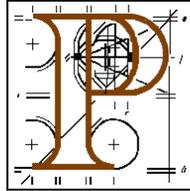


An Bord Pleanála



Inspector's Report

Development: House and granny-flat. 23a Rochestown Rise, Maryborough, Rochestown, Co. Cork.

Planning Application

Planning Authority: Cork County Council
Planning Authority Reg. Ref.: 05/93
Applicant: Derry McCarthy
Type of Application: Permission
Planning Authority Decision: Refuse permission

Planning Appeal

Appellant(s): Derry McCarthy
Type of Appeal: 1st -v- refusal
Observers: David & Jeanne O'Keeffe; Bill & Terry Boohig
Date of Site Inspection: 19th January 2006

Inspector: Phillip Dray

1 SITE LOCATION & DESCRIPTION

- 1.1 The application site is part of the large site curtilage of 23 Rochestown Rise. Rochestown Rise is a mature residential estate of over 60 detached single and two-storey houses in Douglas, within the southern suburbs of Cork City. The estate road rises fairly steeply up from Rochestown Road to the north. However, No. 23 is built on a relatively level site, with two separate vehicular access points onto the estate road. The northern access is the original driveway to the house: it is located on the outer bend of the road. The newer southern access is off a short cul-de-sac road that also serves three bungalows. There is a large area of open space to the south of the cul-de-sac that rises up in a southerly direction. Due to the vertical and horizontal alignment of the road, sightlines are restricted at the northern entrance to No. 23 for vehicles approaching from the north. No. 23 is a large two-storey detached house with a granny-flat: the majority of the windows of this house face east. A finger-post sign on the main road (and also outside the northern driveway) refer to the use of the house as a guesthouse for B&B.
- 1.2 The site curtilage of No. 23 includes a very large garden area on the eastern side of the house: this is the application site with access off the cul-de-sac. The western boundary of the application site is about 3 metres away from the eastern elevation of No. 23. Trees and hedging mark the southern site boundary. There is dense planting inside the eastern site boundary and beyond this boundary leading down to the N28. The northern boundary backs onto the site boundary of the adjacent two-storey house (No. 22): a wall and fencing marks this boundary, with some tree planting on the applicant's side.

2 PROPOSED DEVELOPMENT

- 2.1 The original proposal was to construct a two and a half storey detached house on site, incorporating a wrap-around granny-flat on the ground floor. The front of the house was orientated towards the south-west: it was proposed to retain the existing trees. The stated floorspace of the building was 200 square metres (including a second-floor attic of 50 square metres) with a 10.3 metre ridgeline.
- 2.2 It was proposed to use the existing southern driveway off the cul-de-sac for vehicular access. All four of the first floor bedrooms were ensuite. While it was only proposed to install a trap door to the attic, the first floor landing was large enough to provide a regular staircase to the attic sometime in the future. On the second-floor, it was proposed to install two dormer windows on the front elevation, two velux windows to the rear and a window on both gable elevations. The application form stated that the attic would be used for storage only. The proposed external finishes included a blue/black slate roof and painted pebble-dashed walls. It was proposed to build a 2.1 metre boundary wall to subdivide the site from the existing house.
- 2.3 Following an extension of time, the applicant submitted revised plans and elevations incorporating the removal of the granny-flat. This reduced the

ridge height to 8.6 metres and omitted all of the second floor windows. Instead of the wrap-around granny-flat, the revised site layout indicated a link-detached structure on the south-east corner of the house. No floor plans or elevations of the revised granny-flat were submitted.

3 DEVELOPMENT PLAN

- 3.1 The application site is within the development boundary of Cork City South Environs area as established by the Cork County Development Plan 2003. A substantial part of the application site and the curtilages of the adjacent houses is zoned "Primarily Residential" (Map 12-2). It is stated in paragraph 9.3.3 that the general objective for such areas is to provide a measure of protection from unsuitable new development or certain bad-neighbour developments that would either threaten or be incompatible with the overall residential function of the area. Paragraph 9.3.4 goes on to state that within such areas:

"New housing development on 'infill' sites or sites with a frontage to a residential road can be beneficial to an established residential area as a whole and lead to the more efficient use of land and the provision of services. Care must be taken to ensure that both the character of the area as a whole, and the setting of any original buildings on the site are preserved or enhanced."

- 3.2 Policy ZON 3-5 on residential infill states that:

"It is an objective, normally, in residential areas, to ensure that proposals for 'infill' development preserve or enhance both the character of the area as a whole and the setting of any original buildings on the site."

