



An  
Bord  
Pleanála

## Inspector's Report PL03.248752.

### Development

Retention of a single storey porch and sunroom extension to holiday home and all associated site works.

### Location

Links Holiday Village, Dough,  
Ennistimon Road, Lahinch, Co. Clare.

### Planning Authority

Clare County Council.

### Planning Authority Reg. Ref.

P17/250.

### Applicant(s)

Richard and Antoinette Walsh.

### Type of Application

Retention.

### Planning Authority Decision

Grant.

### Type of Appeal

Third Party

### Appellant(s)

Michael & Anne O'Shea and Matthew  
O' Donohoe.

### Observer(s)

1. Tim Duggan
2. John Moloney
3. The Links Management Co.  
Ltd.
4. Mary Fehily

**Date of Site Inspection**

21<sup>st</sup> of September 2017.

**Inspector**

Karen Hamilton.

## **1.0 Site Location and Description**

- 1.1. The site is one of 27 dormer dwellings located within a holiday home complex in Lahinch, west Co Clare. The holiday village fronts onto and is accessed off the N67, north of Lahinch. Communal parking and open space is provided within the site and the entire complex is open plan. The subject site is one of three dormer house types (house type 1) permitted all of which have similar external styles and finishes. The site has a recent extension to the front facing onto the communal parking area.

## **2.0 Proposed Development**

- 2.1. The proposed development is for the retention of a single storey porch and sunroom extension to a holiday home.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Decision to grant permission with 2 no conditions.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The report of the area planner reflects the decision to grant permission and refers to the design of the extension relative to the existing building and the impact on the character of the surrounding area.

#### **3.2.2. Other Technical Reports**

None.

### **3.3. Prescribed Bodies**

None.

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

Six submissions were received in relation to the proposed development. The submissions included both objections and support for the development and the issues raised have been addressed in the grounds of appeal.

## **4.0 Planning History**

### **11/337**

Permission refused for the addition of a new gate to a private estate for reasons that the proposed development would be contrary to policy CDP 5.3, which promotes and supports concepts of universal accessibility.

### **97/244**

Permission granted for an administration unit within a holiday home development.

### **96/349**

Permission granted for a holiday home development comprising of 27 units and 2 vehicular access.

## **5.0 Policy Context**

### **5.1. Clare County Development Plan 2017-2023**

The subject is zoned for tourism purposes which allows for a range of structures and activities which are preliminary designed to facilitate tourism development and where uses are mainly directed at servicing tourist/ holiday makers.

Lahinch is defined as a service town which has a role as an important service centre.

#### **A1.3 Residential Development**

- A1.3.2 Urban Residential Development: Regard shall be given to the national guidance Sustainable Residential Development in Urban Areas 2009.

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

The site is located c. 70m from the Inagh River Estuary SAC.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are submitted from the owners of the houses immediately either side of the appeal site.

- There are two houses on the site with conservatories, site 6 & 14.
- The existing holiday home development includes similar designs and heights with setbacks from the estate road, open spaces and design features.
- Plans from the original grant of permission (96/349) are submitted to illustrate the optional conservatory(4.5m<sup>2</sup>) for the three house types.
- The proposed development is substantial and not similar to those permitted in the original permission or those developed onsite.
- Based on the orientation of the site the proposed sunroom overlooks into the adjoining properties.
- In relation to the design, the windows are not in keeping, the roof projects above the eaves of the house, the roof is flat, the scale and bulk are not in keeping. In addition, the projecting roof lights and lack of plinth are out of character.
- The proposed development detracts from the amenity of the entire housing development.
- The planner has failed to fully assess and justify the impact of the design of the porch.

### 6.2. Applicant Response

A submission has been received from an agent on behalf of the applicant which may be summarised as follows:

- There have been no material planning issues raised.
- The traditional sunroom (glazing) is not appropriate for use all year round.

- It may be argued that the extension is at the back of the building, therefore the development is exempt.
- Four other units have been extended in the same way (No 5/ 6 /14 & 19) and the patio door faces onto the internal access road.
- The extension is located where an optional conservatory was offered on the original permitted drawings. This traditional fully glazed type causes more overlooking and the windows of the extension do not overlook any adjoining property.
- Photographs submitted from inside the extension show no overlooking.
- The design and scale is contemporary in nature and consistent with the dwelling and is of a high quality.
- The planning authority has fully assessed the impact of the proposal on the surrounding areas.
- The proposal will not devalue the surrounding property.

### 6.3. **Planning Authority Response**

A response from the planning authority refers to the design of the extension and the existing building, the separation distances from adjacent dwellings, the established holiday home use on the site and the tourism guidelines and request the Board to uphold the decision to grant permission.

