



An  
Bord  
Pleanála

## Inspector's Report PL25.246704

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| <b>Development</b>                  | Construction of extension, garage and attic conversion at Marian Heights, Dublin Road, Mullingar, Co. Westmeath. |
| <b>Planning Authority</b>           | Westmeath County Council   |
| <b>Planning Authority Reg. Ref.</b> | 16/6076  |
| <b>Applicant(s)</b>                 | Mark & Jane Sheehy   |
| <b>Type of Application</b>          | Permission   |
| <b>Planning Authority Decision</b>  | Grant  |
| <b>Appellant(s)</b>                 | Anne & James Maher   |
| <b>Observer(s)</b>                  | None   |
| <b>Date of Site Inspection</b>      | 08/08/2016   |
| <b>Inspector</b>                    | Anne Marie O'Connor  |

## 1.0 Site Location and Description

- 1.1. The appeal site comprises a detached bungalow set back from the road frontage on the approach into Mullingar town centre from Dublin. This is a residential area with houses of varying size, architectural styles and periods along the road, and housing estates behind. The site in question backs onto a dwelling in the Beechlawns housing development (No.1). A narrow strip of land running along the western site boundary from 1 Beechlawns up to the Dublin Road is also in the ownership of that property (No,1 Beechlawns).
- 1.2. The site is elevated above the Dublin Road resulting in a sloped driveway to the front of the bungalow.

## 2.0 Proposed Development

- 2.1. The proposal comprises a substantial renovation and extension of the existing bungalow to provide a 5 bedroom dwelling (c.293 m<sup>2</sup>) including:
- Two-storey side extension to provide a garage/ service room with bedrooms above
  - Single storey rear extension to provide a sitting room, kitchen/ dining room, shower room, & utility room. A small external courtyard is proposed between the existing house and the rear extension.
  - Attic conversion including two box dormer windows to the front and two rooflights to the rear to provide an office, multi-purpose room and store room.
  - External works including re-grading/ levelling of the front garden to provide two car parking spaces and ramped access to the front of the house.
- 2.2. The ground levels of the site mean that the garage level is a full story below the ground level of the existing house. The proposed bedrooms above the garage and the rear extension are at the same floor level as the existing house.

### 3.0 Planning Authority Decision

#### 3.1. Decision

The planning authority issued a notification of its decision to grant planning permission. The following condition is of note:

C.3 Detail of boundary treatment to the eastern boundary to be agreed.

#### 3.2. Planning Reports

The report of the area planner recommends a **grant** of permission and can be summarised as follows:

- There are a number of contemporary designs on the adjacent road. The visual impact is considered to be acceptable.
- Overlooking not an issue due to the internal design, and the separation distance and relationship with the adjacent property to the east.
- The application site is not within a designated flood area.
- AA – screened out.
- The proposed development is consistent with the policies and objectives of the LAP and is appropriate taking into account the character of the area and the impact on adjacent residential amenity.

#### 3.3. Other Technical Reports

Area Engineer      Grant recommended.

Irish Water      No Objection.

### **3.4. Third Party Observations**

Three third party submissions were received. The issues raised are covered in the grounds of appeal.

### **4.0 Planning History**

92/377          2-storey extension to rear with conservatory. Granted.

91/696          Attic conversion (2 bedrooms and 2 shower rooms). Refused.

### **5.0 Policy Context**

#### **5.1. Development Plan**

The site is zoned 'Existing Residential' in the Mullingar Local Area Plan 2014-2020.

Section 14.3.2 of the Westmeath County Development Plan 2014 deals with extensions and alterations to dwellings.

#### **5.2. Natural Heritage Designations**

None

### **6.0 The Appeal**

#### **6.1. Grounds of Appeal**

The grounds of appeal are submitted by Anne and James Maher, the owners of the property to the rear of the appeal site, 1 Beechlawns, and can be summarised as follows:

- The planning authority gave no consideration to the objections and observations made. Conditions do not address concerns.

- The drawings submitted are at different scales and do not facilitate easy comparison or give a sense of proportion. There are errors in the Existing Site Plan and Elevations (Drawings A.03.01.3 and A.03.01.3).
- Insufficient garden area remaining.
- The design and massing of the proposed development is out of scale with surrounding area and would be visually obtrusive.
- The separation distance to the rear of 1 Beechlawns should not be less than 20m.
- The height of the southern wing is excessive and does not need to be as high as proposed. The floor to ceiling height could facilitate the creation of additional rooms at first floor level. The height should be reduced.
- There is no treatment shown from west or south boundary walls to prevent overlooking from the new extension.
- Overlooking of the strip of land to the west from the staircase. The window in this elevation should be removed.
- Overlooking from rooflights on the southern elevation.
- The proposed development would result in over-development of site. The design also provides the opportunity for further habitable space and other uses, including creating a new floor in the rear extension, use of garage for habitation.

