



An
Bord
Pleanála

Inspector's Report

ABP-317748-23

Development	Demolish house and construct two storey guesthouse.
Location	Cosmona, Athenry Road, Loughrea, Co. Galway.
Planning Authority	Galway County Council
Planning Authority Reg. Ref.	23244
Applicant(s)	Silver Task Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party V Galway County Council
Appellant(s)	Silver Task Ltd
Observer(s)	Atlantic Troy Limited
Date of Site Inspection	14/09/23
Inspector	Darragh Ryan

1.0 Site Location and Description

- 1.1. The site is located on the western edge of Loughrea Town on the R380, known as Athenry Road. The site area is .16ha. The site is accessed by a single access off the R380.
- 1.2. The site is occupied by a vacant bungalow dwelling which is currently boarded up. The site is relatively flat, with high boundary wall to the east (new construction), bank and hedgerow to the north and low boundary wall with existing hedging and scrub to the east.
- 1.3. To the west sits Loughrea Hotel & Spa, with associated carparking immediately to the north of the site. There are two number detached dwellings to the east. A new petrol station and 2 storey flat roof restaurant building is located 35 m to the east and the 2 storey flat roof Loughrea Shopping Centre is located immediately to the east of the filling station.
- 1.4. The site has the characteristics of sub- urban brownfield site, serviced by public footpath, lighting and pedestrian connectivity to the centre of Loughrea town to the east and south.

2.0 Proposed Development

- 2.1. As per the statutory notices the development comprises the following:
 - Demolish existing substandard dwelling house (86.2m²)
 - Construct new two storey guesthouse.
 - Associated car parking, landscaping connection to public sewer
 - All associated site works.
- 2.1.1. The development is to provide an 18-bedroom guesthouse on site in place of existing dwelling house. The proposed new build shall be a two-storey structure of 658m². The site area is a stated 0.16ha. The proposal will have a plot ratio of 0.41. The following documents have been submitted with the application:
 - Site survey

- Site Layout Plan
- Landscape Layout Plan
- Services
- Proposed Elevations and Sections
- Existing plans/elevations
- Cross Section thru site

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued a decision to refuse permission. There is one refusal reason outlined:

“Having regard to the size, scale and nature of the proposed development and the proximity to the site boundaries, it is considered that the proposed development would constitute overdevelopment of this restricted site, would be out of character with the existing forms and pattern of development in the vicinity, would seriously injure the residential amenities and depreciate the value of adjoining property in the vicinity, would be contrary to the provisions of the Galway County Development Plan Policy Objectives PM 1, PM 8 and PM 10 and would be contrary to the proper planning and sustainable development of the area.”

3.2. Planning Authority Reports

- 3.2.1. The scale mass and bulk of the proposed building is completely out of scale with the existing dwelling houses to the east of the site. The proposal is considered overdevelopment of a restricted site and the proposal would seriously injure the residential amenities and depreciate the value of adjoining residential properties to the east of the site.

3.2.2. Other Technical Reports

None received.

3.2.3. Prescribed Bodies

One report on file from Irish Water

Confirmation of Feasibility indicating Water and Wastewater connections are feasible without the requirement for infrastructure upgrade.

3.3. Third Party Observations

One submission received from Atlantic Troy Ltd. The issues raised are largely covered under Section 6 of this report, other issues raised can be summarised as follows:

- Deficiencies in the planning application with respect to lack of contiguous elevations
- The proposal will result in loss of value of property in the area – inappropriate design and over development of the site.
- Principle of use of site

4.0 Planning History

Existing Site

- **Planning Authority Reg. Ref. 99/4996** – Permission refused on the 1/02/2000 for the construction of 2 number 2 bedroom units, 2 number commercial units and retention of dwelling house.

