



An
Bord
Pleanála

Inspector's Report PL17.247573

Development

Demolition of shed and construction of two-storey extension to the front, side and rear of house, construction of garage, modifications to the existing house and entrance and all associated site works.

Location

'Cois Dara', Kileen Road, Dunsany, Co. Meath.

Planning Authority

Meath County Council

Planning Authority Reg. Ref.

RA/160474

Applicant(s)

Martin Daly

Type of Application

Permission

Planning Authority Decision

Refuse

Type of Appeal

Third Party

Appellants

Garrett Conway

Observers

None

Date of Site Inspection

10th January 2017

Inspector

Patricia Calleary

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1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.34 ha is rectangular in shape and is located along Kileen road in Dunsany, which is located c.3.6m west of Dunshaughlin in Co. Meath. The site is located along and accessed off the south side of the road. It contains an existing bungalow with a light colour brick finish, set back c.32.5m from the roadway. The dwelling has a stated floor area of c.113 sq.m. It comprises 4 bedrooms and is served by an existing septic tank located to the rear of the house. There is also a small shed c.6 sq.m size located to the rear of the house.
- 1.2. The area is rural in nature, characterised by a mix of houses along the road. Kileen castle and golf course lie opposite and north of Kileen road. There is a single storey dwelling and sheds immediately west of the appeal site and agricultural lands lie to the east and south. The boundary on the western side of the appeal site is delineated by a tall hedge for the most part.

2.0 Proposed Development

- 2.1. The proposed development would comprise the construction of a part single storey and part two storey extension to the front, side and rear of the existing house as well as modifications to the host house and the demolition of a small shed. It would also comprise the construction of a detached garage. The house extension would have a floor area of c.153 sq.m and the garage floor area would measure c.45 sq.m. The house as extended would be served by the existing on-site septic tank. Surface water would be discharged via new soakaways. The proposed development would also comprise modifications to the existing vehicular entrance, including setting back the piers by c.2m from the existing position along the road edge and widening the access itself by c.900m.

3.0 Planning Authority Decision

- 3.1. The Planning Authority (PA) issued a decision to **grant permission** subject to nine standard conditions.

4.0 Planning Authority Reports

4.1. Planning Reports

Following a request for further information on matters of design, the PA received revised proposals with a supporting written response which were considered acceptable. The following summarises the PA's assessment:

- Large separation distance and presence of tall hedge on western boundary and development. Development would not give rise to overlooking onto property to west;
- Proposed extension would not be unduly prominent;
- Proposals submitted to reinforce the eastern site boundary with additional landscaping noted;
- It is not considered that the extension would impact on the adjoining property to the west or the character of the area.

The further information was deemed to be significant and accordingly was re-advertised. The Planning officer concluded that the proposals were acceptable and put forward a recommendation to **grant** planning permission.

4.2. Other Technical Reports

No referrals

4.3. Prescribed Bodies

No referrals

4.4. Third Party Observations

A third party submission was received on the application and also separately on the further information received by the Planning Authority. I have considered the contents of both submissions and I note the concerns raised are also included in the

appellants' appeal submission to the Board which I have detailed under Section 7.0 below and considered in my assessment of the appeal.

5.0 Planning History

- None which is recent or relevant.

6.0 Policy Context

6.1. Meath County Development Plan 2013-2019

- **Section 10.7** – relates to rural residential development design and siting considerations and refers to the design guidelines for rural houses – Appendix 15 of the CDP.
- **Section 11.2.4** – Sets out standards and requirements for domestic extensions including that design should be of high quality, should respect and integrate with existing dwelling and should respect the visual and residential amenities of the area. On un-sewered sites, where an extension increases the potential occupancy of a house, the adequacy of the sewage treatment and disposal facilities should be demonstrated by the applicant;
- **Section 10.19.3** – Requires individual wastewater treatment facilities to be located, constructed and maintained to a high standard;
- **Policy RD POL9** – requires applications for rural houses to comply with 'Meath Rural House Design Guide';
- **Appendix 6** - Strategic Flood Risk Assessment;
- **Appendix 7** - Landscape Character Assessment;
- **Appendix 15** - Rural Design Guide: (Section 5.5 relates to extensions; Section 6.7 relates to contemporary design);

6.2. Natural Heritage Designations

- None

7.0 The Appeal

7.1. Grounds of Third Party Appeal

7.1.1. An appeal was received from **planning-appeals.ie** representing Mr. Garrett Conway of Kileen, Dunsany, against the decision to grant planning permission. The following points are set out in the appeal.

- Inadequate site layout plans submitted;
- Extension is contrary to Development Management Guidance for extensions as contained in the Meath CDP (extension takes no reference from existing dwelling and would impact on residential amenity of appellants dwelling to west and add poor design elements);
- Poor regard to 'exceptional value' landscape status and would set an undesirable precedent for two storey extensions along a road characterised by single storey dwellings;
- Proposed development within the visual sphere of influence of a protected view, and abutting a 'Hills and Upland' landscape of 'Exceptional Value' could detract from protected view;
- Contrary to prevailing character of houses along Kileen road;
- Would cause adverse impacts on the appellant's residential amenity and large window on first floor would face directly onto appellant's property;
- Sight distance and stopping distance may not be achieved without crossing third party lands, visibility to the east is particularly problematic;
- Applicant should be required to demonstrate adequacy of sewage treatment on site in an area identified as 'very high' risk category;
- There appear to be bats living in the boundary trees on site.

