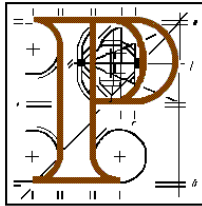


# An Bord Pleanála



## Inspector's Report

**PL27.246694**

**DEVELOPMENT:-** Permission for extension to rear of house at 31 Ardmore Lawn, Bray, Co. Wicklow.

### **PLANNING APPLICATION**

**Planning Authority:** Wicklow County Council

**Planning Authority Reg. No:** 16/286

**Applicant:** Gary Prunty

**Application Type:** Permission

**Planning Authority Decision:** Grant

### **APPEAL**

**Appellant:** Caitriona Douglas & Neil O'Mahony

**Type of Appeal:** 3<sup>rd</sup>-v-Grant

**DATE OF SITE INSPECTION:** 27<sup>th</sup> July 2016

**Inspector:** Colin McBride

## 1. SITE DESCRIPTION

- 1.1 The appeal site, which has a stated area of 0.035 hectares, is located to the west of Bray town centre in a residential area. The site is occupied by an existing two-storey semi-detached dwelling within the residential cul-de-sac of Ardmore Lawn. To the south east of the site is no. 32, which is the other dwelling forming the pair of semi-detached dwellings the site is part of and to the north west is no. 30, which is also a semi-detached two-storey dwelling. Along both the northwestern and southeastern site boundaries to the rear of the dwelling on site is a hedgerow up to and over 3m in height. To the north east is detached dwelling

## 2. PROPOSED DEVELOPMENT

- 2.1 Permission is sought for a two-storey extension to the rear of an existing two-storey semi-detached dwelling. The extension has a floor area of 43.89 square metres and a ridge height of 6.825m.

## 3. LOCAL AND EXTERNAL AUTHORITY REPORTS

### 3.1

- (a) Planning report (04/05/16): The design and scale of the extension was considered acceptable in regards to the visual amenities of the area and the residential amenities of the adjoining property. A grant of permission was recommended subject to the conditions outlined below.

## 4. DECISION OF THE PLANNING AUTHORITY

- 4.1 Permission granted subject to five conditions. The conditions are standard in nature.

## 5. PLANNING HISTORY

- 5.1 No planning history.

## 6. PLANNING POLICY

- 6.1 The relevant plan is the Wicklow County Development Plan 2010-2016. The appeal site is zoned RE1 with a stated objective 'to protect existing residential

amenity; to provide for appropriate infill development, to provide for new and improved ancillary facilities.’

## 7. GROUNDS OF APPEAL

7.1 A third party appeal has been lodged by Neil O’Mahony & Caitriona Douglas, 32 Ardmore Lawn, Bray, Co Wicklow. The grounds of appeal are as follows...

- Due to the layout of adjoining dwellings to the south, the appellants are more reliant on light from the north with the proposed two-storey extension impacting adversely on light levels and resulting in the appellants’ dwelling being in a narrow channel between the extension to the north and existing dwellings to the south.
- The proposal would have an overbearing impact and there is no precedent for granting two-storey extensions in the estate apart from in certain circumstances (end houses).
- The appellants query the structural specifications of the proposal in terms of the future integrity of the dwelling on site and the appellant’s dwelling adjoining such.
- The appellants raise concerns regarding the lack of adequate proposals for disposal of surface water with concerns raised that surface water run-off may discharge onto their property.
- The appellants raise concerns regarding the impact of foundations on their existing hedge and query how a proper finish can be applied to the southern elevation of the existing without the need to remove a significant portion of existing hedgerow.

## 8. RESPONSES

8.1 Response by Gary & Kelly Prunty, 31 Ardmore Lawn, Bray, Co. Wicklow.

- It is noted that there is an existing high hedgerow between the applicant and appellants’ property, which undermines the appellants’ arguments regarding daylight. It is noted that the design of the extension takes into account the adjoining property in that it is stepped back at first floor level and it is noted there is precedent for similar development (ref no. 10630074, 88 Ardmore Park).
- The proposal has been designed with full regard to structural integrity.
- The applicants are surprised regarding the condition applied in relation to rainwater collection and will resolve the issue without impacting on the adjoining property.
- The foundations are designed to not breach the property line and the proposal will entail minimal removal of hedgerow.