- 3.3 There are no specific policies on granny-flats in the Development Plan.

4 RESIDENTIAL DENSITY - GUIDELINES FOR PLANNING AUTHORITIES (1999)

- 4.1 The Guidelines encourage higher residential densities in general and they provide guidance and assessment criteria. Regarding infill development, paragraph 3.3.1 notes that potential sites may range from small gap infill, unused or derelict land and backland areas, up to larger residual sites. It is noted that:

"In residential areas whose character is established by their density or architectural form, a balance has to be struck between the reasonable protection of the amenities and privacy of adjoining dwellings, the protection of established character and the need to provide residential infill. The design approach should be based on a recognition of the need to protect the amenities of directly adjoining neighbours and the general character of the area and its amenities, i.e. views, architectural quality, civic design etc."

- 4.2 With regard to overlooking and overshadowing, section 5.6 of the Guidelines states that:

"It is an important quality of the residential environment that the private spaces of every dwelling should enjoy freedom from undue observation by others and that no undue loss of light is caused by overshadowing from adjoining higher buildings. This applies to all dwellings, whether they are located in proposed new developments or adjoining new residential schemes. An individual has a right to expect freedom from undue observation or overshadowing in any new development."

- 4.3 Paragraph 5.6.1 on overlooking states that in general there should be a 22m distance between opposing first floor windows. However, paragraph 5.6.2 states that overshadowing will generally only cause problems where buildings of significant height are involved or where new buildings are located very close to adjoining buildings. In such cases, planning authorities should require that daylight and shadow projection diagrams be submitted in all such proposals.

5 PLANNING HISTORY

- 5.1 A report by one of the Council Engineer's refers to a number of planning application files for recent large-scale residential developments: these files do not appear to have any relevance to the current application.

On-site

- 5.2 **78/3652:** permission was refused for two houses on a site that approximates to the site curtilage of No. 23. The refusal reasons referred to a conflict with the approved estate layout and that the proposal would be seriously injurious to the residential amenities of adjoining properties.
- 5.3 **79/2566:** the current applicant was granted permission for a dwelling on the site curtilage of No. 23. Some relevant letters are attached to this file. A letter from the developer confirms that additional land had been conveyed to the owner of site No. 23 to tidy up the development. A letter from the Planning Authority states that it had no objection to this increase in the site curtilage, although an application for an additional house on-site would not be favourably considered. A letter signed on behalf of the current applicant states that should planning permission be granted, "no further application for another dwelling house on the site will be sought by me."
- 5.4 **80/2173:** permission granted to the current applicant to retain the house at 23 Rochestown Rise. One of the conditions required a 1.8 metre high wall to be constructed along the northern site boundary.
- 5.5 **85/537:** permission granted on appeal to the current applicant to retain the second (southern) vehicular access to No. 23 off the cul-de-sac road.

- 5.6 **87/1667:** Jeremiah & Mary McCarthy were refused outline permission for a house on the current application site for two reasons. Reason 1 referred to the subdivision of the site, which would result in undesirable back garden development and diminish residential amenity. Reason 2 referred to the conflict with the approved permission for the estate.
- 5.7 **04/9044:** the same applicant has the current application sought permission for a house and granny-flat on the current application site. The application was withdrawn.

Within the estate

- 5.8 **03/6128:** permission was refused to develop a house on a site adjacent to 67 Rochestown Rise. The proposal included a lot of cut and fill. The Planning report noted that there was a history of refusals on the site (i.e. two refusals in the early 1990s, one of which was unsuccessfully appealed). The ownership of the site was disputed and its status (i.e. was it public open space). Reference was made to possible ESB and Eircom cables crossing the site. The three refusal reasons referred to serious overlooking of properties to the north and east, the visual prominence of the proposal and the planning authority not being satisfied that the applicant had sufficient legal interest in the land.
- 5.9 **04/1590:** permission was granted to develop a two-storey over basement dwelling (156 square metres) to the side of 12 Rochestown Rise on a 0.1 acre site. The site is located about 90 metres north of the current application site.

