



An
Bord
Pleanála

Inspector's Report PL61.247989

Development	Single Storey extension to the front comprising a living room.
Location	29 Maunsells Park, Galway
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	16/271
Applicant(s)	Michael Griffith
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Pat and Rita Feeney
Observer(s)	None
Date of Site Inspection	18 th of April 2017
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1.1. The site is within the established residential area to the south of Shantalla Road and to the north of Taylor's Hill Road. Maunsells Park is accessed via Maunsells Road. The application site concerns a two storey semi-detached house at no.29 Maunsells Park, which is located on the northern side of the green area of the cul -de-sac. The residential property has been previously extended and this includes a single storey front extension. Several other similar type dwellings in this area have various types of single storey front extensions. No. 30 adjoining also has a single storey front extension which includes a bay window, that is further set back. There is a c.1.7m block wall erected between the properties which is lowered for visibility towards the access. There is onsite parking available.

2.0 Proposed Development

- 2.1. It is proposed to provide a single storey extension at the front of no. 29 Maunsells Park comprising of the enlargement of the living room area.
- 2.2. A Site Location Map, Site Layout Plan and Elevations have been submitted.
- 2.3. The application form provides that the area of the application site is .068ha. The floor area of the existing house is 189.2sq.m and that of the proposed front extension is 5.2m. i.e. resulting in a new g.f.a of 194.4sq.m.

3.0 Planning Authority Decision

3.1. Decision

On the 20th of January 2017, Galway City Council granted permission for the proposed development subject to 4no. conditions. These include:

- Condition no.2 – external finishes to match the existing.
- Condition no.3 –roof extension to be designed to avoid roof overhang onto adjacent property.
- Condition no.4 – restriction on working hours during construction.

3.2. **Planning Authority Reports**

3.2.1. Planner's Report

This had regard to the locational context of the site, planning history and policy and to the submissions made. They noted that the drawings incorrectly showed a similar type front extension rather than a front bay on the adjoining property no.30 Maunsells Park. They requested revised drawings to ensure that the proposed development would be in keeping with the character and architectural symmetry of the area. They requested Further Information to include the following:

- A revised front elevation and floor plans which clearly demonstrate the existing situation on the adjoining/contiguous dwelling.
- A cross section through the proposed extension and adjacent party boundary wall, to include all heights and finished floor levels.

3.2.2. Further Information response

Colman Hession, Consultant Civil Engineers, has submitted an amended drawing which includes showing the bay window on the adjoining house. A Cross Section B-B has also been submitted, showing the proposed extension, boundary wall and adjacent bay window.

3.2.3. Planner's response

The Planner had regard to the F.I submitted and considered that the proposed front single storey development would be acceptable. They noted that it would be northeast of the adjoining property and considered that no overshadowing would be generated. They recommended that permission be granted subject to conditions.

3.3. **Other Technical Reports**

Planning, Economic Development, Community, Culture & Corporate Services Directorate – provided that they have no objections in relation to surface water.

3.4. **Third Party Observations**

A Submission has been received from the adjoining residents (subsequent appellants) at no.30 Maunsells Park. Their concerns include the following:

- While in principle they do not object to the current proposal they are concerned that the drawings submitted are inaccurate relative to the extension to their property.
- They would not have an issue with a bay window being provided to the existing living room subject to it not projecting beyond the bay window of their property.
- They are opposed to the design of the current proposal as it would impact on the lighting and amenity of their living room.

4.0 Planning History

4.1.1. The Planner's Report provides that there is no relevant planning history pertaining to the subject site. The following permission relates to the adjoining property no.30 Maunsells Park:

- Reg.Ref. 06/139 – Permission granted subject to conditions by the Council to Pat and Rita Feeney for (1) alterations to front elevation consisting of the construction of a bay window, the conversion of the garage into a bedroom and the replacement of the garage door into a window and (2) permission to construct a combined single and two storey extension to the rear of dwellinghouse.

5.0 Policy Context

5.1. Galway City Council Development Plan 2017-2023

This is the pertinent Plan effective from January 2017.

Chapter 2 refers to Housing and Sustainable Neighbourhoods. Section 2.4 of the Plan refers to the Neighbourhood Concept as an essential element of urban sustainability in a compact city, Table 2.1 refers to Indicative Neighbourhood Areas in Galway. The site is in the west inner residential area of Shantalla. Fig. 11.27 sets the framework of residential neighbourhoods in the city. Section 11.2.8 provides the Residential Zoning Objective: *To provide for residential development and for*

associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods.

Section 2.6 refers to Neighbours- Established Suburbs. This includes: *It is recognised that the housing needs of people change. This need may generate a demand for additional space. Where extensions are required these should have regard to Development Plan standards, its impact on surrounding residential amenity and will be considered in terms of sustainable benefits.*

6.0 The Appeal

6.1. Grounds of Appeal

A Third Party Appeal has been submitted by James Roche Consulting Engineer, on behalf of Pat & Rita Feeney, of no.30 Maunsells Park, which is the adjoining semi-detached property. They have regard to their submission made to the application and their concerns include the following:

- While they have no difficulty with the concept/proposal to extend the dwelling, they request the Board to take their concerns into account and to restrict the section of development adjacent to the boundary and the bay window relating to no.30 Maunsells Park.
- They request that the proposed living room extension would not extend beyond the front of the bay window of their property to ensure minimal interference with their amenity.
- They suggest that the practicality of carrying out the development, in so far as it relates to the front of the living room is virtually impossible to be constructed without affecting the boundary between the properties. Also that there will be no facility to maintain or finish the proposed side wall of the extension to the living room without overhangs/trespass.