Adjacent Site

(North & West)

- **Planning Authority Reg. Ref. 21/2208** - Permission granted on 16/08/22 for the development to existing hotel consisting of: 1. Construction of new hotel suite building adjacent to the existing Loughrea Hotel & Spa which will form part of existing hotel complex, consisting of 18 new hotel suites, 2. Construction of new parking area adjacent to hotel, accessed from existing parking area, to provide additional parking spaces, 3. Retention permission for

the demolition of derelict cottage on site, 4. To include all associated ancillary site works, services and utilities

- **Planning Authority Reg. Ref 03/138** – permission granted on 12/06/2003 for the demolition of existing Saddlers Bar, restaurant, nightclub, construction of new hotel complex, basement night club and leisure centre
- **Planning Authority Reg. Ref. 06/1883** – permission granted on 24/08/2006 for change of plans to those approved under Pl. Ref. NO. 03/138 for proposed hotel which includes minor alterations to internal layout, reduced overall floor area, and change of use from swimming pool area to health spa and treatment rooms, reduced nightclub area and incorporation of a supervised children's play area to the basement. The removal of basement car parking. Revised site boundaries to include the change of use from residential to car parking and landscaping and the demolition of an existing house (Gross floor area 10,373.6 sqm)

5.0 Policy Context

5.1. Development Plan

The operative development plan is the Galway County Development Plan 2022 – 2028. The site is located within the town boundary of Loughrea.

The provisions of the Galway County Development Plan relevant to this application are:

5.1.1. **Zoning** – The site is located within the town boundary of Loughrea.

The Galway County Development Plan does not have any land-use zonings for Loughrea. The Loughrea Local Area Plan 2012 – 2022 is no longer operative. There is no timeline available for the review of the Loughrea Local Area.

There is currently no zoning associated with the proposed site.

5.1.2. **Policy Objectives Settlement Hierarchy – Self Sustaining Towns (Level 4)**

Support the development of Gort and Loughrea as Self-Sustaining Towns as outlined in the Core Strategy and Settlement Hierarchy in order to improve local

employment, services and sustainable transport options in order to become more self-sustaining settlements.

5.1.3. **Policy Objectives for Tourism Infrastructure**

TI1 Tourist Infrastructure

Encourage and promote tourism related facilities and accommodation within existing settlements in the county. Consideration will be given to such facilities in rural areas where there is a justified requirement for the proposal at that location. These proposals are required to comply with environmental considerations and the relevant DM Standards.

TI 2 Visitor Accommodation

Encourage and facilitate visitor accommodation facilities at appropriate locations within the county where there is a justifiable requirement for such facilities. These proposals are required to comply with environmental considerations and the relevant DM Standards

5.1.4. **Objectives PM 1 – Placemaking**

To promote and facilitate the sustainable development of a high-quality built environment where there is a distinctive sense of place in attractive streets, spaces, and neighbourhoods that are accessible and safe places for all members of the community to meet and socialise.

5.1.5. **Objective PM 8 – Character & Identity**

To promote and facilitate the sustainable development of a high-quality built environment where there is a distinctive sense of place in attractive streets, spaces, and neighbourhoods that are accessible and safe places for all members of the community to meet and socialise.

5.1.6. **Objective PM 10 -Design Quality**

To require that new buildings are of exceptional architectural quality, and are fit for their intended use or function, durable in terms of design and construction, respectful of setting and the environment and to require that the overall development is of high quality, with a well-considered public realm

5.1.7. Other policies relevant to this application include:

- Policy Objective LCM 3 – Landscape Sensitivity Ratings
- Policy Objective WW11 – Surface Water Drainage

5.1.8. **Chapter 15 – Development Management Standards**

- DM Standard 2: Multiple Housing Schemes (Urban Areas)
- DM Standard 28: Sight Distances Required for Access onto roads
- DM Standard 29: Building Lines
- DM Standard 36: Public Water Supply & Wastewater Collection
- DM Standard 45: Self - Catering Developments
- DM Standard 46: Compliance with landscape sensitivity designations
- DM Standard 63: Sustainable Design and Climate Action

5.2. **National Policy**

5.2.1. **National Planning Framework ‘Project Ireland 2040’**

National Policy Objective 4: Ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being.

National Policy Objective 13: In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.

National Policy Objective 35: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings,

infill development schemes, area or site-based regeneration and increased building heights.

5.3. **Natural Heritage Designations**

- Lough Rea SAC (Site Code 000304) - located 600m South of the appeal site.
- Lough Rea SPA (Site Code 004134) – located 600m South of the appeal site.
- Lough Rea pNHA (Site Code 000304) – located 600m South of the appeal site.

5.4. **EIA Screening**

See completed form 2 on file. 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 the decision to refuse permission. The grounds for appeal can be summarised as follows:

6.1.1. **Size/Scale of proposed development**

- There are no plot ratio standards or any other qualitative standards to inform the recommended size and scale of guest house accommodation standards.
- The site coverage equates to 22.7% which is well below the Maximum Site coverage of 50% outlined by the former Local Area Plan
- Development should be considered within its existing and emerging urban context. The site is bounded to the West by the 5 storey “Loughrea Hotel & Spa”. The existing bungalow development on site is dwarfed by the

neighbouring hotel building. The 2-storey flat roofed structure will provide a transition between hotel and remaining detached houses to the east.

