

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The subject site, which has a stated area of 0.108 hectares, is located along Rathdown Road, Greystones. Co. Wicklow. This is an established area characterised by a mix of uses, both commercial and residential. Redford Rise residential development is located to the north, south and east of the subject site. A commercial development is located almost immediately opposite on Rathdown Road.
- 1.2 The subject site currently contains a detached dormer dwelling with stated floor area of 212.5m². The area proposed for construction of the extension is currently under grass and is currently at a higher level than the ground level of the existing dwelling. A relatively high blockwork wall runs along the southern boundary of the site.
- 1.3 The site would previously appear to have been subdivided and a dwelling, referred to as a chalet in the submitted drawings, is located to the rear (east) of the subject dwelling (outlined in blue on submitted drawings). This chalet has pedestrian access onto Redford Rise.

2.0 PROPOSED DEVELOPMENT

The proposed development, as per the submitted public notices comprises the construction of a single storey extension to side (south) of dwelling, together with minor revision to sub-division of site boundary between 'Dromcaoin' and the adjoining dwelling known as 'Krybreen' and all attendant site works. The application is to include new french doors on existing south elevation to kitchen.

On foot of a Further Information request, the application also includes for the retention of kitchen extension and conversion of outhouse to utility room. The total stated floor area of the works proposed for retention is 56.92 square metres.

The stated floor area of the proposed extension for construction is 68.75m² and it comprises garden room, tv/playroom and WC all at ground floor level. The stated ridge height of the proposed extension is

105.110m OS datum. This proposed extension to located to the south of the existing dwelling.

3.0 PLANNING AUTHORITY'S DECISION

Planning permission GRANTED, subject to 5 no. conditions

Further Information was requested by the planning authority in relation to the planning status of the kitchen and utility room extensions. On foot of this request, revised public notices were submitted.

4.0 TECHNICAL REPORTS

Planner's Report

The report generally reflects the decision of the planning authority.

5.0 APPEAL GROUNDS

The grounds of appeal may be summarised as follows:

- Intrusive visual impacts on their homes
- Contends that there is no legitimate reason for the roof level to be at 105.110 when the development could be achieved at a lower ridge line
- Existing ridge level of 106.38 is 8.35 metres away from their boundary and ridge line is at right angles to their property so effect is not so severe
- Ridge of proposed kitchen extension for retention is acceptable

- Height of proposed roof is unacceptable- located only 4 metres from their boundary and parallel to it- visually obtrusive and not in keeping with good development
- Proposes alterations to include lowering of floor level to same as that of existing development would reduce overall level to 104.610, together with changing pitch from 45 degrees to 40 degrees- this changes could deliver same floor area, space and light while removing the obtrusive nature of the development from their perspective
- Submits photograph taken from No. 12 Redford Rise

6.0 OBSERVERS

None

7.0 RESPONSES

No response was received from the planning authority.

A first party response was received which may be summarised as follows:

- Unfounded that proposed development will impact on amenity of appellants properties
- Quotes extracts from Planner's report
- Proposed pitched roof is precisely 40 degrees to match that of existing house. The front and rear elevations are shown parallel to the existing house and given the splay of the extension, the proposed roof may appear to have a higher pitch due to the truncated/foreshortened width of the gable
- Floor level of extension best suits the sloping site

- View of proposed roof is minimal given the high boundary wall, together with the mature trees within the garden of No. 11 and the trellis above the boundary wall of No. 12
- Proposal is in accordance with the proper planning and sustainable development of the area and shall have no impact on the amenity of adjoining neighbours
- Submits drawings and photographs in support of the response

8.0 PLANNING HISTORY

96/4415

Permission GRANTED for dormer bungalow on this site- applicant Brendan Duggan

9.0 DEVELOPMENT PLAN

The operative Development Plan is the Wicklow County Development Plan 2010-2016.

