



An
Bord
Pleanála

Inspector's Report PL93.248911

Development	Single storey extension to side of existing dwelling.
Location	Grange Cove, Dunmore Road, Waterford.
Planning Authority	Waterford City and County Council.
Planning Authority Reg. Ref.	17/303.
Applicants	Rossa and Jill Williams.
Type of Application	Permission.
Planning Authority Decision	Grant permission with conditions.
Type of Appeal	Third Party
Appellants	Ray and Lena Roche.
Observer(s)	None.
Date of Site Inspection	14 th September 2017.
Inspector	Derek Daly.

1.0 Site Location and Description

- 1.1. The site is located in a residential area in the southeastern suburbs of Waterford located off Dunmore Road.
- 1.2. The site fronts onto an estate road which defines the site's eastern boundary. On the site is a single storied dwelling. There are dwellings to the north, northwest and southwest of the appeal site. The dwelling to the northwest is single storied and is access from a driveway located between the appeal site and the dwelling to the southwest. The site is elevated in comparison to the site to the northwest. A wall and mature planting defines the common boundary between the two properties.

2.0 Proposed Development

- 2.1. The proposal as submitted to the planning authority on the 8th of May 2017 was to construct a single stories extension to the side of an existing dwelling.
- 2.2. The area of the proposed extension is stated as 18m². The extension is located on the northern elevation and provides for a new entrance to the property and a study area. A monopitch roof is proposed. The entrance is at the site of the proposed extended area accessed from an existing walkway. The height of the extension varies between 3020 and 4050mm.

3.0 Planning Authority Decision

3.1. Decision

The decision of the planning authority was to grant planning permission for the development subject to 4 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Report

The planning report dated the 27th of June 2017 refers to:

- the site's planning history;
- relevant provisions of the current development plan;

- submissions received;
- an appraisal of the development;
- reference is made to the previous application and the amendments presented in the current proposal and use of a current footpath;
- recommends planning permission.

3.3. Third Party Observations

A submission received objecting to the development referring to impacts on the adjoining dwelling.

4.0 Planning History

P.A. Ref. No. PD16/691.

Permission granted for an extension and condition 2 omitted an entrance hall and study at the location of the proposed development.

5.0 Policy Context

5.1. Development Plan

The current plan is the Waterford City Development Plan 2013-2019.

The site is located within an area zoned R1 Residential

Chapter 13 relates to Development Management and outlines guidance and standards in relation to development.

6.0 The Appeal

6.1. Grounds of Appeal

The appellants, c/o Fewer Harrington and Partners in a submission dated the 19th of July 2017 refers to:

- The appellants are dissatisfied with the appraisal of the application.

- There is no reference to loss of amenity and overlooking of their property.
- The appellants can see the windows of the appeal site property from their property and refers to the level of overlooking arising from the proposed new entrance.
- The reference to a permission for a dormer extension on the appellants' property is irrelevant to the assessment.
- The key issue of protection of the residential amenity is not addressed.
- The proposal will involve a new entrance which will encourage people to walk close to the common boundary.
- There is a difference in levels and the appellants' property is within 3 feet of the shared boundary.
- Reference is made to a previous permission on the appeal site which omitted the previous entrance proposal.
- A less obtrusive solution is achievable which would impact less on the appellants.

6.2. Applicant Response

The applicant in a response dated the 18th of August 2017 refers to:

- There will be no new windows and a bedroom window will be removed.
- There will be increased privacy.
- It will be impossible to overlook the garden walking up to the proposed entrance.
- It is impossible to see bedroom windows.
- There is an existing footpath which leads to the current back door.
- There is a wall and the neighbours roof is almost at the same height of the wall.
- With the alterations proposed for the dwelling the level of activity along the common boundary will reduce.

- The entrance arrangement was revised removing it further from the boundary and lowering the height.
- The applicants have taken into account the concerns of the appellants as far as reasonably possible.

7.0 **Assessment**

- 7.1. Having regard to the submissions received and the documentation submitted the primary issue in relation to this appeal relates to the acceptability of the nature of the works as proposed in particular in the context of impact on residential amenity.
- 7.2. The principle of constructing an extension to the dwelling is acceptable.
- 7.3. The primary issues arise from the construction of an extension which will bring the footprint of the dwelling closer to the common boundary. There is a discernible difference in the level of the appeal site and that of the appellants.
- 7.4. Currently from visual inspection given the existing boundary wall height and the relative levels there is no significant issue of overlooking. The elimination of an existing window and the design of the proposed extension will not result in any additional direct overlooking and a likely decrease in overlooking from within the proposed property.
- 7.5. I would accept that the location of the entrance will increase the likelihood of additional movement of pedestrians to the proposed entrance but there is an existing pathway in this area of the site. In urban settings the presence of paths and access to dwelling units along or adjoining common boundaries is not uncommon.
- 7.6. In terms of scale and height the proposal is acceptable and I do not consider that extending the footprint closer to the common boundary gives rise to overshadowing or significant loss of amenity.
- 7.7. In principle I would have no objection to the development and the development is not considered injurious to the adjoining residential amenities of the area in particular the adjoining property to the northwest of the appeal site.

8.0 Recommendation

- 8.1. It is recommended that permission for the development be granted for the following reasons and considerations.

9.0 Reasons and Considerations

Having regard to the established pattern of development in the vicinity of the appeal site, including the construction of similar type development on the adjoining site to the west, 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, 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 Site development and building works shall be carried out only between the hours of 0800 to 1900 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 Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area

Derek Daly
Planning Inspector

19th September 2017