- The urban context of the site is also influenced by the new petrol station and 2 storey flat roof Supermac's building located 35m to the east. The site is bounded by an extensive hotel car park to the west and to the north. It is considered the proposed development can be absorbed within this context.

6.1.2. Nature of the proposed development

- The existing County Development Plan (CDP) Section 8.8.2 sets out that visitor accommodation is specifically encouraged to be located within or in close proximity to existing towns and villages.
- Under the Local Area Plan the subject lands were zoned R – Residential (existing) -Guesthouse accommodation was open for consideration under the provisions of existing zoning matrix. The nature of use was acceptable in this regard.
- Tourism was also supported within the economic development chapter of the Loughrea Local Area Plan
- It is considered the nature of the proposed guesthouse/visitor accommodation use, on an infill, brownfield serviced site within the settlement of Loughrea is appropriate.

6.1.3. Proximity to site boundaries

- There are no development standards that set out minimum distances from boundaries.
- Eastern corner of the existing bungalow on site is located closer to the eastern boundary compared to the proposed guesthouse development.
- There are no windows proposed along the eastern edge of the proposed guesthouse, therefore there is no issue of overlooking of development to the east.
- The owner/occupier of adjacent dwelling did not object to the proposed development

- As per the Landscaping Layout Plan which accompanies the application, the proposal also includes for clusters of semi– mature native trees within site and along eastern boundary

6.1.4. Overdevelopment of the site

- The development complies with the site coverage standards of the former Local Area Plan and therefore the proposal as outlined is considered appropriate.

6.1.5. Out of character with existing forms and pattern of development in the vicinity

- Given the context of the site and surrounding uses adjacent to the site, it is considered the proposal is not out of character with existing forms and pattern of development. There is a hotel and car park immediately adjacent, filling station, Supermac's and Loughrea Shopping Centre, the appellant contends the proposal is in keeping with emerging character of the area.

6.1.6. Would seriously injure the residential amenities and depreciate value of adjoining property in the vicinity

- The development design avoids any direct overlooking onto neighbouring dwelling house to the east.
- Distance between proposed eastern gable and the common eastern boundary is set back further than existing arrangement on site.
- Precedent set by the grant of Loughrea Hotel & Spa under planning reference 03/138, whereby the grant of same raised no concerns with respect to residential amenity of neighbouring dwelling to the west.

6.1.7. As part of the refusal reason the Planning Authority sets out that the development does not conform with a number of CDP policy objectives. These are responded to individually by the applicant:

Compliance with Objective PM1 -Placemaking

There is no uniform streetscape pattern at this location. The proposal will result in high quality design and placemaking intervention.

Compliance with Objective PM 8 Character & Identity

There is no uniform/unique design features at this area of Loughrea. The design represents an appropriate transition from the 5 storey hotel, towards the remaining dormer dwellings. 2 storey flat roof design is in keeping with Supermac's building and Loughrea shopping centre.

Compliance with Policy Objective PM 10 Character & Identity

The guesthouse building has been designed to meet the requirements of the "Guest House Classification Scheme", therefore the proposal is fit for purpose for its intended function. The details of proposed external finishes have been provided and these finishes will be highly durable and attractive addition to the area.

6.2. Planning Authority Response

- None

6.3. Observations

One Observation was received on the appeal. The issues raised are summarised below:

Connellan & Associates, Cahercalla Wood, Cahercalla, Ennis Co Clare on behalf of Atlantic Troy Ltd

- 6.3.1. The observer acknowledges that there are other large scale commercial developments in the area with modern design approaches, however, these are on large standalone sites far enough away from adjacent residential units so as they do not impact unduly on their context or amenity.
- 6.3.2. The three houses on this stretch of road should be read as one "visual unit". The redevelopment of the area would have to be carried out in a comprehensive manner encompassing all three sites.
- 6.3.3. The proposal is neither a comprehensive redevelopment or a sympathetic infill.
- 6.3.4. Details provided in relation to site coverage is misleading and fails to recognise the narrow nature of the site. The density standards that are set out in the previous Loughrea Local Area Plan should not be given any weight in the appeal as they overlook other key factors. Loughrea Local Area Plan no longer operative.