6 PLANNING AUTHORITY CONSIDERATIONS AND DECISION

- 6.1 The Council technical reports referred to the need for the applicant to submit evidence of land ownership and proof of permission to connect to the services within the estate. It was noted that foul sewers passed through the site on land that was probably initially laid out as open space (i.e. just inside and parallel to the southern site boundary). Accordingly, a Council Engineer recommended that a minimum wayleave of 6 metres wide needed to be established and registered in favour of the Council.
- 6.2 The Planning Report dated 4th March 2005 stated that the applicant's agent had submitted a provisional site layout for a two-storey dwelling prior to lodging the application. It was noted that the plans subsequently lodged varied from those previously submitted. The report queried what the proposed use of No. 23 would be, and whether it was the applicant's intention to expand the B&B business, as on-site parking was not available. It was stated that dividing the site might result in car parking problems/access issues, as the southern access is very narrow. While the applicant had indicated the top floor would be used for storage, it was noted that the building had been designed as a three-storey dwelling. The Report acknowledged that the site was "somewhat self-contained" and that there may be scope for limited development (i.e. a mews-

type development). The report concluded that the proposal represented serious overdevelopment of the site

- 6.3 An extension of time was granted to facilitate the applicant submitting a revised design for a smaller house. In response to the revised proposal, the additional Planning Report (29th August 2005) concluded that the proposed dwelling was still substantial in size and scale and that the height of the house remained a concern. It was noted that the precedent quoted by the applicant was different as the site fronted onto the estate road and it was independent of the existing dwelling. It was stated that:

"Concerns remain as to the proposed use of the existing dwelling I would be concerned that the B&B would be expanded to the entire dwelling, which would raise separate planning issues. At present, there is adequate car parking on the site to accommodate the existing business. The applicant has not taken on board the initial comments of the planning authority with regard to our concerns about a significant two-storey dwelling on the site and the recommendation that the applicant consider a single storey mews type dwelling, in keeping with the characteristics of the site."

- 6.4 The report concluded that none of the previous issues raised had been addressed, with the exception of a slight reduction in the scale of the dwelling, which was counteracted by the attached granny-flat.

- 6.5 By Order dated 5th September 2005, Cork County Council issued a Notification of Decision to refuse permission for following summarised reasons, namely:

- The proposal is substantial having regard to the site. It would result in overlooking and overshadowing of existing properties (Reason 1);
- the scale and mass of the proposal would be out of character with the surrounding development (Reason 2);
- the over development of the site (i.e. the scale, mass and substantial footprint of the development) would seriously impact on the residential amenities of adjacent properties (Reason 3);
- excessive density of development and its negative impact on residential amenity to the existing and proposed house on site, as well as surrounding properties (Reason 4).

7 GROUNDS OF APPEAL

- 7.1 McCutcheon Mulcahy submitted an appeal dated 29th September 2005 on behalf of the applicant. It was suggested that the planning authority gave undue consideration to the earlier site history and allegations from third parties regarding the future potential use of No. 23 as a B&B. A site location map was enclosed to clarify the noted discrepancy between the site layout and the site location map. The grounds of appeal and the various letters dated 23rd February 2005, 28th April 2005, 11th May 2005 and 25th July 2005 (submitted

in the main by the applicant's agent in response to the original objections) can be summarised as follows:

- 7.2 **Development Plan context/site history**: the site is within the development boundary and zoned residential. The most recent application on site dates back to 1987. Significant changes in planning practice and policy have since occurred: the planning history of the site is not particularly relevant. Permission was recently granted for a two-storey detached house within the estate on a smaller site. The principle of infill housing on large sites is well established: the primary assessment issues are the standard of accommodation proposed and the impact on adjoining houses. Both the proposed house and the existing one would have rear gardens well in excess of the minimum requirements of the Residential Density Guidelines.
- 7.3 **Existing B&B**: the applicant offers B&B in two rooms of the existing dwelling. This use is exempted development. There is sufficient space within the site curtilage to accommodate the necessary cars. The concerns of the planning authority regarding the use of this property should not have influenced its decision. The applicant has indicated that the original house would be sold to finance the proposal, including the provision of a granny-flat for the applicant's mother who lives with the family.
- 7.4 **Suitability of the site**: the planning authority indicated that the site has development potential for a single storey mews type development. A two-storey dwelling would not constitute over development of the site and would not prove injurious to residential amenity: it would be consistent with the heights of the adjacent two-storey structures. Both the existing and the proposed house would have a separate vehicular access. The original drawings have been significantly revised: they address the Planning Authority's concerns regarding the bulk and scale of the original proposal. The resulting height and scale of the proposed house is consistent with the other houses in the estate. The Planning Report recognises that the principle of development complies with the Development Plan's general policies on infill.
- 7.5 **Overlooking/overshadowing**: the rear building line of the proposed house is between 12-17 metres away from the rear boundary with No. 22. The Guidelines introduced a 22-metre separation distance between first floor windows, which is usually achieved by a rear garden 11 metres in depth. It is generally accepted that a distance of 11 metres between the upper floor windows and the site boundary is sufficient to protect the amenities of adjoining properties. The proposed dwelling has been orientated to minimise impact. Given its orientation, the separation distance and the reduction in height and scale of the revised proposal, the amenities of No. 22 would not be injured by overshadowing.

