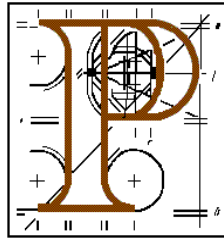


An Bord Pleanála



Inspector's Report

Development

Retention of single-storey extension to rear and side of existing cottage at No. 9 The Bawn, Greystones, County Wicklow.

Planning Application

Planning Authority: Wicklow County Council

Planning Authority Register Reference: 15/982

Applicant: Barbara Connolly

Type of Application: Permission

Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Nathalie Crinnion & Others

Type of Appeal: Third Party

Date of Site Inspection: 10th February, 2016

Inspector: Kevin Moore

1.0 APPLICATION DETAILS

1.1 There is a third party appeal by Nathalie Crinnion against a decision by Wicklow County Council to grant permission to Barbara Connolly for the retention of a single-storey extension to the rear and side of No. 9 The Bawn, Greystones, County Wicklow. The extension comprises an area of 30 square metres.

1.2 Submissions were received by Wicklow County Council from the residents of Nos. 1-6 The Bawn, Rylah and Noel Garkin (No. 7 The Bawn), Linda Connolly (No. 10 The Bawn), and Nathalie Crinnion (No. 8 The Bawn). The grounds of the appeal reflect the principal concerns raised.

1.3 The reports received by the planning authority were as follows:

The Planner referred to the site's planning history, to the Local Area Plan provisions and to the third party submissions received. She considered the development to be acceptable in principle and noted the site is not located in an Architectural Conservation Area nor is the house a protected structure. It was acknowledged that the majority of the houses in the cul-de-sac had been extensively altered over time. The development was viewed as small in scale and simple in design and commensurate with that of the original structure. The semi-detached character of the structure was seen to be maintained with the set back of the extension to the side of the building. It was considered that a terracing effect is not apparent. The development the subject of a previous refusal of permission (P.A. Ref. 12/6825) was viewed as not being comparable to that now the subject of the application. It was considered that the extension did not adversely impact on the visual amenities or character of the streetscape or result in any loss of residential amenity. Reference was made to other matters raised by third parties being subject to compliance with Fire Regulations and otherwise civil matters outside of the remit of the planning authority. A grant of permission subject to conditions was recommended.

- 1.4 On 10th November, 2015, Wicklow County Council decided to grant permission for the development subject to 2 conditions.

2.0 SITE DETAILS

2.1 Site Inspection

I inspected the appeal site on 10th February, 2016.

2.2 Site Location and Description

No. 9 The Bawn comprises the second last house on a residential cul-de-sac of semi-detached cottages in the town centre of Greystones. The ten single-storey cottages are set out in pairs along the west side of the lane and there is narrow pedestrian access provided between pairs of houses. No. 9 has recently been extended to the side and rear, with the side extension abutting No. 8. The house is occupied by the applicant.

2.3 Greystones/Delgany & Kilcoole Local Area Plan 2013

Zoning

The site is zoned 'Town Centre' with the objective "To protect, provide for an improve the development of a mix of town centre uses including retail, commercial, office and civic use, and to provide for "Living Over the Shop" residential accommodation, or other ancillary residential accommodation. To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and promote urban design concepts and linkages between town centre activity areas.

2.4 Planning History

Section 5 P.A. Ref. 45/15

The planning authority made a declaration determining the construction of a porch to the side of the existing house and the demolition of part of the habitable house to be exempted development and the erection of a single-storey extension to constitute development that is not exempted development because it is partially positioned to the side of the house.

P.A. Ref. 12/6825

Permission was refused for an extension over the passageway to the side of a first floor extension because it was considered it would be seriously injure the amenities of the area and depreciate property values.

P.A. Ref. 12/6005

Permission was granted for a development comprising two bedrooms and a bathroom at first floor level to the rear of the house and a new entrance to the side of the house.