- The applicant intends to apply a waterproof finish to the southern elevation and notes it is contingent on the appellants allowing access to apply such.

## 9. ASSESSMENT

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

Principle of the proposed development  
Design, scale, visual/residential amenity  
Other Issues

### 9.2 **Principle of the proposed development:**

- 9.2.1 The proposal is for extension of an existing dwelling in an established residential area zoned for such use. In this regard the principle of the proposed development is acceptable subject to it being satisfactory in the context of the visual and residential amenities of the area.

### 9.3 **Design, scale, visual/residential amenity**

- 9.3.1 The proposal is for a two-storey extension to the rear of an existing two-storey semi-detached dwelling. The extension is located to the rear and has a ridge height lower than the existing dwelling. In this regard the overall visual impact of the extension is not significant or visible from the surrounding area.
- 9.3.2 One of the main concerns is the impact of the extension on light levels to the rear of the appellants' property as well as concerns regarding the overbearing impact of such due to its scale and proximity to the boundary. The appellants highlight the fact that the configuration of no.s 33 and 34 to the south west and the proposed extension to the north would have an adverse impact on the amenities of their dwelling. The extension which is two-storeys projects 4.3m beyond the existing rear building line and has a ridge height of 6.825m (0.875m lower than existing dwelling). The extension is right up against the boundary with the adjoining dwelling to the south east (no. 31), but is stepped back by 1.5m at first floor level (at a height of 3.15m).
- 9.3.3 The main issue is whether the two-storey extension would have significant or adverse impact on the residential amenities of the adjoining properties and in particular no. 32. Where the proposed extension immediately adjoins the boundary with the appellants' property the extension is 3.15m high and if the proposal was a single-storey extension of this height there would be no issues of concern regarding impact on residential amenity. The issue concerns the two-storey nature of the extension and in this case the applicant has taken cognisance of the amenities of the appellants' property in stepping back the

first floor portion 1.5m and having a much lower ridge height than the existing dwelling. I would consider that the two-storey extension as proposed has adequate regard to the amenities of adjoining properties including those on the opposite side and that the overall design and scale of the extension would be acceptable in the context of residential amenity in that it would not have an overbearing impact or result in an unacceptable loss of light or privacy. The issue of precedent is not relevant in that the overall design and scale of the extension is satisfactory based on its merits. In addition I would note existing boundary treatment consists of hedgerows up to and in excess of three metres in height and the maintaining of such would mean the proposed extension would have a negligible impact in light of their scale.

#### **9.4 Other Issues:**

- 9.4.1 In regards to impact on existing hedgerow due to foundations, I would note that the extension appears to be wholly within the site boundaries and the onus is on the applicants to ensure its construction without encroaching onto adjoining properties. In regards to the finishing of the south eastern elevation the onus is also on the applicant to get whatever consent is necessary to facilitate necessary works. The overall design and scale of the extension is considered to be acceptable in the context of the proper planning and development of the area and such issues are not relevant planning considerations.
- 9.4.2 In relation to concerns regarding the structural aspects of the proposal there is an onus on applicant to comply with building regulations and compliance with such does not come under the remit of the Board. The proposal is being assessed in regards to its impact in relation to the proper planning and sustainable development of the area and the design and scale of such is determined to be satisfactory in this regard.
- 9.4.3 The appellants' raised concerns regarding the potential for surface water runoff onto their property from the extension. The Planning Authority applied a condition dealing with such with the requirement to discharge to soakpits, drains or an adjacent watercourse with no discharge to the public sewer or onto adjoining properties. I am satisfied that the application of a similar condition will deal with this issue and that no surface water runoff shall occur onto adjoining properties.
- 9.4.4 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.

## RECOMMENDATION

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

## REASONS AND CONSIDERATIONS

Having regard to the provisions of the Wicklow County Development Plan 2010-2016 and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable in the context of the visual amenities of the area and the residential amenities of adjoining properties. 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, 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. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual 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. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. The site and building works required to implement the development shall be carried out only between the hours of 08.00 to 18.00 Monday to Fridays, between 08.00 to 14.00 on Saturdays and not at all on Sundays and Public Holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

Colin McBride  
23<sup>rd</sup> August 2016