amenity of third-party properties and I consider that the substantive reason for the condition relates to visual amenity. Having inspected the site and reviewed the drawings and documentation on file, I would concur that this is the only issue relevant to the condition. Accordingly, my assessment will be limited to this issue.
- 7.3. I note the appellant's reference to 'double height' glazing in the gable of an existing dwelling to the west of the appeal site. I would contend that this example contains a much lesser extent of glazing and is not particularly relevant to the current appeal case. I note the other referenced case (P.A. Reg Ref. 21/52186) in nearby Naran and I can confirm that permission was granted for a similar fully-glazed gable end extension on 31st January 2022. However, I accept that precedent should not be a

determining factor and that each case should be considered in its context and on its merits.

- 7.4. I acknowledge the location of the site within a landscape designated as 'High Scenic Amenity' and the elevated position of the site in relation to the coastline to the north. However, I consider that the northwest facing gable elevation would be largely screened by the substantial cluster of existing houses and would not be visually prominent. It would be intermittently visible at a localised scale but would not be prominent over wide or distant views. I note the preserved view from the south of the site to the coastline to the north, but I consider that the gable end elevation would not be visible within any views in this direction.
- 7.5. I accept that this extent of glazing is not typical of traditional rural housing design principles. However, having regard to the varying design styles that exist in the area, I consider that there is scope for flexibility in considering a contemporary design approach. The proposal for full-coverage glazing is a simple approach that is in many ways preferable to a complicated solid/void relationship which can often detract from the character of rural house design.
- 7.6. In conclusion, I consider that the proposed gable elevation would have only localised visual impacts and would not have a significant impact on the visual amenity of the area. And having regard to the pattern and character of surrounding development, I have no objection to the inclusion of a fully glazed gable elevation as proposed.

8.0 Appropriate Assessment

The nearest Natura 2000 site is the West of Ardara/Mass Road SAC located c. 220m to the south and upland of the appeal site. Having regard to the limited extent of the proposed works and the significant distance between the appeal site and the Natura 2000 network, I do not consider that there is any likelihood of significant effects in this case. Accordingly, 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.

9.0 Recommendation

I recommend that the Planning Authority be directed to REMOVE Condition No. 2 for the reasons and considerations set out hereunder.

10.0 Reasons and Considerations

Having regard to the location of the site and the pattern and character of development in the area, it is considered that the proposed gable elevation would have only limited visual impact and would not detract from the character of the existing dwelling or the visual amenities of the area. Therefore, the planning authority's Condition No. 2, requiring the omission and replacement of the glazed gable section, is not warranted.

Stephen Ward
Senior Planning Inspector

10th April 2022