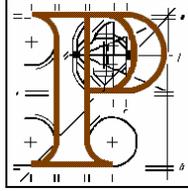


An Bord Pleanála



Inspector's Report

Development: Conversion of existing garage to habitable room and existing workroom and outhouse to two no. bedrooms involving alterations and extension of main roof at front and rear with ancillary site works at 13 Highfield Park, Leixlip, Co. Kildare.

Planning Application

Planning Authority: Kildare County Council
Planning Authority Reg. Ref.: 13/377
Applicant: James Prendergast
Type of Application: Permission
Planning Authority Decision: Grant Permission

Planning Appeal

Appellant(s): Ciaran Hynes
Type of Appeal: Third Party V Grant
Observers: None
Date of Site Inspection: 30th October 2013

Inspector: Kenneth Moloney

1.0 SITE DESCRIPTION

The appeal property is situated within a suburban housing development comprising of a small residential cul-de-sac consisting of single storey detached dwellings.

The subject property, no. 13 Highfield Park, is a detached single storey house. The property has a single storey attached garage to the side which has a flat roof. There is a side external access to the side of the garage which provides access from the front driveway / garden area to the rear of the property.

There is an outhouse to the rear of the property at the end of the side entrance. This outhouse is in poor condition with no roof. There is a single storey workshop situated to the rear of the property and this workshop provides access from the side access to the rear garden.

The neighbouring house (no. 12 Highfield Park) is situated on a slightly higher level than no. 13 Highfield Park. No. 12 Highfield Park has a ground floor gable window orientated towards the boundary wall of no. 13 Highfield Park.

2.0 PROPOSED DEVELOPMENT

The proposed development is for conversion of an existing garage to habitable room and existing workroom and outhouse to two no. bedrooms involving alterations and extension of main roof at front and rear.

The proposed development involves rearranging existing internal floor space and the conversion of the existing garage to habitable space. The proposed development also involves the removal of existing single storey sunroom to the rear.

In addition the proposed development involves widening of existing vehicular entrance from approximately 3 metres wide to approximately 5 metres wide. The piers are to remain the same and will be relocated accordingly.

3.0 PLANNING AUTHORITY'S DECISION

The Planning Authority decided to grant planning permission subject to 19 conditions, all of which are standard.

Internal Reports: There are 3 internal reports on the file:

- Area Engineer: - No objections subject to conditions.
- Water Services: - No objections subject to conditions.
- Roads, Transportation and Public Safety Dept. – No objections subject to conditions.

Objections: There is one third party objection on the planning file and the issues raised have been noted and considered.

4.0 PLANNING HISTORY

- L.A. Ref. 85/349 – Permission granted for single storey extension to the rear of dwelling.

5.0 DEVELOPMENT PLAN

The operational development plan is the Kildare County Development Plan, 2011 – 2017.

Development Management Standards are set out in Chapter 19 of the Plan and the following is relevant;

- Section 19.4.7 Extensions to Dwellings
- Section 19.4.6 Vehicular Parking in Residential Areas

6.0 LOCAL AREA PLAN

The subject site is situated within the boundary of the Leixlip Local Area Plan, 2010, and the site is zoned 'B – Existing Residential'. The specific zoning objective is *'to protect and improve existing residential amenity; to provide for appropriate infill residential development; to provide for new and improved ancillary services'*.

The LAP outlines that *'the primary aim of this zoning objective is to preserve and improve residential amenity and to provide further infill residential development at a density that is considered suitable to the area'*.

7.0 GROUNDS OF APPEAL

Paul Hogan and Associates, Architects and Planning Consultants, lodged an appeal on behalf Mr Ciaran Hynes of no. 12 Highfield Park. The main grounds of appeal are summarised as relating to the following; -

- The existing extension on site has no planning permission and as such a retention application should form part of the proposed development.
- The primary concern is for the side bedroom window which faces the side boundary. This window is 1.68 metres wide and faces the existing garage.
- The existing garage will be converted to a habitable space and the existing flat roof will rise from a height of 2.6 metres to 5.4 metres.
- The proposed roof is situated 900mm from the applicant's boundary and only 2.2 metres from the bedroom in question.
- The planner in the local authority considered that the 2 metre high boundary wall was sufficient in protecting adjoining amenities.
- The proposal will reduce the amount of light into the bedroom and reduce the sky-factor of the room.
- The appellant is not opposed to the principle of the extension.

- It is contended that the local authority could have requested that the roof is hipped at this location. The entire proposed development could be accommodated with this alteration.
- It is submitted that the flat roof over the garage is consistent with the majority of existing houses in the area. This is illustrated by a submitted aerial photograph.

8.0 OBSERVERS

None

9.0 RESPONSES

No additional comment.