8 OBSERVERS

- 8.1 The occupiers of 21 & 22 Rochestown Rise have submitted an observation. Objections were also originally lodged on behalf of the occupiers of Nos. 24a

& 25 (the adjoining bungalows to the east of the application site). The original objections of all parties and the observations can be summarised as follows:

- 8.2 **Planning history:** the site history should not be ignored, nor should the fact that an application for a new house within Rochestown Rise was recently refused (03/6128). The refusal reasons given for the previous application (87/1667) still hold. Reference is made to the applicant's undertaking not to seek permission for another dwelling on site and the Council's letter (see paragraph 5.3 of this report). The applicant has not complied with a previous planning condition that a wall should be built around the property.
- 8.3 **No planning precedent:** the circumstances regarding (04/9044) were different (i.e. no overlooking was involved; neither was a B&B operating from the adjacent house). This new building cannot be seen from the immediately adjacent property to the south. Another application in the estate for a house was recently refused following a neighbour's objection (03/6128).
- 8.4 **Development Plan considerations/Residential Guidelines:** the proposal does not comply with the Development Plan policies on infill, as the site does not front onto a public road. The Board's attention is drawn to section 3.3.1 of the Guidelines.
- 8.5 **Over development/out of character with the existing development:** if permission were granted there would be three dwellings on the site i.e. the original house, the new dwelling and a new granny-flat. This represents over development. The proposal is out of character with the other houses in this part of the estate.
- 8.6 **Overlooking/overshadowing & devaluation of property:** the proposal would overlook the backs and the rear gardens of houses to the north. The applicant has not provided any evidence to substantiate the claim of no impact, in line with section 5.6.2 of the Residential Density Guidelines.
- 8.7 **Vehicular access & parking:** the proposal would generate additional traffic onto a busy road, particularly at the northern entrance. Permission was granted for a second entrance on the basis that the northern entrance was inadequate (i.e. a narrow entrance on a busy corner that was not wide enough to accommodate delivery vehicles etc.). If the single entrance for one house that was not operating as a B&B was inadequate in 1985, it cannot be suitable for two houses today given increased car ownership and traffic levels. The existing entrances are currently inadequate in terms of the operation of the B&B. Late at night and at weekends parking is inadequate as between 1-3 cars consistently park on the application site. The applicant and his mother-in-law also park their cars on the premises.
- 8.8 **Ownership issues?** The land between the cul-de-sac hammerhead and the southern driveway to No. 23 is not a public road: it belongs to the Estate. The residents had this area surfaced at their own expense to improve the appearance of the estate outside their homes. If permission is granted,

building traffic will use this entrance and the surface will be destroyed - who will be responsible to repair the surface?

- 8.9 **Proposed future use of property**: fears are expressed that the applicant will occupy the new house and use the whole of No. 23 as a guesthouse, which would lead to unacceptable traffic volumes, noise and general disturbance. Reference is made to the increase in the number of B&B signposts on the Rochestown Road in recent months (some of which are unauthorised). The applicant is vague about the purpose for the new house. The planning fee paid was at the commercial rate: this is surely a clear indication of the applicant's intention to use the new property as a B&B.

9 RESPONSES

- 9.1 The County Council stated in a letter dated 1st November 2005 that all relevant issues had been covered in the technical reports already forwarded.

