



An
Bord
Pleanála

Inspector's Report PL19.248048.

Development	The construction of a part two storey, part single storey extension to the rear of an existing house.
Location	80 Killane View, Edenderry, County Offaly.
Planning Authority	Offaly County Council.
Planning Authority Reg. Ref.	P22/16/328.
Applicants	Mark and Michelle Murphy.
Type of Application	Permission.
Planning Authority Decision	Grant of permission with conditions.
Type of Appeal	Third Party
Appellants	Richard and Laura Mc Mahon.
Observer(s)	None.
Date of Site Inspection	25 th of April 2017.
Inspector	Derek Daly.

1.0 Site Location and Description

1.1. The site is located in the town of Edenderry County Offaly. The site on which there is a two storied semi-detached dwelling forms part of an established residential area comprising two storied semi-detached dwellings with similar type properties located to the north and south of the appeal site. The site has frontage to a public road and there are gardens located to the front and rear of the property.

2.0 Proposed Development

2.1. The proposal as submitted to the planning authority is for an extension to the rear of the property. The extension is two storied but the footprint of the extension is larger for the ground floor element of the extension than the first floor extension. The first floor extension is approximately 2605mm in depth and the ground floor extension is slightly in excess of 7 metres. The proposed development is of a modern design and construction and matches finishes of the existing dwelling. The rear elevation is different in having a gable type finish to accommodate the provision of the additional floor space proposed.

2.2. The floor space of the proposed extended area is stated as 43.20m² and the floor space of the existing dwelling is stated as 119.89m².

2.3. Further information was submitted to the planning authority in relation to overshadowing and based on the assessment no revision was proposed.

3.0 Planning Authority Decision

3.1. Decision

The decision of the planning authority was to grant permission subject to 7 conditions which are standard type conditions for a development of the nature proposed.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report dated the 23rd of November 2016 recommended further information to assess potential in relation causing loss of light, overshadowing and overbearing onto adjoining residential property.

The planning report dated the 24th of January 2014 having considered the further information recommended permission.

3.2.2. Other Technical Reports

No objection indicated in reports from other departments.

3.3. **Third Party Observations**

A submission was received from Richard Mc Mahon raising concerns in relation to the proposed development.

4.0 **Planning History**

No planning history.

5.0 **Policy Context**

5.1. **Development Plan**

The site is located within an area zoned Residential in the current Edenderry Local Area Plan 2011-2017.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The appellants in the grounds of appeal refer to;

- The appellants reside in the adjoining property.
- The concern is given the orientation of the properties the loss of daylight arising from the proposed development.

- The modelling would indicate loss of sunlight.
- The first floor extension is 14.56m² and not 13.4m² as stated in the planning report.
- The proposal will devalue their property.
- The enjoyment of their patio area will be diminished by the proposed development.

6.2. Planning Authority Response

The planning authority consider that the concerns of the appellants are addressed in the planning reports and requests the Board uphold the decision of the planning authority.

7.0 Assessment

- 7.1. The main issue arising in relation to this appeal is whether the development will impact on the amenities of the adjoining property and this matter forms the main issue raised in the grounds of appeal.
- 7.2. In relation to the principle of the development the proposal as submitted to the planning authority is for an extension to the rear of the property. The extension is two storied but the proposed footprint of the extension is larger for the ground floor element of the extension than the first floor extension. The first floor extension is approximately 2605mm in depth and the ground floor extension is slightly in excess of 7 metres. The rear elevation is different in having a gable type finish to accommodate the provision of the additional floor space proposed. The floor space of the proposed extended area is stated as 43.20m².
- 7.3. I would have objections in principle to the proposed development
- 7.4. In the grounds of appeal concern is expressed given the orientation of the properties that there will be loss of daylight arising from the proposed development. In the course of the assessment by the planning authority it is contended that details relating to overshadowing and loss of daylight modelling submitted by way of further information indicate loss of sunlight. Reference was made to the first floor area as larger than stated in the planning report and is 14.56m² and not 13.4m² as stated in

the planning report. The appellants contend that the proposal will therefore devalue their property and the enjoyment of their patio area will be diminished by the proposed development.

- 7.5. In relation to proposed development will give rise to an additional depth of 2605mm of first floor development which will be located adjoining the common boundary of the appellants and applicants.
- 7.6. The front of the dwelling faces west and the proposal will therefore extend the two storied section along the northern boundary. Given the sun path and the orientation of the dwellings there will be an impact on daylighting. Given the orientation the rear of the properties and the two storied nature of the dwellings both properties have diminished and reduced direct sunlight as the day progresses with the areas immediate to the rear elevation given the orientation most severely reduced.
- 7.7. The modelling as submitted indicates shadow modelling images based on the March and September equinox and June and December solstice. There is an indication of impact outlined but the level is considered minimal by the applicant and set back from the common boundary would have little beneficial effect.
- 7.8. Having reviewed the modelling, I would agree with the overall findings. There is loss of daylighting but given the orientation of the dwellings the area immediate to the appellants' dwelling's rear elevation adjoining the common boundary is restricted in direct daylight in the afternoon and evening and mainly of benefit in the morning period.
- 7.9. Accepting there is some additional loss I do not however consider that this loss is significant in the overall context of the site's location and orientation. I have considered whether a setback would be of significant benefit but it is difficult to consider any major significant benefit arising. The decision I consider is to permit the development as proposed or to refuse the first floor extension. I would note that in this regard a first floor extension could likely be added of a similar or greater depth under the provisions of exempted development.

8.0 Recommendation

- 8.1. I recommend that permission be granted.

9.0 Reasons and Considerations

- 9.1. Having regard to the nature and scale of the proposed development and established pattern of development in the vicinity of the appeal site, it is considered that the development would not be contrary to the proper planning sustainable development or injurious to the residential amenities of properties in 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 13th of October, 2016 and the 5th of January 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 interests of clarity

2. In relation to the proposed development the external features and finishes shall match those of the existing development

Reason: In the interests of orderly development and visual amenity

Derek Daly
Planning Inspector

26th April 2017