



An
Bord
Pleanála

Inspector's Report

ABP-313388-22

Development	Construction a fully serviced private dwelling house with waste water treatment system and garage/fuel shed & all associated site works.
Location	Corskeagh (Daly), Co. Galway
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	212350
Applicant(s)	Keith Duffy & Aedemur Cloonan
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	First Party v Condition
Appellant(s)	Keith Duffy & Aedemur Cloonan
Observer(s)	None
Date of Site Inspection	6 th September 2022
Inspector	Ian Campbell

1.0 Site Location and Description

- 1.1. The appeal site is located on the southern side of a local access road, in the townland of Corskeagh (Daly), c. 4.5 km north-west of Woodlawn, Co. Galway.
- 1.2. The appeal site is broadly rectangular in shape, has a stated area of 0.243 ha. with an undulating topographical profile. There is a drainage ditch along the southern boundary of the appeal site. The appeal site is under grass and appears to have been recently used for the grazing of animals. The roadside boundary comprises trees and hedgerow. Within the appeal site, boundaries are formed by a wire fence and a stone wall. The adjoining lands to the east, west and south are indicated as being within the applicants' ownership/control, as demarcated by the blue line boundary.
- 1.3. The adjoining area is rural in character. There is a detached bungalow to the north-west of the appeal site which is accessed from a laneway opposite the appeal site.

2.0 Proposed Development

- 2.1. The proposed development as submitted to the Planning Authority on the 10th December 2021 comprises;
 - Construction of a two storey, four-bedroom, detached dwelling:
 - stated floor area c. 232 sqm.
 - stated ridge height 8.55 metres.
 - material finishes to the proposed house have not been specified but appear to comprise plaster and stone for the external walls. The roof covering comprises slate or tile (unspecified colour).
 - positioned c. 26.5 metres from the public road.
 - Construction of a garage/fuel store:
 - stated floor area c. 54 sqm.
 - ridge height c. 4.6 metres.
 - material finishes to the proposed garage/fuel store comprise nap plaster for the external walls. The roof covering comprises slate or tile (unspecified colour).

- The installation of a septic tank and a percolation area.

2.2. Following a request for further information the height of the proposed dwelling was reduced to 7.9 metres.

3.0 **Planning Authority Decision**

3.1. **Request for Further Information**

Prior to the decision of the Planning Authority to GRANT permission for the proposed development, the Planning Authority requested Further Information.

3.1.1. Further Information was requested as follows:

- Submit a revised map with sightline triangle indicated within blue line boundary.
- Submit letter from Group Water Scheme confirming water supply.
- Submit revised plans and elevations reducing the height of the dwelling by at least 0.5 metres, and provide a single storey porch in lieu of the proposed double height porch.

3.1.2. Further Information submitted on 02/03/2022:

- Revised site layout indicating the sightline triangle within the blue line boundary of the site.
- Letter from Group Water Scheme confirming water supply.
- Revised drawings indicating a reduction in the height of the proposed dwelling to 7.9 metres.
- Height of porch projection has been reduced from c. 7 metres to c. 6 metres
- Drawings indicating examples of houses in the area where double height porches have been permitted/constructed.

3.2. **Decision**

The Planning Authority issued a Notification of Decision to Grant Permission on the 29th March 2022, subject to 13 no. conditions.

C2 - Prior to the commencement of development the applicant shall submit the details for the consideration and written approval of the Planning Authority consisting of the following:

- revised elevation whereby the gabled add-on on the façade elevation shall be redesigned as a single storey (porch) add-on rather than (currently proposed) two storey. A vertically emphasized ope may be included, as part of a revised design solution, in the upper façade elevation to compensate the loss of natural lighting over the internal stairwell. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of visual amenity

3.3. Planning Authority Reports

3.3.1. Planning Reports

The first report of the Planning Officer includes the following comments;

- The scale of the dwelling at 8.5 metres is excessive and shall be truncated by at least 0.5 metres and the front projection reduced to single storey.
- Letter from group water scheme has not been submitted.
- Lands required to provide sightlines need to be identified within the control of the applicant.

The second report of the Planning Officer includes the following comments;

- The visibility splay and water supply issue have been addressed to the satisfaction of the Planning Authority.
- The reduction in the height of the build is acknowledged however the expansion in the width of the front projection to facilitate its reduction in height is not considered acceptable.

The report of the Planning Officer recommends a grant of permission consistent with the Notification of Decision which issued.

3.3.2. Other Technical Reports

None received.

3.4. Prescribed Bodies

None received.

3.5. Third Party Observations

None received.

4.0 Planning History

None.

5.0 Policy Context

5.1. Development Plan

5.1.1. The proposed development was considered by the Planning Authority under the Galway County Development Plan 2015-2021 however the Galway County Development Plan 2022-2028 came into effect on the 20th June 2022 and is now the relevant development plan.

5.1.2. The appeal site is not subject to any specific land-use zoning under the Galway County Development Plan 2022-2028. The appeal site is located within an area identified as a 'Structurally Weak Area' (Rural Housing Zone 3) (see Map 4.1 and 4.2 Galway County Development Plan 2022 - 2028).