## 6.2. Planning Authority Response

None received.

## 6.3. Applicant Response

The applicant has responded to the grounds of appeal as follows:

- This is an urban site close to the centre of town and is more than suitable for the nature of the development proposed.
- The final floor area is modest in relation to other houses on the same road.
- The design incorporates an internal courtyard to meet the specific needs of one of the family members.
- The separation distance of 20m sought is not relevant to extensions. The distance from the new extension to the rear boundary wall is greater than the distance from the appellant's own house to the same boundary.
- The points raised in relation to additional habitable space make no sense.

#### 6.4. **Observations**

None received.

#### 7.0 **Assessment**

7.1. The appeal site is located in an established residential area on the edge of Mullingar and is zoned for residential use. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

1. Design and Visual Amenity
2. Residential Amenity
3. Other matters

#### **Design and Visual Amenity**

7.2. The appeal site comprises a quarter acre site with a relatedly modest bungalow set back from the road frontage, typical of low density suburban/ edge of town development in the 1970s and 1980s. The site is within walking distance of the town centre and there a wide variety of architectural styles in the vicinity. The proposed

development would result in an increase to the existing ridge height of less than 500mm. I note that the adjoining bungalow to the east has a gable-fronted projection on the front elevation which is not dis-similar to the proposal. I also note that the proposed dormer window in the front elevation is modestly sized and is set below the ridge line and back from the eaves. Although, the application proposes a substantial remodelling of the existing bungalow on the site to provide a much larger dwelling and a more contemporary architectural design, it largely respects the original front building line and the residential character of the area and would not, in my view, appear overbearing or incongruous in the streetscape.

### **Residential Amenity**

- 7.3. The grounds of appeal express concern regarding overlooking and inadequate separation distance to the rear boundary with their property (1 Beechlawns). The proposed rear elevation of the extension would be c.10 from the rear boundary, with the appellant's dwelling set back a further c.8.5m. A c.1.8m high block wall runs along the boundary and, with the exception of the rooflights, all windows in the southern elevation are at ground floor level. This relationship is acceptable in an established residential area and would not lead to an unacceptable level of overlooking. The rooflights in the rear elevation serve the ancillary attic space and are sufficiently setback (20m) from the rear boundary to mitigate any potential loss of privacy through overlooking.
- 7.4. The appellants also object to the height of the rear elevation of the extension. However, given the separation distance and the orientation to the north of the appellant property, I do not consider that it would overshadow or have an overbearing impact on that property. The appellant owns the strip of land that runs along the side boundary of the appeal site to the west, and concern is expressed regarding overlooking from the window serving the proposed stairwell. This narrow strip is not part of the garden of the appellant property, but provides access onto the Dublin Road via a pedestrian gate. I am satisfied that it has limited amenity value that would be compromised by the proposed window.

7.5. The proposal also includes two new windows in the eastern elevation serving Bedroom 4, and two further windows serving an en-suite and utility room. These windows are sited c.1.5m from the site boundary with the driveway of the adjacent bungalow. I note, however, that there are no windows in the gable end wall of the adjacent dwelling and, subject to appropriate boundary treatment, I have no concerns in relation to overlooking or other loss of amenity resulting from the proposed ground floor windows.

### **Other matters**

7.6. The grounds of appeal refer to the intensification of the use of the dwelling through the use of the attic space and garage for habitable accommodation, and creation of additional floors within the building. However, any such uses would have to comply with building regulations and, in any case, the proposal clearly relates to a family home albeit larger than the existing bungalow but commensurate with dwellings in the general vicinity. Similarly, the remaining rear garden area is in excess of 200m<sup>2</sup> and will provide an adequate level of amenity for occupants of the dwelling.

7.7. The application also proposes landscape works to the front of the house to provide a level car parking area and ramped access to the dwelling. The layout has been well designed and will provide much improved access to the building and a level vehicular access compared to the existing sloped driveway. I am satisfied that this element of the proposal will not appear incongruous, or otherwise injure the visual or residential amenities or the area.

7.8. The site is located in a serviced urban area some 4 km southeast of Lough Owel SPA and SAC, and 4km northeast of Lough Ennell SPA and SAC. Having regard to the nature and scale of the proposed development and the distance to the nearest European sites, I am of the view that no **appropriate assessment** issues arise, and that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.



## 8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

## 9.0 Reasons and Considerations

Having regard to the residential zoning of the site as set out in the Mullingar Local Area Plan 2014, the pattern of existing development in the area, and the design and scale of the proposed extensions, 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 or of property in the vicinity, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 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. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity

3. Details of the boundary treatment to the eastern boundary shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

4. 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.

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Anne Marie O'Connor  
Inspectorate

13 September 2016