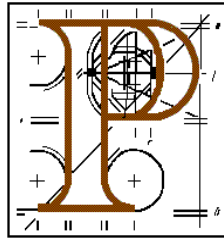


An Bord Pleanála



Inspector's Report

Development

Extension to house, screen walls to sides and porch at 7 Eagle Valley, Enniskerry, County Wicklow.

Planning Application

Planning Authority: Wicklow County Council
Planning Authority Register Reference: 16/412
Applicant: Catherine & Fergus Murphy
Type of Application: Permission
Planning Authority Decision: Grant

Planning Appeal

Appellant(s): Brian O'Flanagan
Type of Appeal: Third Party
Date of Site Inspection: 21st September, 2016

Inspector: Kevin Moore

1.0 APPLICATION DETAILS

- 1.1 There is a third party appeal by Brian Flanagan against a decision by Wicklow County Council to grant permission to Catherine and Fergus Murphy for the construction of an extension to the house, the provision of screen walls to the sides of the house and the construction of a porch at 7 Eagle Valley, Enniskerry, County Wicklow.
- 1.2 The proposal comprises a single storey ground floor extension to the side, with 3.5m high screen walls at the front to both sides of the house, the extension of the ground floor hall with a porch to the front, the extension of the room over the hall over the front porch extension, and alterations to glazing bars of the front fenestration. The proposed extension to the house would provide an additional floor area of 43.43 square metres. The existing site area is stated to be 0.13 hectares.
- 1.3 An observation on the proposal was received from Brian O'Flanagan. The grounds of appeal reflect the concerns raised.
- 1.4 The report to the planning authority was as follows:

The Planner noted the site's planning history, development plan provisions and the third party submission. It was further noted that within the established housing estate a substantial number of houses had undertaken works and extensions in a variety of scales, designs and finishes. It was considered that the height and visual impact of the proposed screen walls would be negligible in the context of the scale of the house and the existing boundary walls. It was further considered that they would not be overly visible from outside the site due to existing planting. It was also submitted that the proposal would not result in adverse impacts on adjoining residential amenity. A grant of permission was recommended subject to conditions.
- 1.5 On 8th June, 2016, Wicklow County Council decided to grant permission for the development subject to 5 conditions.

2.0 SITE DETAILS

2.1 Site Inspection

I inspected the appeal site on 21st September, 2016.

2.2 Site Location and Description

The site of the proposed development is located within the estate of Eagle Valley at the southern end of the village of Enniskerry in County Wicklow. This is an estate of large detached houses beside Powerscourt House and Gardens. Each of the houses in the estate do not have their frontage enclosed by front boundary walls or fences but rather have open frontage onto the estate roads. No. 7 comprises a two-storey house with a landscaped forecourt and a row of trees along its frontage. It is flanked by two-storey detached houses and the flank boundaries comprise a mix of stone wall and fences.

2.3 Enniskerry Local Area Plan 2009-2016

Zoning

The site is zoned 'RE Residential: Existing Residential' with the 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.

Residential Development

It is policy that, in the RE zone, house improvements, alterations and extensions in accordance with principles of good design and protection of existing residential amenity will be permitted.

2.4 Planning History

P.A. Ref. 93/1048

This is the parent permission for Eagle Valley estate. Condition 11 of that permission was as follows:

"The external walls of the houses shall have the finishes proposed on the drawings submitted. Where alternative finishes are proposed they shall be

used uniformly so that the same finishes shall be used for each group of houses of any particular type i.e. the group of houses type D numbered 45-88 shall all be either brick faced or stone faced.

REASON: In the interest of visual amenity."

P.A. Ref. 02/6842

Permission was granted for a single storey extension to both sides and the rear of the dwelling on the appeal site.

3.0 THIRD PARTY APPEAL

3.1 The appellant resides at 62 Eagle Valley. The grounds of the appeal may be synopsised as follows:

- The height, scale, finish, massing and texture of the screen walls would be wholly out of character with the established pattern and finishes of the existing development and estate and would set an undesirable precedent. They should be reduced to a maximum height of 2m by way of condition.
- The design, scale and materials of the proposed porch and first floor extensions would be unattractive and out of character with the design of the house and of neighbouring properties.
- As there is no guarantee that existing semi-mature planting will be retained to the southern, northern and eastern boundaries, the opinion that the visual impact of the proposed screen walls will be negligible is called into question.

