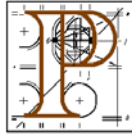


An Bord Pleanála



Inspector's Report

Appeal Reference No: 19.246162

Development: **Permission for alterations and extension to existing dwelling house and associated works at Rahan Road, Ballydrohid, Co. Offaly**

Planning Application

Planning Authority: Offaly County Council

Planning Authority Reg. Ref.: 15/341

Applicant: Patricia Plunkett

Planning Authority Decision: Grant Permission

Planning Appeal

Appellant(s): Mary McDermott

Type of Appeal: Third Party

Observers: None

Date of Site Inspection: 25th May 2016

Inspector: Joanna Kelly

1.0 SITE LOCATION AND DESCRIPTION

The appeal site is an irregular rectangular shape located between two detached houses on the Srah road, north-west of Tullamore town. There are industrial units located to the north of the appeal site. The site area is approx. 0.32 acres/0.12 hectares. The existing single storey residential unit does not appear to be occupied as internal works appear to be on-going although no works were being carried out at time of inspection. It was noted that there is an existing structure to the rear of the property which appears to be a garage. There is also another shed located near to the existing flat roof rear return of the dwelling.

There is an existing low level wall between the appeal site and the appellant's property to the east which steps up in height from the rear building line. There is currently direct overlooking between the two properties at present due to the lack of appropriate screening.

2.0 PROPOSED DEVELOPMENT

The proposal is to alter and extend existing dwelling house and associated site works.

The proposal involves the construction of a porch area approx. 7.5sq.m. to the front of the existing dwelling. It is also proposed to construct a rear extension of approx. 28sq.m.

3.0 PLANNING HISTORY

There is no recent planning history noted in the planner's report.

4.0 PLANNING AUTHORITY DECISION

4.1 Planning and technical reports

Planning report

The planning report recommended a grant of permission and notes that the proposed extension is acceptable.

Area Engineer

No objection

4.2 Planning Authority Decision

The Planning Authority granted permission for the proposed development subject to 6 conditions as follows:

Condition 1	Compliance with plans submitted and conditions of permission
Condition 2	Surface water drainage

Condition 3	External finishes
Condition 4	Services and cables to be underground
Condition 5	Limitation of use
Condition 6	Encasement of pipes.

5.0 GROUNDS OF APPEAL

5.1 The grounds of appeal are summarised as follows:

- Concerns are raised regarding the privacy and loss of amenity to appellant's property.
- The proposal is for two residences to be made out of the current single dwelling.
- The second residence is to be located to the back of the property and makes a new front entrance facing the appellant's back door.
- The proposed front facing double doors to the living room will look directly into the appellant's living room.
- It is considered that the front facing double door will be used as a primary entrance to the annex just metres from the appellant's back door.
- The existing trees which provide some coverage would have to be removed to the new extension is constructed.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 Planning Authority response

- The Planning Authority does not consider the proposed development represents a significant threat to privacy.
- Should the Board consider otherwise it is suggested that a two metre high boundary wall along the relevant boundary be constructed.

6.2 Applicant's response to appeal

- There is an existing wall between the properties. Trees that are to be removed will be replaced with timber fence.
- The double doors will not reduce privacy as they will face the road.
- The back door entrance is a connection between existing property and the proposed property.
- The applicant indicates that her daughter and partner will be residing in the existing property and she will be living in the new development.

- The proposed development will not be a rental property.

7.0 POLICY CONTEXT

The Offaly County Development Plan is the statutory development plan for the area 2014-2020.

Section 8.6.15 Family Flats / Granny Flats

The creation of a family flat, generically referred to as granny flats, to be occupied by a member of the occupant's family, is generally acceptable, provided it is not a separate detached unit, and it is possible to provide direct access to the remainder of the house. There shall be no permanent sub division of the garden/private amenity space. The flat shall not be let, sold or otherwise transferred, other than as part of the overall property and shall revert to being part of the original house when no longer occupied by the family member. The design should ensure that the flat forms an integral part of the main dwelling unit capable of reintegration for single family use and, from public view, retains the appearance of a single dwelling unit. Family flats are accepted in principle in urban and rural areas.

Section 8.8 relates to **Extensions** and sets out that proposed extensions should complement existing house.

8.0 ASSESSMENT

I have reviewed the proposal in the light of the current Development Plan, relevant planning history, and the submissions on file. Accordingly, I consider that the pertinent issues pertaining to this appeal should be assessed under the following headings:

- Description and nature of proposed development
- Impact on residential amenity
- Appropriate assessment
- Development Contributions

8.1 Description and nature of proposed development

The public notices referred to the proposal as "alterations and extensions to existing dwelling". The applicant would appear to be proposing to construct a "granny flat" which will form part of the main dwelling. Whilst the public notices do not expressly say "granny flat" I am satisfied that the description of such is accurate in that the proposal is for a relatively modest extension which forms part of the main dwelling. There is no proposal to sub-divide the existing

residential property. A condition ensuring that the property is not sold, let or sub-let as separate units should be attached.

8.2 Impact on residential amenity

The appellant has raised concerns over the loss of privacy to her dwelling. I do not agree that there will be any loss of privacy. It is true that the location of the proposed lobby most likely will result in the increased movement of people along the party boundary however this in itself does not give rise to a loss of privacy. The current party boundary does not provide much screening and this could be easily addressed by the erection of a fence/wall by either parties. The appellant has raised concerns about the glass door and window to the lobby area which would overlook her property. This would be located some 13m from the party boundary. The proposal, in my opinion, will not detract from the existing residential amenities of the area.

8.3 Appropriate Assessment

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

8.4 Development Contribution Scheme

The Offaly Development Contribution Scheme provides that subject to 2.4.3 of the development contributions scheme 2014-2020 which refers to the creation of an additional residential unit, a development contribution will not be required in the case of extensions to residential units.

9.0 CONCLUSIONS AND RECOMMENDATION

Subject to the provisions of adequate public notices which accurately describe the proposed development, it is considered that the proposed development should be **granted** for the reasons and considerations hereunder.

REASONS AND CONSIDERATIONS

Having regard to the nature of the proposed development the Board is satisfied that the proposed development would be in keeping with the existing character and pattern of development in the immediate area, would not give rise to overlooking and would not otherwise unduly detract from the existing residential amenities of the area. The proposal would not be prejudicial to public health and would otherwise 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 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.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

3. 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

Joanna Kelly

Planning Inspector

26th May 2016