6.2. Applicant Response

Colman Hession, Consultant Civil Engineers, response on behalf of the applicant includes the following:

- The extension is very small and it is necessary that the amenity of the living room be larger than existing.
- The proposed design will be an improvement on the existing.
- Pitched roofs are preferable to flat roofs both visually and functionally.
- Restricting the extension so it would not extend beyond the front bay of no.30 Maunsells Park, would be unduly restrictive and would affect the aesthetic appearance of the completed structure.
- The bay window at no.30 is an extension to the original house.
- The boundary wall between the properties was erected by the present owners of no.30 and is approx.1.8m in height.
- Their concerns about the roof extension overhanging will be addressed by condition no.3 of the Council's permission.
- In view of orientation, no overshadowing can occur from this small extension onto the neighbour's bay window.

6.3. Planning Authority Response

Galway City Council have not responded to the grounds of appeal.

7.0 Assessment

7.1. Principle of Development and Planning Policy

- 7.1.1. This proposal seeks to provide a small infill front extension to no.29 Maunsells Park, which is within the area zoned residential as shown on the Galway City Council Land Use Zoning Map. As shown on Fig. 2.1 of the Galway County Council Development Plan 2017-2023 the property is located in the Inner Residential Area. Section 11.3.1(l) refers to Residential Extensions. This provides that: *The design and layout of extensions to houses should complement the character and form of the existing building having regard to its context and adjacent residential amenities.*
- 7.1.2. It is noted that the Third Party are the occupants of the adjoining semi-detached house no.30 Maunsells Road. They are concerned that the design and projection of

the proposed extension will impact on their residential amenity in particular having regard to the impact on their front bay window. The First Party considers that this is a well-designed infill extension and that the pitched roof will provide a visual improvement on the existing smaller flat roofed front extension.

- 7.1.3. While the principle of an extension is acceptable in this residential area, regard is had to the design and layout and the impact on residential amenity as raised by the Third Party in this Assessment below.

7.2. Design and Layout and Impact on the Adjoining Property

- 7.2.1. This proposal is for an infill front extension, located between the existing single storey front extension and the boundary wall of no. 30 Maunsells Park. It is for a relatively small extension of 5.2sq.m to provide additional living room space. It is not proposed that it extend further than the existing front extension. The existing two storey semi-detached house has been previously extended to the front and rear and is 189.2sq.m. The proposed extension will result in a floor area of 194.4sq.m on this site of 0.068ha.
- 7.2.2. Regard is had to the amended plans submitted at Further Information stage, which show the proposed extension correctly in the context of the adjoining dwelling no.30 Maunsells Park. Concerns relative to inaccuracies in the drawings as originally submitted have been noted. It is noted that no. 30 has a single storey front extension and a further set back bay window, both with pitched roof. Their preference would be for a similar type bay window, or that the extension would not project further forward to their bay window. They request this to ensure minimal interference with their residential amenity and in the interest of visual amenity. They also have concerns regarding bulk and loss of light.
- 7.2.3. The First Party response provides that the applicant needs this additional further living room area. They note that it will project out in line with the front wall of the existing front extension, and that the whole front extension will then be unified by a pitched roof which they consider will be visually more pleasing than the existing flat roof. As shown on the drawings the extension will also be in line with the further projecting front extension of the adjoining no.30.

7.2.4. As shown on the amended drawings the height of the extension, set beneath the cill level of the first floor windows, will be c.3.4m. The height of the front boundary wall, which was erected by no.30, is shown as 1.73m. The height of the adjoining bay is c.2.8m. The proposed extension will project further forward of the existing bay by c.1.3m. It is noted that the front living room extension is positioned to the northeast of the adjoining dwelling to the southwest and it is not considered that in view of orientation that overshadowing will occur as a result of this extension.

7.2.5. It is noted that the Council have included condition no.3 to prevent overhang i.e:

The roof of the extension hereby granted shall be designed such that the eaves do not overhang the adjoining property and such that water run off does not flow into the adjacent property.

I would recommend that if the Board decide to permit that this condition be extended to include that the proposed extension shall not adjoin/impact on the existing front boundary wall.

7.3. Impact on the Character and Amenities of the Area

7.3.1. Having regard to the scale of the proposed infill extension and to the proposal to include a pitched roof it is not considered that the proposed development, provided external finishes match the existing house, will impact adversely on the neighbouring property or on the character and residential amenities of the area. As shown on the Site Layout Plan the onsite parking space remains and is not impacted. It is also noted that there is a variety of front extensions in this area of Maunsells Park facing the green, therefore it is not considered that the proposal will set an undesirable precedent.

7.4. Appropriate Assessment

7.4.1. It is considered that having regard to the nature and scale of the development which is for domestic/residential purposes in a fully serviced suburban location, and to the nature of the receiving environment, that no appropriate assessment issues arise.

8.0 Recommendation

- 8.1. Having regard to the submissions made, the documentation submitted and having viewed the application onsite, I would recommend that permission be granted subject to conditions for the reasons and considerations below.

9.0 Reasons and Considerations

- 9.1.1. Having regard to the zoning objective for the site, the pattern of development in the vicinity and the policies of the Galway City Council Development Plan 2017-2023, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenity of the area. 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 as amended by the further plans and particulars submitted on the 20th day of December 2016 and by the further plans and particulars received by An Bord Pleanála on the 13th day of March, 2017, 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. The proposed extension shall be constructed so that it does not adjoin the front boundary wall and the roof of the extension hereby permitted shall be designed such that the eaves do not overhang the adjoining property and such that water runoff does not flow into the adjacent property.

Reason: In the interests of residential amenity.

4. Site development and building works shall be carried out only between the hours of 0800 and 1800 from Mondays to Fridays inclusive, between the hours of 0900 and 1300 on Saturdays and not at all on Sundays, Bank or 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 residential amenities of property in the vicinity.

Angela Brereton
Planning Inspector

27th of April 2017