4.0 APPLICANT'S RESPONSE TO APPEAL

The applicant's response to the third party appeal may be synopsised as follows:

Side Walls

- The purpose of the side walls is to provide security and to disguise a covered glass side entrance/storage area. The applicant is willing to

reduce these to 3.1m but to reduce them further would diminish their effectiveness and not align with the existing granite walls surrounding the neighbouring house No. 6.

- Granite walls are widely seen in the area. Immediate neighbours have high granite stone walls around their properties. All walls exceed 2m.
- All houses in the estate have erected barriers between the front and back gardens to ensure privacy and to provide security as all front gardens have to be maintained as open plan gardens.
- High granite walls were removed from No. 7 to facilitate the building of two side extensions in 2003. It was always the intention to reinstate these walls.
- The walls have to be higher than 2m due to established gradients

The Porch

- There is precedent in the estate for a porch extension.
- The changes would tie in with neighbouring houses.
- Dense foliage is in front of Nos. 6, 7 and 8 and will be retained.
- The majority of houses in the estate have been modified.
- The porch would improve energy rating and security.

The applicants conclude with reference to their neighbours being supportive of the proposed changes and submit the appeal is vexatious and frivolous.

5.0 ASSESSMENT

- 5.1 I first note that the focus of the appellant's submission is on the proposed screen walls to the sides of the house and the porch and extension above this. The proposed extension to the side itself is not subject to objection. I further note that the residents immediately adjoining the property of No. 7 have not raised concerns in relation to the proposal. With due regard to this and having examined the site and the proposal, I have no objections

to the proposed extension to the side as it raises no material planning concerns in terms of the effects on the amenities of neighbouring residences.

- 5.2 With regard to the screen walls, porch and extension overhead, I first note the open plan garden arrangement of this estate. I further note the extent and range of interventions that have occurred throughout the estate in terms of extensions and additions to dwellings. I, thus, acknowledge the prevalence of interventions on layouts and designs and, to this end, I accept in principle the proposal to make alterations to the appearance of this structure when viewed from the public realm.
- 5.3 The proposed porch and associated extension overhead are relatively minor changes to the front of the existing modern dwelling. The structure itself and the estate in which it is set are not of any architectural or conservation merit or subject to specific protection. These changes are considered acceptable as, in the context of an evolving and varying range of building styles and designs within the estate, they could not be seen to be significantly incongruous or out of character with the pattern of development in the area.
- 5.4 With regard to the proposed screen walls, I first note the context in which the development is set, i.e. how they seek to align with walls surrounding the adjoining No. 6. I further note that the proposed walls would function as screens and, thus, would provide a sense of enclosure to the later additions to the sides of the house. The walls themselves, while adding to the width of the presentation of the development to the public realm, would be understood as screens, not further extensions, and having the effect of providing a greater degree of security. While I note the proposed height of such walls, I acknowledge the changing gradient and the proposal to tie in with adjoining flank boundaries. The applicants' proposed revision in response to the appeal to reduce the overall height of the walls to 3.1m is a reasonable response to the concern of the visibility of these features as this would permit the height of this aspect of the development to tie in somewhat with the eaves level of the established side extensions. The stone finish of these walls is considered acceptable and not out of character in an estate where a wide range of finishes prevail.
- 5.5 Finally, I note the Local Area Plan policy as it relates to house extensions and alterations. It is policy that, in the RE zone, house improvements, alterations and extensions in accordance with principles of good design

and protection of existing residential amenity will be permitted. The proposed development would not be out of character with the location in which it is set and would not have adverse effects on the amenities of neighbouring properties. Thus, it is considered reasonable to conclude that the development would be in accordance with the plan policy.

Note: Having regard to the nature and scale of the proposed development, 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.

6.0 RECOMMENDATION

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

Reasons and Considerations

Having regard to the siting, design, form and limited scale of the proposed development and to the prevailing pattern of development on and 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, would comply with the provisions for extensions as set out in the current Enniskerry Local Area Plan, and would otherwise be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed screen walls shall be reduced to 3.1 metres in height.

Reason: In the interest of visual amenity.

2. Prior to the commencement of development, details of the external finishes of the proposed extensions and screen walls shall be agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

3. 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 and to ensure a proper standard of development.

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. The contribution shall be paid within one month of the date of this Order, 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Kevin Moore

Senior Planning Inspector

September, 2016.