10 ASSESSMENT

- 10.1 **Minor issues**: a number of issues have been raised by the various parties that only require a brief comment, namely:
- **Unauthorised development**: it would appear that the applicant has not complied with an earlier planning condition to erect a boundary wall between the site curtilage of No. 23 and No. 22. It is also suggested that the applicant has erected unauthorised signs to advertise the use of the dwelling as a guesthouse. Both these concerns are a matter for the planning authority to enforce: they are not material considerations for the Board.
 - **The motives of the applicant & the fee paid**: the alleged motives of any party to an appeal are not a material consideration. Permission is refused or granted on that the basis of the description of the development and the submitted drawings. Even if the current applicant had wrongly paid a commercial fee for this planning application, this would not entitle him to use the premises for commercial development, other than that classified as exempted development in the planning regulations.
 - **The Development Plan infill policy**: the objectors have misread this policy. It is not essential that an infill site front onto a public road.
 - **Ownership & right of access to services**: the Planning Authority and the objectors have raised various concerns regarding site ownership, the right to access services and liability issues relating to maintenance. In the absence of any definitive evidence regarding these issues, I do not regard them as significant in terms of determining this appeal. However, should permission be granted, consideration could be given to imposing a condition requesting that the applicant should provide the necessary legal evidence prior to the commencement of the development. In any event, the grant of planning permission does not of itself provide a legal right to

carry out a permitted development. Any dispute over liability is a matter for the courts.

- **The principle of locating an additional residential unit on the site:** the existing northern vehicular access to the site is acceptable in terms of traffic safety. Given the size of the existing site curtilage of No. 23, the relatively flat nature of the garden, the proposed vehicular access, and the current Development Plan/National Guidelines policies on infill development, I am of the opinion that in principle the garden could accommodate a dwelling of suitable size and design, subject to considerations of residential amenity.

10.2 **Site history:** this can be an important factor (if not a deciding factor) in determining the outcome of a particular planning application. However, the relative weight one places on site history is dependent on the context of the site and the specific issues raised by that history. In my opinion, there is a key difference in terms current planning policies in the Development Plan and the National Guidelines with regard to residential infill development and the more efficient use of land resources. Accordingly, in terms of current policies, the development of the site is acceptable in principle, subject to an assessment on the potential impact on residential amenity and traffic concerns etc. These issues are dealt with in more detail below.

10.3 **Precedents:** all parties to this appeal have referred to local precedents. I would suggest that neither of the sites quoted are of particular relevance to this appeal as the contexts are completely different. The site that was refused permission adjacent to No. 67 (03/6128) fronts onto the road and sightlines are good in both directions. This site is on several levels, and the rear of the site slopes steeply down in a northerly direction. The ground level of the immediately adjacent site to the north is approximately 10 metres lower than the site: there is an ESB transformer on site (see Photos 17 & 18).

10.4 The site that was granted permission adjacent to No. 12 (04/1590) is a relatively small site but it has independent access onto a cul-de-sac road (see Photos 19 & 20). While the house overlooks the front of the dwelling on the opposite side of the road, the front boundary of that dwelling is well screened and the separation distances are considerably in excess of those proposed in the current application. In addition, there is no direct overlooking of the existing house on the site, and no overlooking of any other house to the rear.

10.5 **The future use of the existing house:** the applicant's agent has correctly stated that the existing use of No. 23 for a guest house is exempted development under Article 10(4) of the Planning and Development Regulations 2001. However, the future use of this building is a relevant consideration as one of the implications of the current application is that the northern driveway would once again become the sole vehicular access to a property that currently has three existing uses, all of which generate traffic (i.e. the family home, the guest house business and a granny-flat). The northern access is inadequate for two reasons. Firstly, the driveway is narrow and visibility is restricted at the right-angled turn at the front of the house because of the wall and trees in the adjacent garden (see Photo 4). Secondly, as a

result of the horizontal and vertical alignment of the public road adjacent to the driveway entrance (see Photos 1-5), sight lines are severely restricted. It would appear that the inadequacies of this access were rightly used to justify the additional vehicular access to the south. In the intervening period, car ownership and levels of traffic have generally increased, therefore, the inadequacies of this access remains a relevant issue. In my opinion, the northern access alone would not be sufficient to cater for the amount of traffic likely to be generated by the existing uses of the house.