3.0 THIRD PARTY APPEAL BY NATHALIE CRINNION & OTHERS

3.1 The appellants reside at Nos. 1-8, and 10 The Bawn. The grounds of the appeal may be synopsised as follows:

- The extension at No. 9 takes in the passageway and is attached to No. 8. The development has created a terrace of four cottages where semi-detached cottages have existed since the 1890s. This changes the character of the cottages. Nos. 1-10 The Bawn, while differing slightly in appearance, remain as semi-detached cottages with access to the rear.

- No. 8 uses the entrance of No. 7 and it has always been that way but is still a semi-detached cottage.
- In 2012 permission was refused to build on the side passageway of No. 9.
- Works commenced on the site in 2015, were subject to enforcement proceedings and the works continued. The development was nearly complete when the application for retention was made. There was no regard for the planning authority or the nine homeowners of The Bawn. The appellants cannot understand why a stop was not put to the extension turning her home into a terrace.
- The flat roof extension is a potential fire hazard.

Details enclosed with the appeal include the appellants' submissions to the planning authority, a number of photographs and planning enforcement correspondence.

4.0 APPLICANT'S RESPONSE TO APPEAL

4.1 The response to the appeal by the applicant's agent may be summarised as follows:

- * The extension to No. 9 is positive, sustainable development, enhancing the residential amenity of the row of cottages, and is not reliant on precedent at No. 8/No. 8a.
- * In relation to construction, fire regulation and property, the architects are retained to detail design in accordance with RIAI standard appointment for domestic works, the builder is reputable

and a registered contractor and has appropriate insurances in place.

Details are attached which include a 1909 Ordnance Survey Map extract showing the row of semi-detailed houses, enforcement proceedings correspondence, a solicitor's letter to the applicant and further correspondence from the applicant, correspondence with Linda Connolly (No. 10 The Bawn) in relation to weathering details, and visualisations of the development.

5.0 ASSESSMENT

5.1 Introduction

5.1.1 I consider the relevant planning issues relating to the proposed development are:

- Impact on residential amenity, and
- Impact on the character of the area.

I propose to address miscellaneous issues raised also by the third parties.

5.2 Impact on Residential Amenity

5.2.1 The extension causes no known adverse impact by way of overlooking, overshadowing, and loss of privacy. Thus, the development raises no specific concerns in relation to impact on residential amenity. I note that this issue is not the focus of concern for the appellants.

5.3 Impact on the Character of the Area

5.3.1 The houses at The Bawn are not protected structures nor is this area designated as an area of special historical or architectural merit. It is, indeed, notable that many of the cottages have undergone significant changes in the form of extensions, introduction of rooflights, etc. These changes have culminated in the character of the laneway having been significantly altered over time when viewed from the public realm. I acknowledge that the physical connectivity between No. 9 and No. 8 introduces a degree of change to the overall layout of the five pairs of semi-detached cottages. However, the recessed nature of the extension, the small scale of development and the containment of the development such that it is neither overtly incongruous when viewed from the public realm nor is it impacting on communal access between residential properties leads me to the view that this development neither functionality nor visually adversely impacts on the character of the area. I do not accept that the development results in any known adverse impact on property values arising from the form of development constructed.

5.4 Miscellaneous Issues

5.4.1 The appellants raise concerns about the development occurring despite enforcement proceedings. The issue of enforcement is a matter to be addressed with the planning authority and is not a matter to be resolved through the appeals process.

5.4.2 Third party concerns in relation to a potential fire hazard have been raised with regard to the flat roof extension. The developer's compliance with fire regulations is a matter for the Fire Authority under the guise of the local authority and is not a matter the subject of consideration in this planning appeals process. Furthermore, it has not been demonstrated by the

appellants how this aspect of the development raises matters to which the Board should consider in its deliberations.

6.0 RECOMMENDATION

I recommend that permission is granted in accordance with the following:

Reasons and Considerations

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure residential amenity or depreciate property values in the vicinity, would not be out of character with the established pattern of development in the area, and 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, except as may otherwise be required in order to comply with the following condition. The developer shall agree the details to be agreed in writing with the planning authority within one month of the date of this order and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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 adequate future maintenance in the interest of residential amenity.

Kevin Moore

Senior Planning Inspector

February, 2016.