



An
Bord
Pleanála

Inspector's Report

ABP-315090-22

Development	Demolition of shed. Construction of extension and alteration to house plus domestic sewage treatment system with associated site works.
Location	Clogher Td., Tang, Co. Westmeath
Planning Authority	Westmeath County Council
Planning Authority Reg. Ref.	22439
Applicant(s)	James Goulding
Type of Application	Permission.
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	James Goulding
Observer(s)	None
Date of Site Inspection	20 th of September 2022
Inspector	Caryn Coogan

1.0 Site Location and Description

- 1.1. Tang is a village in County Westmeath, on the N55 national secondary road between Athlone and Ballymahon, County Longford. It is on the border with County Longford. The village is north-east of Athlone.
- 1.2. The settlement is low density and dispersed. The subject site (0.25ha) includes an existing bungalow (134sq.m.), a detached shed (32sq.m.) and its curtilage located to the north of the settlement along the N55. The bungalow has a nap plaster finish with some brick panelling and a terracotta tiled roof. The bungalow has an eastern orientation.
- 1.3. There is a feature stone wall along the roadside boundary of the site and the recessed access.
- 1.4. The River Tang forms the northern site boundary.
- 1.5. To the rear of the site are farm buildings.

2.0 Proposed Development

- 2.1 The proposed development consists of a two storey extension to the southern gable end of the bungalow, and the insertion of 2No. dormer windows in the roof of the dormer on the front elevation.
- 2.2 The extension (142sq.m) will provide a new dining room and living room at ground floor level.
- 2.3 There is a new ensuite bedroom with walk-in wardrobes at first floor level.
- 2.4 A comprehensive Site Characteristics and assessment Report was submitted with the planning application.

3.0 Planning Authority Decision

3.1. Decision

Westmeath County Council refused the proposed development for one reason only.

Having regard to the design, scale and bulk of the development, it is considered that the proposed extension would have a discordant appearance to the original dwelling

and would result in an unacceptable form of development that would dominate and be out of keeping with the character of the existing dwelling, which is contrary to policy CPO 16.27 of the County Development Plan 2021-2027 and therefore be contrary to the proper planning and development of the area.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

- The extension is acceptable in principle however its height, form and overall design fails to integrate with the host structure.
- The proposed projection breaks the eaves, the dormer windows are considered to be wholly inappropriate, and it is considered to be an ad hoc design form.
- The elevational detailing does not match the host structure, and the window design on the front elevation results in a confusing design.
- The junction between the old and the new is not successful and the proposed extension will subsume the host structure and will detract from the character of the host structure.
- The design does not comply with Policy CPO 16.27.
- No impact on Natura 2000 sites anticipated.

3.2.2. **Other Technical Reports**

Engineer : A flood impact assessment is required.

The treatment plant should be in line with EPA code of practice serving single dwellings

3.3. **Prescribed Bodies**

None

3.4. **Third Party Observations**

None

4.0 Planning History

None

5.0 Policy Context

5.1. Development Plan

Westmeath County Development Plan 2021-2027

Development Management Standards Policy Objectives - Other Residential Development Types	
It is a policy objective of Westmeath County Council when assessing development proposals for Other Residential Development to consider:	
CPO 16.27	<u>Alterations and extensions to existing dwellings:</u> <ul style="list-style-type: none">▪ Extensions and/or alterations should respect the main dwelling.▪ Where contemporary designs are proposed, proposals should not detract from the visual amenities of the main dwelling or neighbouring properties.▪ Extension works should not encroach, oversail or otherwise physically impinge third party properties.▪ Proposals should be designed in such a way as to eliminate overshadowing or overlooking of adjoining property.

5.2. Natural Heritage Designations

Lough Ree SAC (Site No. 000440) and Lough Ree SPA (Site 004064) is located 5km from the application site. The River Tang to the north of the site is a tributary of the Inny River, which flows into Lough Ree.

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 assessment can therefore be excluded at preliminary examination.

6.0 The Appeal

6.1. Grounds of Appeal

- The planning authority has misunderstood the overall design, the relationship with the existing house, and the fact the proposal is to upgrade and define the existing bungalow. The planning authority's decision is based on the fact the existing dwelling on the site is perfect and of a scale suitable for the site. The bungalow is struggling to compete in scale with the front boundary stone wall. There is no 'intrinsic quality' to the existing bungalow.
- There are two buildings recently constructed near the dwelling that are two storey, therefore planning authority is inconsistent in its decision. The bungalow design was of its time, and now two storey dwellings are been permitted in the immediate area.
- There are large agricultural buildings to the rear of the bungalow rendering the bungalow inappropriate in scale.
- The proposed extensions are required to achieve appropriate accommodation for a growing family
- A new treatment system is proposed for the site and the existing system will be decommissioned mitigating any risks of contamination to the adjoining river.
- How can an extension with eaves to 4.6m create a dominating feature on a National Primary Road?

6.2. Planning Authority Response

No response.