### 6.4. **Observations**

Four observations were received in relation to the proposed development and the issues raised as summarised as follows:

- Support is given to the development as it is an appropriate scale and design.
- The materials used will not have an adverse effect on the tourism-related amenities of the holiday village.
- The proposed development has enhanced the amenities of the holiday home development.

## 6.5. Further Responses

None received.

## 7.0 Assessment

7.1. The main issues of the appeal can be dealt with under the following headings:

- Principle of development
- Impact on Visual Amenity
- Impact on Residential Amenity
- Appropriate Assessment

### Principle of Development

7.2. The proposed development is for the retention of a conservatory to the front of an existing dormer holiday home which is located on lands zoned as tourism, where uses are mainly directed at servicing holiday makers. The subject site is one of 27 holiday homes grant under planning permission 96/349. This permitted development allowed a choice of 3 house types each with an optional conservatory at the front of the dwellings and a number of dwellings on the site choose this option. The subject site is the medium unit, house type 1 (3 bedroom). Therefore, based on the parent permission and zoning on the site and subject to complying with other policies and objectives of the development plan, detailed below, I consider the principle of development at this location acceptable.

### Impact on Visual Amenity

7.3. The extension for retention is c. 18m<sup>2</sup> with the covered porch area c.12m<sup>2</sup> and is a single storey flat roofed structure with 2 no roof lights projecting c.1m above the top of roof with a pyramid design. The extension includes large windows along the front (south) and west elevation. The grounds of appeal are submitted from the residents of the adjoining properties to the east and west of the site who submit the extension has a negative impact on the visual amenity of the area and overlooks into their properties. I have dealt with each of these issues separately below.

7.4. Visual Amenity: The external materials of the extension are plaster render to match the existing dwelling. The extension to be retained is substantially larger than those

original conservatories' permitted under 96/349 (6m<sup>2</sup>) and those on sites 5 and 6 and is more appropriately described as an extension. There is no specific design guidance in the current development plan for extensions to dwellings although I consider the size, external materials and general design of the proposed development are in keeping with the existing dwelling. I consider the two protruding roof lights deviate from the existing dwelling and overcomplicate the extension and I consider it reasonable to include a condition to remove these. Therefore, subject to a condition to remove the two roof lights, I do not consider the proposed development has a significant negative visual impact on the surrounding area.

### **Impact on Residential Amenity**

- 7.5. The proposed extension extends to the front of the dwelling and within an open space area to the front of the dwelling. The area around all of the dwellings is open plan. The grounds of appeal argue the proposal detracts from the surrounding area.
- 7.6. Open space: I note the allowance for conservatories within the parent permission (6m<sup>2</sup>) and those currently on sites 5 and 6 within the holiday home complex. I do not consider the removal of the open space area to the front of the dwellings has a significant negative impact on the residential amenity and there remains substantial communal open space to the rear and side of the dwellings. In addition to this informal space, tennis courts are provided to the north of the site as a formal play area.
- 7.7. Overlooking: The proposed development is located between sites No 24(west) and No 26 (east). The grounds of appeal submit there is overlooking into the master bedroom of No 26. A patio door is located on the eastern side of the extension and is 10m from the front building line of No 26. I note the location of the bedroom to the front of the dwelling, located adjacent to public circulation area and open space and I consider there is an ongoing potential for overlooking into the front of the property. No 24 is orientated towards the proposed development and there is a window located along the west of the extension, as stated above, based on the design and layout of the holiday homes, I do not consider the proposed development would significantly increase the potential for overlooking into the adjoining properties.
- 7.8. Therefore, based on the design of the existing holiday homes, the location and design of the proposed development and the pattern of development in the area I do



not consider the proposed development would have a significant negative impact on the residential amenity of the residential of the surrounding properties.

### **Appropriate Assessment**

- 7.9. The site is located c 70m from the edge of Inagh River Estuary SAC, although having regard to the nature and scale of the proposed development within a serviced urban area, 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 the conservation objectives of any European site

### **8.0 Recommendation**

- 8.1. I recommend that planning permission should be granted for the reasons and considerations as set out below.

### **9.0 Reasons and Considerations**

Having regard to the tourism zoning objective in the Clare County Development Plan 2017-2023, the location of the site, the design and layout of the proposed development, and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or residential amenity of properties in the vicinity. 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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. Within 3 months of the grant of permission, photographic evidence shall be submitted to the planning authority to illustrate the removal of the two roof lights currently within the front extension.

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

3. 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.

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Karen Hamilton  
Planning Inspector

25<sup>th</sup> of September 2017