



An
Bord
Pleanála

Inspector's Report PL27.248763

Development	Extension, attic conversion including dormer roof spaces, shed in side laneway.
Location	59 Blacklion Manor, Greystones, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	17/360
Applicant(s)	David Moore
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third-v-Grant
Appellant(s)	Mr and Mrs Nicola Downey
Date of Site Inspection	23 rd August 2017
Inspector	Colin McBride

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 0.02245 hectares, is located in the housing development of Blacklion Manor, which is to the north west of Greystones town centre. The appeal site is occupied by a two-storey terraced dwelling, which is part of a block of 4. The dwelling is an end of terrace dwelling with a pair of semi-detached dwelling located to the east (no.s 58 and 57). The dwelling on site is back to back with a pair of two-storey semi-detached dwellings to the south (no.s 93 and 94).

2.0 Proposed Development

2.1. Permission is sought for the construction of a single-storey extension to the rear of an existing two-storey dwelling, conversion of the attic space and provision of a dormer window on the rear elevation and construction of timber shed in the existing side laneway. The single-storey extension has a floor area of 21,7sqm and a ridge height of 3.9m. The single-storey extension features a pitched roof and external finishes to match the existing dwelling. The dormer extension to the rear roof plane and attic conversion adds 39sqm of floor space. A lean-to timber shed is to be constructed on the side elevation in the existing passageway. Other alterations include removal of the existing hip on the roof to allow for provision of the dormer window to the rear and three roof lights on the roof plane to the front of dwelling.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 3 conditions. The conditions are standard in nature.

3.2. Local Authority reports

3.2.1. Planning Report (24/05/17): The design and scale of the proposal was considered acceptable in the context of the visual amenities of the area and the residential amenities of adjoining properties.

4.0 Planning History

4.1 No planning history on the site.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development plan is the Greystones, Delgany and Kilcoole Local Area Plan Development Plan 2013-2019. The site is zoned RE: Existing Residential.

6.0 The Appeal

6.1 Grounds of appeal

6.1.1 A third party appeal has been lodged by Deely Chartered Engineers on behalf of Mr & Mrs Nicola Downey, 91 Blacklion Manor, Greystones, Co. Wicklow. The grounds of appeal are as follows...

- The appellants' dwelling is one of four semi-detached dwellings part of the block dwellings that back onto the block of four terrace dwellings the appeal site is part of. It is noted that the proposed dormer extension and the two windows on the rear elevation would overlook no. 91 to 95 and reduce privacy.
- It is noted that the single-storey extension reduces the level of private open (from 78 to 46sqm) space to the rear of no. 59 below the minimum standard set down under The County Development Plan (60sqm).

- The proposal alters the taper on the roof profile and such would have a negative impact on the appearance of the block of four dwellings the site is part of.
- There is no precedence for dormer extensions of this type on the dwellings within this development and where dormer extensions have been permitted they are to duplex apartments and result in no overlooking.
- The Planning report confirms that the Council had concerns regarding overlooking and that the permissions granted for dormer windows are not relevant precedents in this case.
- It is noted there is an attic conversion at no. 60 in which roof lights were used and no overlooking occurs.
- It is noted that the proposal would set a precedent for further such attic/dormer extension developments if granted and would be an inappropriate form of development, constitutes overdevelopment of the site and seriously injures the amenities of adjoining properties as well as devaluing property.

6.2 Responses

6.2.1 Response by David Moore, 59 Blacklion Manor, Greystones, Co. Wicklow.

- The applicant notes there are a number of example of three-storey dwellings with five bedrooms in this development.
- The applicant notes the appellants at no. 91 is the sole appellants despite referencing impact upon more dwellings that the appellant own.
- It is noted that the proposal would have no adverse impact in terms of additional overlooking of the appellant's private open space not already overlooked by adjoining properties including existing apartments to the west.
- It is noted that sufficient private amenity space is retained with the existing dwelling and that the proposed ground floor extension has no impact on the appellants' property.

- It is noted that the alteration to the hip on the roof would not out of keeping with architectural character of existing properties within this housing development.
- The applicant notes that the appellants' arguments regarding other dormer windows permitted within the development are incorrect and such do overlook open space.