- 6.3.5. The provision of a large guesthouse on a confined site will generate a substantial amount of activity and traffic which will impact negatively on residential amenity of dwelling houses in the vicinity.
- 6.3.6. No express need for such a large guesthouse on a confined site. The area is well serviced with overnight guest accommodation. More suitable sites available in the town for such uses.
- 6.3.7. The observer sets out several arguments to counteract issues regarding proximity to site boundaries. These include:
- The large-scale nature of development to the rear of neighbouring house and running parallel to same will create an obvious negative impact.
 - The existing house is angled away from neighbouring development, the proposal which runs parallel to existing dwelling will have a marked difference in terms of impact on residential amenity.
 - There are no contiguous elevation provided to outline the visual impact of the development.
 - The presence or absence of windows is immaterial to the visual impact of the development.
 - The lack of objection from owner/occupier of development to the East is irrelevant to the assessment of the case.
 - Owing to the proximity of the guesthouse to the eastern boundary there is little possibility of providing meaningful screen planting and landscaping.

7.0 Assessment

- 7.1.1. 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 guidance, I consider the main issues in relation to this appeal are as follows:
- Zoning and Principle of Development
 - Size/ Scale, Impact on Residential amenity

- Compliance with Development Plan Policy Objectives
- Other Issues
- Appropriate Assessment

7.2. Zoning & Principle of Development.

The Galway County Development Plan does not have any land-use zonings outlined with respect to Loughrea. The Loughrea Local Area Plan 2012 – 2022 is no longer operative. There is no timeline available for the review of the Loughrea Local Area Plan.

The site can be classed as a sub-urban area dominated by residential development interspersed with commercial/mixed use development. There is an existing residential vacant dwelling on site and a hotel to the west & north. There are residential developments immediately to the east and mixed use/ commercial development further east.

- 7.2.1. The proposal is for an 18-bedroom guest house. The County Development Plan does not set out appropriate locations for guest accommodation. However, it does reference Visitor Accommodation Policy Objective TI1, which states that tourism related facilities shall be accommodated within existing settlements.

Based on the location of the proposed development and surrounding uses, I consider the principle of providing guest house accommodation at this location to be generally acceptable.

7.3. Size & Scale/ Impact on neighbouring Residential amenity

A central issue in this appeal is the size and scale of the proposed development in the context of the site and surrounding uses. The primary reason for refusal by the planning authority was that the size, scale and proximity to site boundaries would constitute overdevelopment of a restricted site. I consider that the proximity of the proposed development to the eastern boundary and the potential for overshadowing on the dwelling house to the east to be the primary issue. The assessment shall focus on these issues.

- 7.3.1. Size & Scale – Plot Ratio/ Site Coverage -The development as set out is for a two-storey flat roofed structure with a total floor area of 658sqm on a site area of .16ha.

The maximum height of the structure is 6.4m. The site is a long a narrow site, with a width of 17.5m at its narrowest to the front and a width of approx. 24m at its widest, approx. halfway through the site. The proposed building width across the site from east to west is 13.2m. The building as presented is for a deep plan single building 24.7m in depth. The building to be constructed is within the same building line of existing neighbouring residential development. The building would sit 1.5m from nearest neighbouring boundary to the east at its closest and 3.3m from neighbouring boundary to the east at its furthest.

- 7.3.2. The ground floor area of the development is 293.8m² and would incorporate 5 number ensuite double bedrooms, 1 accessible bedroom and kitchen, dining and lounge area. There is also plant and accessible WC at this level. There is an undercroft on the western side of the ground floor that allows for vehicular access to the parking area at the rear of the site.

The first floor area of the development is 364.2m². There would be 12 ensuite double bedrooms proposed at this level. The ends of the two corridors would have obscure glass to prevent direct overlooking of neighbouring properties.

- 7.3.3. The site is accessed via the existing entrance off the Athenry Road. There is provision for wheelchair accessible car parking space and electric vehicle parking area to the front of the site. The tarmacked area leads to the under-croft area giving vehicular access to the rear, where there are 14 car parking spaces proposed. Bicycle parking and bin storage are also to be provided on site. A mixture of proposed hard and soft landscaping is proposed throughout the site. An emphasis has been given on screening the development from the public road with a proposal to landscape all boundaries.