7.0 Assessment

- 7.1. I have inspected the site and considered the appeal file. The planning authority's one reason for refusal relates to the design of the proposed extension, which is a

subjective issue. I will examine the proposed development under the following headings:

- The existing development on site
- Development Plan Policy
- Visual Impact of the Proposed Development
- Sewage Treatment
- Appropriate Assessment.

7.2. The Existing Development on the Site

My observations during the site inspection include, there is a bungalow and detached shed on site. In my opinion, both structures carry no architectural merit. The bungalow is a typical 'Bungalow Bliss' design both internally and externally with uniform square rooms off a middle corridor, and large windows with a horizontal emphasis. The front roadside boundary is stone wall, and in my opinion, is a quality feature of the residential curtilage.

The small settlement of Tang is dispersed and low density. Driving through Tang on the National Primary Road one does not experience a typical compact village form. There is low density housing dispersed along the sides of the road. The bungalow on the subject site forms a low-profile building envelop set against a backdrop of large agricultural buildings which are immediately to the west of the site. The subject site and area have no landscape or amenity designations in the County development Plan. In my opinion, the subject dwelling does not form a significant visual feature in the area or on the landscape. It would appear to me from reading the appeal file, the planning authority considers the existing house to be of high architectural merit. The Planning Report on file places significant merit on the 'character of the existing' bungalow on site'. I do not agree with this view. The existing dwelling holds minimal architectural character, and its visual impact on the surrounding area in the context of its setting, is in my opinion, quite insignificant. The existing garage to be demolished does not add to the visual qualities of the area either. Therefore, I believe the existing dwelling is receptive to modernisation and a new two storey extension.

7.3. Development Plan Policy

The relevant development plan for the area is the Westmeath County Development Plan 2021-2027. Chapter 16 refers to the Development Management Standards and the following policy is relevant to the current proposal:

CPO 16.27 Alterations and extensions to existing dwellings:

- *Extensions and/or alterations should respect the main dwelling.*
- *Where contemporary designs are proposed, proposals should not detract from the visual amenities of the main dwelling or neighbouring properties.*
- *Extension works should not encroach, oversail or otherwise physically impinge third party properties.*
- *Proposals should be designed in such a way as to eliminate overshadowing or overlooking of adjoining property.*

The existing bungalow is 134sq.m., and the shed is 32sq.m. The shed will be demolished to facilitate the erection of the two storey extension on the southern gable end of the bungalow. The footprint of the storey extension overlaps the existing shed to the rear. There are minimal alterations to the existing bungalow. The front door is to be relocated into the new extension and a stairwell will be inserted to the attic space in the bungalow, with the provision of two dormer windows into the roof space. I consider this proposal to be a sustainable form of development.

The subject bungalow is beside the applicant's farmyard, which is normal in the majority of rural farm households. The resident family have outgrown the existing bungalow, and in order to improve their own residential amenities the bungalow needs to be extended to meet with modern family living. The proposal will not result in any impact to third party properties. In my opinion, the proposal complies with the development plan policy.

7.4 Visual Impact of the Proposed Development

7.4.1 This issue is the crux of the appeal. The planning authority's single reason for refusal states the proposed extension by reason of its design, bulk and scale would create a discordant appearance to the original dwelling and would result in an unacceptable

form of development that would dominate and be out of keeping with the character of the existing dwelling.

7.4.2 As the reporting inspector, I disagree with this viewpoint, and I accept this is a subjective planning issue. The following is my analysis of the proposed development in a visual context sense:

- I believe the planning authority has afforded too much merit to the architectural quality of the existing bungalow.
- In terms of the design, bulk and scale of the proposed two storey extension, I refer to the site layout drawings, whereby the proposed footprint of the extension is proportionate to the existing dwelling's footprint. The footprint will increase by circa 33% on a large site area of 0.25Ha. The ridge height of the existing bungalow is 5.6metres. The ridge height of the two-storey extension is 6.7metres. There is only 1.1metres in the difference in height. The ridge height of the bungalow is extended into the two-storey element, and the scale and bulk of the new structure is in proportion to the bungalow. Hypothetically, if the extension design were single storey only, it is my opinion, the length of the structure would be disproportionate to the width of the overall site. I consider the two-storey extension creates a balanced design approach to extending the bungalow.
- I accept the existing and proposed window design combined, is irregular. However, the design retains the large windows on the front elevation that have a horizontal emphasis, typical of bungalow design at that time. The new extension has a more vertical emphasis, which is a more modern-day design. In my opinion, the contrast works well. The two new dormer windows in the roof of the bungalow reflect the design scale and positioning of the first-floor bay window of the new extension. I do not agree the extension will create a discordant appearance.
- Finally, the issue of the extension been out of character and dominant of the existing dwelling, has been addressed above. The proposed extension is only 1.1metres higher than the existing dwelling. The footprint of the extension overlaps with the footprint of the existing shed on site. The existing shed contributes nothing to the architectural qualities of the bungalow. When one

considers the overall development in the context of the large wide site, the backdrop of the agricultural buildings to the rear, the setback from the N55, and visual relationship with the roadside stone boundary wall, I consider the proposed extension will enhance the visual merits of the existing dwelling.