- 10.6 The future use of No. 23 should not, in my opinion, be regarded as a material consideration in terms of whether the proposed house should be permitted or not. I note that the applicant has indicated that No. 23 would be sold to finance the proposal. However, should permission be granted for a new dwelling within the garden, it would be appropriate in my opinion and in keeping with Section 34(4)(a) of the Planning and Development Act 2000, to impose a condition restricting the use of No. 23. The condition should de-exempt certain uses of the house that would generate additional traffic (e.g. use of the house for paid overnight guest accommodation etc.) on the grounds of the inadequate northern vehicular access.
- 10.7 **Impact on residential amenity:** I noted in an earlier paragraph of this report that providing an additional residential unit in the garden was acceptable in principle. However, the key planning consideration in this case is the potential impact on residential amenity. Accordingly, it is necessary to make an assessment of the siting and design of the proposed dwelling and to ascertain its impact on residential amenity. Due to the screening along the southern driveway and the location of the existing two-storey house on site, neither the original house design nor the revised design would have a serious impact on the residential amenity of the adjacent row of three houses fronting onto the cul-de-sac.
- 10.8 In the grounds of appeal and other correspondence, the applicant's agent has largely concentrated on the potential impact of the development on the neighbouring houses. However, in addition to the two houses to the north (i.e. Nos. 21 & 22), the potential impact on the future occupants of No. 23 should also be considered. The agent also stated that the original drawings have been significantly revised, that the Planning Authority's concerns regarding the bulk and scale of the original proposal have been addressed, and that the resulting height and scale of the proposed house is consistent with the other houses in the estate. This statement is at best misleading: it is compounded by the erroneous information given on the application form and the exaggerated footprint of the adjacent house (No. 22) on the submitted site layout plans.
- 10.9 The application form stated that the floorspace of the original proposal was around 200 square metres (including the attic space), whereas in reality the original proposal was c300 square metres plus the attic. While the revised proposal reduced the footprint and the bulk of the main house to some extent, the overall floorspace is still around the same (assuming that the revised granny-flat and linking passage are single storey). The reduction in the proposed ridge height is a positive change, however, it should be noted that the

revised proposal moves the first floor element of the house 3.5 metres closer to the joint boundary with No. 22 and c 1.6 metres closer to No. 23. Accordingly, the only positive outcome of the revision is a reduction in the height of the ridgeline, although this is mitigated to some degree by moving the house closer to No. 22. Note also that the application site is on slightly higher land than the house on No. 22. It should also be noted that the location of the revised granny-flat would impinge on the required wayleave for the sewer that traverses the site.

- 10.10 The proposed house is very large in comparison to the other houses in the locality (e.g. the ground floor of the revised proposal is roughly equivalent to the footprint of the adjoining bungalow to the west - 24A). Note that the footprint of the adjacent house to the north (No. 22) has been exaggerated on the submitted site layout plans (i.e. compare the submitted urban place map and Photos 13-15): this provides a misleading impression as to the scale of the proposal.
- 10.11 While the proposed house would not directly overlook the existing house (No. 23) at first floor level, it would represent a significant reduction in amenity as the main windows of this house face eastwards and they would be within 8 metres of the new two-storey gable wall. In addition, these windows would be within 3 metres of the new site boundary wall. Note that the site layout plan does not indicate the existing ground floor extension on the eastern elevation of No. 23 (see Photo 11). The upstairs bedrooms of the proposed house would directly overlook the rear gardens of the houses to the north. The applicant has not provided precise site levels and/or shadow projection diagrams, so it is not possible to estimate the impact that the proposed house would have in terms of overshadowing, although the nearest point of the proposed two-storey house would only be about 11 metres away from the back garden of No. 22.

11 CONCLUSION & RECOMMENDATION

- 11.1 The Development Plan policy on infill is explicit (i.e. the proposed development should preserve or enhance both the character of the area and the setting of any other original buildings on-site). The proposal singularly fails to meet either objective. Accordingly, I concur with the conclusions of the planning authority that the proposal represents over development and that it would seriously impact on the residential amenities of adjacent properties (both Nos. 22 and 23) and financially devalue both properties.
- 11.2 I concur with the view of the planning authority that a single storey dwelling maybe acceptable on-site subject to detailed design considerations and the imposition of a condition limiting the use of the existing house on-site.
- 11.3 Accordingly, having considered the contents of this application, the decision of the planning authority, the provisions of the Development Plan, the National Guidelines, the grounds of appeal, my site inspection and my assessment of the planning issues, I recommend that permission be refused for the reason set out below.

REASON AND CONSIDERATIONS

It is considered that by reason of its location, scale, height and bulk the proposed two-storey house and granny-flat would be out of keeping with the existing pattern of development in the area, would seriously injure the residential amenities of the existing property on-site and the adjacent house to the north and have a negative impact on property values in the vicinity. The proposal would therefore set an undesirable precedent for other such proposals and be contrary to the current development plan policy on residential infill development that has the objective to preserve or enhance the character of the area as a whole and the setting of any original buildings on the site. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Phillip Dray

7th February 2005