- 7.3.4. The applicant sets out that the plot ratio and site coverage are in accordance with the Development Management Guidelines as set out in the previous Loughrea Local Area Plan. The plot ratio is 0.41 and the site coverage equates to 22.7%. It is set out that the subject site for development should be considered within its existing and emerging urban context. It is stated that the existing site is dwarfed by the neighbouring 5 storey Loughrea Hotel & Spa and the design proposal is influenced by a new petrol station and 2 storey flat roof Supermac's building which have been completed 35m east of the site. Based on the above it is put forward by the applicant

the development proposal will provide an appropriate transition in terms of scale between the existing hotel and the remaining adjacent houses.

- 7.3.5. With respect to the existing 5 storey hotel; the hotel is on a significant site of .89ha. The hotel itself is significantly removed from neighbouring residential boundaries. In addition, there is allowance for a buffer of planting which has matured on site, this provides additional screening from adjacent residential uses. There is no aspect of the existing hotel building which immediately abuts residential uses. The nearest commercial development to the proposed site is the Supermac's/Spar building which sits to the east of the site. This is a two-storey flat roofed structure and sits 8m from nearest boundary and approx. 13m from neighbouring dwelling. Owing to the scale and size of these sites, I do not consider the example of precedent offered by the applicant with respect to the scale of neighbouring commercial development to be relatable to the subject site.
- 7.3.6. I consider the proposal to construct a guesthouse of this size & scale excessive in terms of location and proximity to adjoining boundaries. The development, although set back off the public road, will result in almost the entirety of the width of the site being taken up in a singular block. This in my opinion negates the applicant's argument with respect to site coverage and plot ratio. There are proposals for landscape and screening on site, however this will take significant time to bed in and will not soften the development from neighbouring properties in terms of its overbearing impact. A two-storey building on site is not excessive in terms of height (6.4m), however the impact of the mass on neighbouring property to the east will be significant. Given the suburban nature of the site, I consider this proposal to be excessive in terms of scale. It is my opinion a more considerate layout & design could be considered for the site that will achieve an adequately sized guesthouse but will limit the overbearing impact of the development, in particular to the rear of the property to the east.
- 7.3.7. Impact on amenity of neighbouring residential properties –
- 7.3.8. The refusal reason indicates that the proposed is not appropriate due to the proximity to site boundaries, overdevelopment of a restricted site and would seriously injure the residential amenities and depreciate value of adjoining property in the vicinity.

With respect to above, the applicant sets out that there is no minimum distances set out in the Development Management Guidelines to inform minimum site boundary distances.

As the proposal is for a guesthouse within a residential zone, I consider the Development Management Standards that sets out Guidelines for Residential Development to be most relevant in terms of guidance. DM Standard 2 sets out multiple standards for residential development, of note and relevant to this appeal are the following:

- Distance from site boundaries- in general new houses shall have a minimum clear distance of 2 meters to site boundaries.
- Overshadowing – The council will require daylight and shadow projection diagrams to be submitted.....where new buildings are located very close to adjoining buildings.

7.3.9. There is a newly constructed boundary wall between the proposed site and neighbouring residential development to the east. This boundary wall is of new construction and differs significantly in terms of height from the photographs on file on the Planning Authority report. The wall is approximately 3m in height to the rear of the existing building line.

7.3.10. As a result of the irregular shape of the site, the distance of the proposed new building to site boundaries varies from 1.5m to 3m. The new two storey structure will be set back to the rear of the building line of the house to the east for 15m. The height of the structure will be approx. 6.4m. I do not consider the proposal to be consistent with the above development management standard with respect to distance from site boundaries. I consider a development of such a scale in close proximity to existing site boundaries will have a detrimental impact on amenity of neighbouring residential property.

7.3.11. With respect to overshadowing - the proposal sits to the west of existing residential development. Noting the orientation of the appeal site, I am not satisfied that the proposed development will not result in significant overshadowing of the adjacent property to the east. The potential for overshadowing into the rear of the adjoining property has not been considered in the application. In the absence of an appropriate sunlight / daylight assessment to determine the potential for

overshadowing I do not consider the proposal to build a structure of such a scale in such proximity to existing boundaries acceptable. I therefore consider the proposal to have a significant negative impact on amenity of neighbouring residential property.

