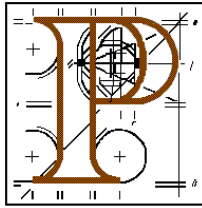


An Bord Pleanála



Inspector's Report

PL27.246557

DEVELOPMENT:- Single-storey extension to rear of existing dwelling at 3A, Seaview Cottages, Sea Road Kilcoole.

PLANNING APPLICATION

Planning Authority: Wicklow County Council
Planning Authority Reg. No: 15/760
Applicant: Mark & Mary Hanley
Application Type: Permission
Planning Authority Decision: Grant

APPEAL

Appellant: John & Anne Greene
Type of Appeal: 3rd-v-Grant

DATE OF SITE INSPECTION: 29th June 2016

Inspector: **Colin McBride**

1. SITE DESCRIPTION

- 1.1 The appeal site, which has a stated area of 0.066 hectares, is located to the east of Kilcoole, Co. Wicklow, in a small housing development off Sea Road. The appeal site is occupied by an existing single-storey dwelling. The other dwellings at this location are single-storey dwellings with the site located to the rear of a single-storey, semi-detached dwelling (west of the site), to the north and south (appellants' property) are also single-storey semi-detached dwellings. To the east is a field.

2. PROPOSED DEVELOPMENT

- 2.1 Permission is sought to construct a single-storey extension to the rear of an existing single-storey dwelling. The extension has a floor area of 82 square metres. The extension has a ridge height of 3.27m with the extension having a flat roof profile with external finishes of wooden cladding and pebbledash to match the existing dwelling. As a result of further information required the extension was revised in design to provide for an extension concentrated along the southern boundary of the site. The floor area of the revised extension is 60 square metres and it has a ridge height of 3.27m and has external finishes of wooden cladding.

3. LOCAL AND EXTERNAL AUTHORITY REPORTS

3.1

- (a) Planning report (03/09/15): Further information required including justification for the proposed layout, which would impact on sunlight to rooms in the existing dwelling.
- (b) Planning report (14/12/15): Clarification of further information. The revised plans were noted and site layout map was requested to assess impact on adjoining properties.
- (c) Planning report (01/04/16): The design and scale of the extension was considered acceptable in the context of impact on the residential amenity of adjoining properties and satisfactory in regards to impact on the adjoining boundary. A grant of permission was recommended subject to the conditions outlined below.

4. DECISION OF THE PLANNING AUTHORITY

- 4.1 Permission granted subject to 5 conditions. Conditions are standard in nature.

5. PLANNING HISTORY

- 5.1 13/8586: Permission refused for a single-storey extension to southern end of the front facade of existing dwelling. Refused due to poor integration with existing dwelling, sub-standard internal layout and proximity to the site boundaries.

6. PLANNING POLICY

- 6.1 The relevant plan is the Greystones-Delgany & Kilcoole Local Area Plan 2013-2019. The site is zoned RE, 'Existing Residential' with a stated objective "to protect, provide and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located".

7. GROUNDS OF APPEAL

- 7.1 A third party appeal has been lodged by Mark Blake on behalf of John & Anne Greene, Glasmaol, 4 Seaview Cottages, Sea Road, Kilcoole, Co. Wicklow. The grounds of appeal are as follows...

- Concerns are raised regarding the design, scale and layout of the proposal in the context of its location relative to the appellants' property. Concern is expressed regarding potential overlooking due to the provision of windows on the gable facing the appellants' property resulting in overlooking and loss of amenity due to the difference in levels between the appeal site and appellants' property.
- It is noted that the drawings submitted fail to show adjoining structures and the application should have been invalidated on this basis.
- The appellants notes that they are likely to remove hedging along the boundary in the future and that the proposal as designed would impact adversely on residential amenity through overlooking.
- There is lack detail regarding water run-off with concerns regarding measures to prevent run-off onto the adjoining property.
- The appellants' are also concerned regarding the details of proposed boundary treatment, which will be affected by the proposal.
- The appellants' note that there is an existing single-storey structure to the front of the existing dwelling, which is not shown on any of the submitted drawings and was erected without permission.
- The boundary treatment proposed is unacceptable as it will be much higher on the appellants' side due to the change in levels. Concern is also expressed regarding maintenance of this boundary.

8. RESPONSES

8.1 Response by SK Design on behalf of the applicants, Mark & Mary Hanley.

- As part of response to further information detail of a new soakaway was provide.
- It is considered that the extension is sufficient distance from the boundary so as to have no adverse impact on the amenity of the adjoining property.
- The extension is 500mm lower in floor level that the floor level of the existing dwelling so as to have no impact on the existing property to the south.
- The additional window on the gable of the existing dwelling is to serve a bedroom, which is a low occupancy room. In addition the fence proposed will prevent overlooking.
- The proposal will be acceptable in regards to its overall visual impact.
- The windows proposed along the southern elevation will not result in overlooking due to boundary treatment between the sites.
- The proposed fencing is appropriate and will be easy to maintain.