5.1.3. The provisions of the Galway County Development Plan 2022 - 2028 relevant to this assessment are as follows:

- Objective RH9: Design Guidelines
- DM Standard 8: Site Selection and Design
- Appendix 5: Design Guidelines for the Single Rural House

5.1.4. In terms of Landscape Character Type, the appeal site is located within the 'North Galway Complex Landscape' (see Appendix 4 of CDP), which has a low sensitivity.

The appeal site is not affected by any protected views (see Map 08, Appendix 4) or scenic routes (see Map 09, Appendix 4).

5.2. Natural Heritage Designations

The appeal site is not located within or close to any European site.

5.3. EIA Screening

Having regard to the limited 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

This is a first-party appeal against Condition No. 2 of the Planning Authorities Notification of Decision to Grant Permission. Condition No. 2 requires the revision of the front porch from a two-storey projection to a single storey projection. The grounds for appeal can be summarised as follows;

- Two storey porch features are a common in the vicinity of the appeal site, and across the County.
- The request to amend the design of the porch to single storey is unclear. The height of the eaves have been reduced to match the eaves of the dwelling, along with a reduction in the pitch of the roof of the porch, which has resulted in a reduction in the overall height of the porch.
- Examples of houses in the vicinity of the appeal site where two storey porches have been permitted were submitted to the Planning Authority at further information stage. These have been resubmitted with the appeal, PA. Ref's 21/1737, 21/1586, 21/1489, 21/0405, 20/654 and 19/1636 relate.
- The closest dwelling is over 150 metres from the proposed dwelling and as such the proposal will not affect the residential amenity of any existing dwelling.

- Extensive planting is proposed which will assist with the integration of the proposed dwelling into the landscape.

6.2. **Planning Authority Response**

None.

6.3. **Observations**

None.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site, and having regard to the relevant national and local policy and guidance, I consider the main issues in relation to this appeal are as follows:

- Scope of Appeal
- Condition No. 2 (subject of appeal)
- Appropriate Assessment

7.2. **Scope of Appeal**

7.2.1. The appeal site is located within a structurally weak area, where the provision of single housing is based on siting and design criteria. I consider the scale and design of the proposed dwelling to be acceptable, and I similarly note that the proposed development is acceptable in terms of drainage and access.

7.2.2. Having regard to the nature and scale of the proposed development and to the nature of Condition No. 2, it is considered that a de novo assessment would not be warranted in this instance. Therefore, the Board should determine the matters raised in the appeal only, in accordance with Section 139 of the Planning and Development Act 2000, as amended.

7.3. Condition No. 2 (subject of appeal)

- 7.3.1. Condition No. 2 of the Notification of Decision to Grant Permission made by Galway County Council requires a single storey porch in lieu of the two storey porch as proposed.
- 7.3.2. I note that the appeal site is located within the 'North Galway Complex Landscape', which has a low landscape sensitivity, and that the appeal site is not affected by any protected views or scenic routes. Beyond the confines of the appeal site the proposed dwelling would in my opinion, not be overtly prominent in the adjoining landscape.
- 7.3.3. I note the reduction in the height of the dwelling, and also the reduction in the height of the porch projection, which was submitted at further information stage. I do not consider that the proposed porch, which has been reduced in scale, would be a dominant feature on the front façade of the dwelling, nor do I consider that the porch as proposed would have any significant negative impact on the visual amenity of the adjoining area.
- 7.3.4. The first party makes reference to numerous examples of similar porch projections in the vicinity of the appeal site and within the County. Having regard to the examples cited by the first party I would concur that this particular design feature is common within the County, having been granted by Galway County Council.
- 7.3.5. The Galway County Development Plan 2022 – 2028 provides guidelines for rural house design. In relation to porches, the Guidelines recognise the role of porch design from an aesthetic and functional perspective. Having reviewed these guidelines I do not consider that there is any specific policy contained therein which would preclude such a design, and I consider that detailed design considerations should be assessed on a case-by-case basis, with reference to the overall design of the dwelling and importantly the context and characteristics of the site.
- 7.3.6. Having regard to the forgoing, I do not consider that a condition requiring the provision of a single storey porch to be warranted in this instance, and I recommend that the Planning Authority be directed to remove Condition No. 2.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and limited scale of the proposed development, the developed nature of the landscape between the site and European sites and the lack of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect either individually or in combination with other plans or projects on any European site.

8.0 Recommendation

- 8.1. I recommend that the Planning Authority be directed that Condition No. 2 be removed.

9.0 Reasons and Considerations

- 9.1. Having regard to the nature of the condition which is the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE Condition No. 2 for the reason as follows:

Having regard to the design of the porch projection, and its relationship to the front façade of the proposed dwelling, the location of the appeal site within the adjoining landscape, the low landscape sensitivity of the area, and pattern of development in the vicinity of the appeal site, it is considered that the porch as proposed would not have any significant negative impacts on the visual amenity of the area, and would therefore, be in accordance with the proper planning and sustainable development of the area.

Ian Campbell
Planning Inspector

25th October 2022