7.4. **Compliance with Development Plan Policy Objectives**

The refusal reason sets out that the proposed development would be contrary to the provisions of the Galway County Development Plan Policy Objectives PM1, PM 8 and PM 10. The appellant sets out an argument to indicate that the development is in compliance with each of these Policy Objectives.

- 7.4.1. Policy Objective PM1 – Placemaking sets out to create sustainable and attractive communities with unique character and are safe accessible places for everyone to socialize.

Policy Objective PM 8 – Character & Identity sets out to achieve high-quality design for new development that respects and enhances the unique characteristics of the counties towns and villages.

Policy Objective PM10 – Character and Identity sets out that new buildings must excel in architecture, functionality, durability, environmental respect, and contribute to a high-quality development with a thoughtful public space.

The applicant sets out that there are no uniform/ unique design features at this area of Loughrea. It is put forward that the proposed design represents an appropriate transition from the 5-storey hotel towards the remaining dormer dwellings. The flat roof design is in keeping with new Supermac's building 35 to the east and Loughrea Shopping Centre. It is set out that the proposal will result in a high-quality design intervention and will result in positive urban design and placemaking intervention therefore complying with Placemaking, Character and Identity policies as set out within the Galway County Development Plan 2022 -2028.

While I agree that the development design as a standalone development is strong and in and of itself does not pose a visually obtrusive design proposal from the public road, the scale of the development to the rear is a significant concern and the applicant has not addressed this primary concern. A design should be mindful of all aspects of its neighbourhood and the development proposal is overbearing in nature and is lacking in its consideration of neighbouring residential use. I do not agree the

design approach is respectful of setting in order to be considered exceptional architectural quality, therefore I am of the opinion that the development does not accord with Policy Objective PM1, PM8 and P10 of the Galway County Development Plan. In this regard, I agree with the findings of the planning authority report.

7.5. Other Matters

Visual Amenity

The refusal reason by Galway County Council sets out that proposed development would be out of character with the existing forms and pattern of development in the area.

The site is in an area of mixed suburban form outside the town centre of Loughrea. There is no strong street character or buildings of historical architectural significance in the immediate surrounds of the site. As per Development Management Standard 46 of the Galway County Development Plan the area is identified as Class 1 – Low Sensitivity – *“Unlikely to be adversely affected by change”*

- 7.5.1. The applicant sets out that there is no uniform streetscape at this location. Having regard to the 5-storey hotel and car park to the west/north west, together with the flat roofed petrol station/ Supermac’s building to the east and the extensive Loughrea Shopping Centre, the applicant argues that the proposal is in keeping with the pattern of development of the area.
- 7.5.2. Computer Generated Image’s (CGI’s) have been submitted as part of the application and it is put forward by the applicant that the design is of high quality. The CGI for the proposed development is demonstrated as a standalone scenario, no reference is made to adjacent dwelling to the east. No contiguous elevation have been provided with existing uses to the east or west of the site. The materials and finishes proposed are for a stone finish at ground floor level with windows of vertical emphasis, the first-floor level is to be a plain render with some timber cladding to break up façade. The materials and finishes are, in my opinion, of a high standard. As a standalone development I do not consider the visual impact to be obtrusive. However, having regard to the scale of development to the rear, I consider the visual impact from the point of view of the property to the east to be considerable. I do not agree with the assertion that the proposal is in line with the emerging pattern of development of the area.

7.6. **Appropriate Assessment**

Lough Rea SAC (Site Code 000304) - located 600m South of the appeal site.

Having regard to the nature of the proposed development and the location of the site in a serviced suburban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

Having regard to the above I recommend that planning permission be refused for the following reason:

9.0 **Reasons and Considerations**

It is considered the proposed development, by reason of its scale, massing, bulk and proximity to site boundaries, would constitute overdevelopment of a restricted site and seriously injure the amenities of the area and residential property in the vicinity and would be contrary to Policy Objective PM8 of the Galway County Development Plan 2022 – 2028 which seek the best quality of design is achieved for all new development and that design respects and enhances the specific characteristics unique features of the towns and villages throughout the County. Furthermore, in the absence of a sunlight/daylight cast analysis carried out the Board is not satisfied that the proposed development would not significantly overshadow the adjoining residential properties to the east. The proposed development would therefore seriously injure the amenities of the area and properties in the vicinity and would be contrary to the proper planning and sustainable development of the area.

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.

Darragh Ryan
Planning Inspector

23/10/2023