7.5 Sewage Treatment

Under the current proposal, the existing septic tank is to be decommissioned and a new sewage treatment plant is to be installed. The planning application includes a comprehensive Site Characterisation and Assessment Report which is noted. The existing septic tank and percolation is positioned in close proximity to the River Tang bordering the site along the northern site boundary. The new tertiary sewage treatment plant is to be located at the southeastern extremity of the site in line with the EPA Guidelines for Small Sewage Treatment Plants for Single Dwellings 2021. In my opinion, the new tertiary treatment system is a planning and environmental gain and is a welcome proposal given the proximity of the existing unit to the river and the potential risk for pollution. The proposed development is in the interest of public health and environmental standards.

7.6 Appropriate Assessment

7.5.1 Article 6 of the EU Habitats Directive (Council Directive 92/43/EEC) requires that all plans and projects be screened for potential impacts upon Special Areas of Conservation and Special Protection Areas.

7.5.2 The application site adjoins a stream called River Tang which is a tributary of the River Inney which flows into Lough Ree which is a designated Special Area of Conservation and a Special Protection Area. The River Tang is in the River Inney Sub Basin. According to the EPA latest River Q Values, the River Tang has a quality status of **GOOD**.

Site and Code	Distance	Qualifying Interests	Potential Significant Effects
Lough Ree SAC 000440	5km west	Natural eutrophic lakes with Magnopotamion or	There is a hydrological

		<p>Hydrocharition - type vegetation [3150]</p> <p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210]</p> <p>Active raised bogs [7110]</p> <p>Degraded raised bogs still capable of natural regeneration [7120]</p> <p>Alkaline fens [7230]</p> <p>Limestone pavements [8240]</p> <p>Bog woodland [91D0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0]</p> <p>Lutra lutra (Otter) [1355]</p>	<p>connection as there is a watercourse on the adjoining the site leading to the SPA. There will be no pollution to the SPA arising from the construction and operation of the proposed development. No significant effects to the SPA are likely to occur. However the site will be given further consideration below.</p>
Lough Ree SPA 004064	5km west	<p>Little Grebe (<i>Tachybaptus ruficollis</i>) [A004]</p> <p>Whooper Swan (<i>Cygnus cygnus</i>) [A038]</p> <p>Wigeon (<i>Anas penelope</i>) [A050]</p> <p>Teal (<i>Anas crecca</i>) [A052]</p> <p>Mallard (<i>Anas platyrhynchos</i>) [A053]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Tufted Duck (<i>Aythya fuligula</i>) [A061]</p>	<p>There is a hydrological connection as there is a watercourse on the adjoining the site leading to the SPA. There will be no pollution to the SPA arising from the construction and operation of the proposed</p>

		Common Scoter (Melanitta nigra) [A065] Goldeneye (Bucephala clangula) [A067] Coot (Fulica atra) [A125] Golden Plover (Pluvialis apricaria) [A140] Lapwing (Vanellus vanellus) [A142] Common Tern (Sterna hirundo) [A193] Wetland and Waterbirds [A999]	development. No significant effects to the SPA are likely to occur. However the site will be given further consideration below.
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7.5.3 There are no other Natura 2000 sites within 10-15km of the subject site.

7.5.4 **Lough Ree SPA and SAC**

Lough Ree is the second largest lake on the Shannon after Lough Derg.

The construction of the proposed extension at Tang and subsequent operation of the site as a residential development will have no significant effects upon the integrity or the site structure of Lough Ree SPA. The application site is 5km east of the Natura 2000 site and the hydrological connectivity between the area is an adjoining stream (R.Tang) which connects into the Inney River, which connects into Lough Ree.

There is no land take from Lough Ree SPA, and given the 5km separation distance between the sites, the distance is considered to be sufficient to ensure no impacts arise. The proposed development is an extension of an existing development on the site. The existing sewage treatment system which is located adjacent to the R. Tang is to be decommissioned. A new tertiary treatment system is to be installed over 50metres from the watercourse and emissions to local watercourse will not arise.

During the construction phase there is minimal earthworks because the footprint of the proposed extension is small and the foundation works are over 30metres from the watercourse. Excavated material will be reused on site and waste material will be

disposed of in a responsible manner to a licenced facility away from designated sites.

- 7.5.4 In view of the best scientific knowledge and on the basis of objective information, it can be concluded that the proposed development, whether individually or in combination with other plans or projects, will have no impacts upon a designated site.

The integrity of the sites will be maintained and the habitats and species associated with these sites will not be adversely affected. The proposed development does not require to proceed to Stage II of the Appropriate Assessment process.

8.0 Recommendation

- 8.1. Having regard to the provisions of the Westmeath County Council Development Plan 2021-2027, to the pattern of existing development in the area and the design and scale of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.0 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 commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the attenuation and 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 to ensure a proper standard of development.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to ABP 314304-22 Inspector's Report Page 15 of 15 commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Caryn Coogan
Planning Inspector

10th of November 2023