9. ASSESSMENT

9.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Design/visual amenity/adjoining amenity
Other Issues

9.2. Design/visual amenity/adjoining amenity:

9.2.1 The proposal is for an extension to the rear of an existing dwelling. The original proposal was for an L-shaped extension to the rear that provides a small courtyard area between the existing and the main part of the new extension. The proposal was subject to further information and a subsequent revised design due to concerns regarding the quality of the original design from the point of view of residential amenity. The approved extension provides for an extension that is located along the southern boundary and whose width does not extend the full width of the rear elevation of the existing dwelling. I would consider that the revised extension is better in regards to design, light levels and general amenity than the original proposal.

9.2.2 The main issue relates to the overall physical impact of the proposal on adjoining amenities. In regards to overall design and scale, the extension is modest in height being a flat roofed structure and having a ridge height of 3.27m as well as the fact that the finished floor level of the extension is 500mm lower than the finished floor level of the existing dwelling due to a change of levels on site moving west to east. In regards to visual amenity the

extension is low profile and would not have a significant visual impact in the surrounding area. In this regard the proposal is satisfactory in regards to the visual amenities of the area.

- 9.2.3 In regards to the issue of residential amenity the concerns raised relate to the property to south (appellants' dwelling). In regards to the dwelling to north, the extension is away from the boundary with the adjoining property and has no significant or adverse impact. The appellants' to the south raise concerns regarding potential overlooking due to windows on the southern elevation, concerns regarding boundary treatment and surface water drainage. In regards to overall physical impact, although the ground levels on the appeal site are higher than the appellants' garden level to the south, I would consider that the overall physical scale of the extension is modest in size and would have no significant/adverse/overbearing impact in regards to the appellants' property.
- 9.2.4 In regards to windows on the southern elevation, it is proposed to install a new bedroom window on the southern gable of the existing dwelling and there are a number of full height windows on the southern elevation of the extension. The issue of boundary treatment is a relevant consideration in regards to the impact of these windows. At present there is wooden fence along the southern boundary of the appeal site, which is approximately 1.8m high. On the appellants' property there is an existing hedge, which is in excess of 2m high (ground levels lower on the appellants' property). If nothing were to change in regards to boundary treatment then there would be no adverse impact in regards to overlooking from the proposed window on the southern elevation due to the height of the boundary treatment. The appellants' note that the existing hedgerow on their property is to be removed in the future due to the level of ongoing maintenance it requires and have concerns regarding the impact of the additional window on the southern gable due to its level relative to their garden. In addition the appellants' raise concerns regarding the future boundary treatment along the southern elevation and the burden of maintenance of such. It is notable that the appellants' have indicated that it is intended to construct a concrete post and timber fence with such to be 2m above the finished floor level of the extension and 1.8m above the finished floor level of the existing dwelling.
- 9.2.5 Regardless of the intention of the applicant or appellants' regarding boundary treatment the expectancy is that there will be a boundary treatment along the southern boundary site of at least 1.8m in height and there is currently a wooden fence on the appeal site. Given the floor level of the extension and based on such boundary treatment the windows on the southern elevation would not facilitate overlooking of the adjoining property. The new bedroom window on the southern gable is at a higher level due to the higher finished

floor level of the existing dwelling. I would consider that if boundary treatment remained as it currently stands (existing hedgerow) on the appellant's site) then the proposed window on the southern gable would not overlook the appellants' property due to the height of such boundary treatment. I would be satisfied that the height (2m above ffl of extension and 1.8 above ffl of existing dwelling) of the proposed boundary would also be sufficient in height to prevent overlooking from any of the windows along the southern elevation. I would consider that the proposal for a concrete post and timber fence would be an acceptable standard of boundary treatment and could be constructed without damage to the existing hedge on the appellants' property. In regards to the appellants' intention to remove the hedgerow, such is the appellants' choice and the proposal by the applicants is entirely reasonable and would not be out of character in a residential area such as this. In relation to the appellants' concerns regarding the height of such boundary treatment due the change in levels, I would note that the existing hedgerow boundary is well in excess of 2m high and the appellants' are choosing to remove such. I do not consider that the proposed boundary would be excessive in height relative to the appellants' dwelling and it is in the appellants' power to retain the existing hedgerow if they wish to do so. I am satisfied that the overall design and scale of the proposed extension is acceptable in regards to the residential amenities of adjoining properties.

9.3 Other Issues:

9.3.1 Having regard to the nature and scale of the proposed development and its 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.

9.3.2 The appellants' raise concerns regarding surface water drainage and the possibility of surface water discharging onto their site. The drawings submitted show details of a proposed soakaway. I would also note that this issue can be dealt with by way of condition with a requirement that no surface water discharge onto the public road or adjoining properties.

RECOMMENDATION

I recommend a grant of permission subject to the following conditions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Greystones-Delgany & Kilccole Local Area Plan 2013-2019 and to the nature, form, scale and design of the proposed development, and having regard to the pattern of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the

proposed development would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans and particulars received on the 26th day of November 2015 and the 18th day of March 2016, 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. A concrete post and timber fence shall be erected along the southern boundary with a height of 2m relative to the finished floor area of the extension and 1.8m relative to the finished floor level of the existing dwelling. Full details including drawings and specification shall be submitted to the Planning Authority and agreed in writing prior to the commencement of development.

Reason In the interests of residential amenity.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services and no surface water from the proposed development/site shall be allowed to discharge onto adjoining properties or the public road.

Reason: In the interest of public health

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

Colin McBride
01st July 2016