7.2. Applicant's Response

7.2.1. The applicant's response is summarised under as follows:

- The development is well separated from the dwelling to the west and there is an existing tall hedge boundary, c. 3.5m in height, separating both properties;
- The separation distance between the two storey element proposed and the appellants referenced bedroom window is 30m when measured diagonally;
- Proposal would not result in any loss of residential amenity due to overbearing or overlooking;
- Proposal would provide an increase in size and would improve the overall design;
- Would not be incompatible with the varied pattern of dwelling types in the area where the principle of a two-storey dwelling is well established;
- Would not lie within the line of view from Warrenstown College towards Kileen Castle;
- View from entrance to Kileen Castle along Kileen road has substantial natural hedgerow screening on the approach to the appeal site;
- Modifications to entrance which include setting the boundary back by 2 metres are not necessary but would improve comfort and safety of users;
- No intensification of use or significant pressure on existing sewerage system would result.

7.3. Planning Authority Response

7.3.1. The Planning Authority provided the following points in response to the appeal.

- Proposed first floor windows on western elevation would not result in negative impact on the amenities of the dwelling to the west;
- It is not considered that the extension would be unduly prominent at this location;
- Would not impact on adjoining dwelling to the west or visual character of area;
- Sightlines of 90 meters are achievable which is considered acceptable in the context of an existing dwelling.

7.4. **Observations**

None

8.0 **Assessment**

8.1. **Introduction**

8.1.1. I have read and considered the contents of the planning application, grounds of appeal, responses and relevant planning policy. I have also attended the site and environs. The following assessment covers my considerations on the key planning issues in determining the application and appeal before the Board are as follows:

- Design and Visual Amenity
- Residential Amenity
- Other (Appropriate Assessment, Traffic, Effluent Disposal)

I have set out my considerations in relation to the above issues under the respective headings below.

8.2. **Design and Visual Amenity**

8.2.1. The site is located within an area classed as 'lowland landscape' with 'very high value' as shown on Map 1 and Map 2 respectively of Appendix 07 - Landscape Character Assessment of the Meath CDP. This landscape has medium potential to accommodate one off houses and it can therefore be assumed that it has at least medium potential to accommodate extensions to one off houses such as that proposed.

8.2.2. The rural design guide contained within Appendix 15 of the CDP sets out standards and requirements for domestic extensions including that design should be of high quality, should respect and integrate with existing dwelling and should respect the visual and residential amenities of the area.

8.2.3. The proposed extension would introduce a two storey element across the east of the existing house and single storey projections to the front (south) and rear (north). The two storey element proposes a simple A-roof and a relatively narrow form design.

The proportions and scale are acceptable in my opinion. I have some reservations in relation to the proposed canopy which wraps around and ties the single storey element to the two storey element but I accept it allows for weathering of the projections proposed at ground floor level which are not carried to first floor level. The window heights proposed in the extension would not line up with the window heights in the existing house but as this new two storey element would extend out forward from the existing house, a variation in window heights is acceptable in my view, particularly given that the house is well set back from the public road.

8.2.4. The proposed garage is modest in size and scale and would have a ridge height of 5.6 metres with a standard and acceptable design.

8.2.5. Given the context of an existing house, I consider the proposed two storey element would not be injurious to the visual amenity or impose on the landscape character of the area. Overall I consider that the house as extended would not be unduly prominent and would not be contrary to the rural design guidance set out in Appendix 15 of the current Meath County Development Plan.

8.3. Residential Amenity

8.3.1. The proposed two-storey extension would be separated c.15m from the shared boundary with the appellant's house to the west. The boundary between both houses consists of a tall evergreen leylandii hedge. In respect of the impact arising from the construction of the extension, having regard to the separation distance between the property and the tall hedge boundary which exists, I do not consider that the extended house would have an unacceptable or material impact on the adjoining appellant's amenity with regard to overlooking, overshadowing or loss of privacy. There is no house located to the east so issues of residential amenity do not arise and I note that additional planting is proposed along this boundary.

8.4. Other

8.4.1. Appropriate Assessment

Having regard to the nature and scale of the development proposed, namely an extension to an existing house, and to the nature of the receiving environment, **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.

8.4.2. Traffic

The proposed modifications to the vehicular entrance, including setting back the piers by c.2m from the existing position along the road edge and widening the access itself by c.900m, would likely improve the current visibility along the road at the entrance and are considered acceptable.

8.4.3. Effluent Disposal

It is proposed to discharge the effluent to the current on-site septic tank and soakway. Under the Meath Rural Design guidelines, proposals for extensions on unsewered sites are required to demonstrate the adequacy of the sewage treatment and disposal facilities but only where the extension would increase the potential occupancy. I note that it is not intended to increase the occupancy or the number of bedrooms as a result of the extension and therefore I am of the view that the requirement does not apply in this case.

8.4.4. S.48 Development Contributions

Domestic / residential extensions are exempt from development contributions under Section 7.1.2 of the Meath County Development Contribution Scheme 2016-2021.

9.0 Recommendation

9.1. I recommend that **permission** should be **granted** for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. Having regard to the provisions of the Meath County Development Plan 2013-2019, to the nature and scale of the proposed extension to an existing house and to the pattern of development in the vicinity, it is considered that, subject to conditions set out below, the proposed extension would not seriously injure the residential or visual amenities of the area or property in the vicinity, would not be prejudicial to public health and would therefore be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and the additional information received on the 7th September 2016 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 attenuation and 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.

3. The external finishes of the proposed extension and the host dwelling, including details of all colours, materials and textures shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.

Reason: In the interest of visual amenity.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:

- (a) A plan to scale of not less than 1:500 showing the species, variety, number, size and locations of all proposed trees and shrubs which shall comprise predominantly native species and
- (b) A timescale for implementation including details of phasing.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

Patricia Calleary

Senior Planning Inspector

24th January 2017