6.3 Submissions

6.3.1 A submission was received by the Planning Authority from...

Robert & Nicola Downey, 91 Blacklion Manor, Greystones, Co. Wicklow.

- The issues raised included impact on adjoining residential amenity and the visual amenities of the area.

7.0 Assessment

7.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Design/scale, visual/residential amenity

Appropriate Assessment

7.2 Design/scale and visual/residential amenity:

7.2.1 There are a number of aspects to the proposed development including a single-storey extension to the rear, a single-storey lean-to shed on the side elevation and an attic conversion and dormer extension on the rear elevation at second floor level. The existing dwelling has a single-storey annexe at ground level to the rear and the proposal entails extending the depth of this to 4.4m. The ground floor extension features a pitched roof with a ridge height of 3.9m and an eaves level of 2.6m. the

overall scale of the single-storey extension is acceptable in the context of the visual amenities of the area and the amenities of adjoining properties. The ridge height of the extension is lower where it adjoins the boundaries of with the adjoining properties to the east (no. 58) and west no. (60) and would have no significant or adverse physical impact on the adjoining properties. The third party appellants have noted that the level of private amenity space to the rear is below the standard required for dwellings (with three beds or more) under the County Development Plan policy (60sqm). The level of private amenity space to the rear building line (of the two-storey element) is 52sqm.

- 7.2.2 the proposal also includes a single-storey lean-to extension to the side (eastern gable). This is to be a storage shed on the side passage of the dwelling, which still allows access to the rear garden with doors front and back. The extension has a floor area of 4.4sqm and a ridge height of 2m. The scale of this structure is very modest and has no significant physical impact either on the amenities of adjoining properties or the visual amenities of the area.
- 7.2.3 The aspect of the proposal that is the main issue raised on the appeal submission is the attic conversion at second floor level including a dormer roof extension on the rear roof plane of the dwelling. This extension includes a bedroom with ensuite and a study at second floor level. The dormer extension serves the bedroom to the rear and includes two windows facing south, one serving the bedroom itself and the other the ensuite bathroom. This aspect of the proposal includes removal of hip on at the apex of the western gable and three roof lights on the front elevation. The appellants' dwelling is one of the dwelling that backs onto the rear gardens associated with the terrace of four dwellings the appeal site is part of with the appellants' dwelling located to the south west of the appeal site. The main concern is that the proposal would result in overlooking and be injurious to the residential amenities of the appellants' property and those located to the south of the appeal site.
- 7.2.4 The pattern of development at this is location is for two-storey terraced and semi-detached dwellings backing onto each other. At present there is a separation of 27m between opposing windows on the rear of the dwellings that are back to back at this location. The pattern of development is fairly typical suburban pattern of

development and the level of separation between the rear elevations of back to back properties is relatively generous. The proposed dormer extension would provide for two new windows at second floor level orientated south. It is notable that the dormer extension maintains the 27m separation distance between opposing windows above ground floor level and the orientation of such windows is in keeping with the pattern of development at this location. Although the proposed windows would allow for views over adjoining gardens in neighbouring properties to the east, west and south, the suburban pattern of development entails allows for a similar degree of overlooking of adjoining properties. I would consider that the proposed development is in keeping with the existing suburban pattern of development and causes no additional or unacceptable overlooking of adjoining properties. I would consider that the proposal has adequate regard to the existing pattern of development and would be in keeping with an existing suburban housing development such as this.

7.2.5 The proposal also entails alterations to the existing roof profile with the removal of the existing hip at the apex of the roof on at the eastern gable. This is to facilitate the proposed dormer extension to the rear. I would consider that this is a minor alteration and would have no significant impact on the visual amenities of the area. The proposal also entails the provision of three roof lights on the front elevation. The roof lights are small in size and would have negligible impact on the visual amenities of the area or architectural character of the existing structure.

7.3 Appropriate Assessment:

7.3.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, 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.

8.0 Recommendation

8.1 I recommend a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

9.1 Having regard to the residential zoning objective for the area, to the pattern of development in the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable having regard to its design, would not seriously injure the visual or residential amenities of the area and would not contravene the policies or provisions of the current development plan for 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, 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. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and 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.

3. 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 prior to the commencement of development 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.

Colin McBride
Planning Inspector

11th September 2017