10.0 ASSESSMENT

The main issues to be considered in this case are: -

- Design
- Impact on Adjoining Residential Amenity
- Other Issues

Design

In relation to the design the proposal involves an extension to the existing front elevation. The proposed development involves extending the existing front roof over the single storey garage to the side and a creating a new gable wall on the western elevation. It is proposed that the garage will be converted to a habitable space.

The proposed development will retain the existing building line as the garage currently projects in front of the main building line of the house.

I would note that Section 19.4.7 of the Kildare County Development Plan, 2011 – 2017, advises that extensions to dwellings shall be sensitive and shall not adversely distort the scale or mass of the structure, or adjoining properties. Section 19.4.7 of the County Development Plan also advises that the design and scale of extensions should have regard to adjoining properties.

I would note that the neighbouring house, no. 14 Highfield Park, appears to have converted the garage space to a habitable room however this property has retained the flat roof element of the former garage. I also would note that the roof profile of the appeal property facing onto no. 14 Highfield Park is a hipped roof.

Highfield Park is a small suburban housing estate and the dwellings comprise of single storey detached properties. I would note that Highfield Park is not located within the designated Architectural Conservation Area in accordance with map ref. 12.3 of the County Development Plan. Overall I would not consider that the scale of the proposed development is significant and I would be of the opinion,

based on the submitted drawings and a visual observation of the area, that the proposed design would be acceptable and would not be detrimental to the character of the area.

Impact on Adjoining Residential Amenity

The appellant's property, i.e. no. 12 Highfield Park, is situated immediately west of the appeal site. The most significant aspect of the proposed extension in relation to adjoining residential amenities is the raising of the western gable wall of the appeal property to facilitate the proposed roof extension.

The current western gable wall serving the garage is approximately 2.7 metres above the ground level and the proposed gable wall will be a height of approximately 5.2 metres above the ground level. Although I would accept that this alteration raises the height of the gable wall by almost double I would acknowledge that only a small portion of the proposed gable wall would reach a height of 5.2 metres.

In considering the impact of the proposed gable end wall on the residential amenities of no. 14 Highfield Park I would note that the proposed gable elevation faces onto a side access lane. The adjoining property i.e. no. 14 Highfield Park also has a side access lane situated between the side boundary wall and the gable elevation of that property. The proposed gable elevation would be set back approximately 2.2 metres from the gable elevation of no. 14 Highfield Park. The appellant outlines in his appeal submission that the gable elevation of no. 14 Highfield Park has a bedroom window and the proposed roof extension will have an adverse impact on the amenities of this habitable room.

The proposed gable elevation is situated east of the appellant's gable window and therefore may impact on morning sunlight given its orientation. However I noted from a visual observation of the area that the boundary wall between no. 13 and 14 Highfield Park is a block wall in excess of 2 metres. This existing boundary wall which is set back approximately 1 metre from the aforementioned bedroom window would, in my opinion, virtually block any available morning sunlight to the appellant's ground floor gable window. Therefore I would not consider that the proposed gable wall extension would have any impact on the existing residential amenities of no. 14 Highfield Park in terms of overshadowing.

The proposed gable wall extension will not introduce any additional windows and as such I would consider that the proposed development would not result in any overlooking towards no. 14 Highfield Park. Having regard to the scale of the proposed extension and given that it is primarily a side extension I would not consider that the proposal would adversely impact on adjoining residential amenities in terms visual impact.

In conclusion therefore I would not consider that the subject roof extension would have a detrimental impact on the residential amenities of the adjoining property or residential amenities in the area, in terms of overlooking, overshadowing and visual impact.

Other Issues

The appellant has raised concerns that the existing extension on the site has no planning permission. I would consider that this issue raised is generally an enforcement issue, in accordance with Part VIII of the Planning and Development Act, 2000 (as amended), and would be outside the scope of this appeal which relates to an extension to the house. I would therefore consider that it is a matter to be raised with the local authority rather than An Bord Pleanala.

11.0 RECOMMENDATION

I have read the submissions on the file, visited the site, had due regard to the development plan and all other matters arising. I recommend that planning permission be granted for the reasons set out below.

REASONS AND CONSIDERATIONS

Having regard to the residential zoning of the site as set out in the current development plan for the area and the extent of the proposed development, it is considered that subject to compliance with conditions set out below, the proposed development would not seriously injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out 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 points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented 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. Prior to commencement of development, details of the materials, colours and textures of all the external finishes shall be submitted to the planning authority for agreement.

Reason: In the interest of orderly development and the visual amenities of the area.

4. The house to be used as a single dwelling unit.

Reason: In the interest of clarity.

5. The requirements of the Transportation Department shall be ascertained and adhered to in the development.

Reason: To ensure a satisfactory standard of development.

6. That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.

Reason: To protect the amenities of the area.

7. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with the planning authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities and public safety.

Kenneth Moloney
Planning Inspector
15th November 2013