Section 5.4.6.3 House Extensions

The Greystones/Delgany Local Area Plan 2006-2012 applies

Zoning

'Objective RE' which seeks 'to preserve and improve residential amenity, infill housing development shall reflect the prevailing density and character of its immediate surroundings'

10.0 ASSESSMENT

10.0.1 This application is assessed in terms of Development Plan policy and all other relevant Government Guidelines. Having examined the file and having visited the site and its environs I consider that the main issues in this appeal relate to the:

1. Principle of proposed development
2. Impacts on amenity of the area
3. Other issues

10.1 PRINCIPLE OF PROPOSED DEVELOPMENT

10.1.1 The proposed development is located to the side and rear of an existing dwelling within an established residential area. The general area is mixed use in nature and is characterised by dwellings of varying styles. The site is located on lands zoned 'Objective RE' which seeks 'to preserve and improve residential amenity...'. The proposed extensions aim to increase the floor area of an existing residential property at ground floor level only and the proposal does not increase the density of development on the site. The proposal is considered to be generally in compliance with Development Plan policy in relation to such developments.

10.1.2 Having regard to the above, I consider that the proposed development is generally in accordance with the land use zoning objective for the area and is therefore acceptable in principle.

10.2 IMPACTS ON EXISTING RESIDENTIAL AMENITY

10.2.1 In my mind, this is one of the issues of greatest concern, in particular impacts of the proposed extension on the visual amenity of the area, in

particular when viewed from the appellants properties. Having examined the submitted documentation and having visited the site and its environs, my concerns in relation to the impact of the proposed development on the amenity of the area are not so great as to warrant a refusal of permission. I note that the appellants properties are two-storey dwellings located at a higher level than the proposed site, which is sloping away to the north. I also note the relatively high boundary wall which exists between the properties, together with the height, nature and scale of the development proposed.

10.2.2 The size, scale, design and materials of this proposal are such that the proposed works integrate well with the existing property and other properties within the vicinity. I consider that the design of both the proposed extension for construction, together with the extensions proposed for retention, is such that they are not visually obtrusive and if permitted would not excessively impact on the visual or residential amenity of the area. The roof of the proposed extension for construction, with which concerns are expressed within the appeal submission, is considered acceptable in terms of height, pitch and design and if permitted would integrate well with the existing property. I note the design alterations proposed by the appellants and consider that such alterations are not warranted in this instance.

10.2.3 I would concur with the opinion of the planning authority that existing dwellings to the south have only restricted views and that this should not prevent a grant of permission for the proposed development as a person has no right to a view. I note, in any event that these views are not protected within the Greystones/Delgany Local Area Plan 2006. Extensions of the nature and scale proposed are commonplace in many residential areas and while each application is assessed on its own merits, I consider that the proposed works if permitted would not detract from the amenity at this location. I also consider that the subject site is adequately large to cater for a development of the nature and scale proposed.

10.2.4 I note the sloping nature of the site and consider that the response on behalf of the first party in relation to proposed floor level is acceptable.

10.3 OTHER ISSUES

10.3.1 The remaining works including the proposed alterations to site boundary are considered acceptable.

10.3.2 The subject site, which is located in an established residential area, is not located adjacent to nor in close proximity to any European sites, as defined in Section 177R of the Habitats Directive. Having regard to the nature and scale of the proposed development and/or the nature of the receiving environment and/or proximity to the nearest European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

11.0 CONCLUSION

11.1 The subject site is located within an established area, on lands zoned for residential development. I consider that the principle of an appropriate form of development is acceptable on this site and that the proposal is substantially in compliance with the policies of the operative Development Plan. I consider that the proposed development, in terms of its nature and scale, together with its design, layout and siting is such that it would not impact negatively on the amenities of the area to such an extent as to warrant a refusal of permission. I consider that the proposed works would integrate well with existing development in the vicinity and would not detract from the streetscape at this location.

11.2 Having regard to all of the above, I consider that the proposed works are therefore considered acceptable and consistent with the proper planning and sustainable development of the area.

12.0 RECOMMENDATION

In light of the above assessment, I recommend that the decision of the Planning Authority be UPHeld and that permission be GRANTED for the following reasons and considerations.

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development, together with the pattern of development in the area it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out, completed and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 30th day of January 2013, 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 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 and to ensure a proper standard of development.

3. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

REASON: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

4. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

REASON: In the interest of visual amenity.

5. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

REASON: To restrict the use of the extension in the interest of residential amenity.

6. The site and building works required to implement the development shall only be carried out between the hours of

Mondays to Fridays - 8.00am to 6.00pm

Saturday – 8.00 a.m. to 2.00pm

Sundays and Public Holidays – No activity on site.

REASON: In order to safeguard the amenities of adjoining residential occupiers.

7. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

REASON: It is a requirement of the Planning and Development Act 2000 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.

L. Dockery

Planning Inspector

18th July 2013