



An
Bord
Pleanála

Inspector's Report PL92.248951

Development	Part demolition of existing single storey semi-detached house and construction of part single, part two storey extension with dormer window.
Location	6 Davis Terrace, Clonmel, County Tipperary.
Planning Authority	Tipperary County Council.
Planning Authority Reg. Ref.	17 600264.
Applicant	Stephanie Fitzpatrick.
Type of Application	Permission.
Planning Authority Decision	Grant permission with conditions.
Type of Appeal	Third Party
Appellant	Leonard Stapleton.
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 an established residential area to the east of the town centre of Clonmel.
- 1.2. The site fronts onto a public road which defines the site's eastern boundary. On the site is a single storied semidetached dwelling with the other semidetached dwelling located on the southern boundary. The two dwellings form a row of four similar properties with the other two properties to the north. To the south two storied residential properties predominate. The area is a mix of dwelling units but two storied is the predominant form in the general area.
- 1.3. There are garden/open space areas to the front, side and rear of the dwelling. The lands in the vicinity rise in a northerly direction. The site is elevated in comparison to the site to the northwest. A railing defines the front boundary which adjoins a public footpath.

2.0 Proposed Development

- 2.1. The proposal as originally submitted to the planning authority on the 16th of March 2017 was for the part demolition of existing single storey semi-detached house and for the construction of part single, part two storey extension with a dormer window on the front elevation of the remaining section of the single storey development.
 - 2.1.1. The eaves of the two storey element of the proposal would extend upward to the approximate ridge height of the single storey section and is was proposed to construct a pitch roof over the two storied extension.
 - 2.1.2. As part of the proposal a single storey return kitchen area at the rear would be demolished with total a floor area of 38m² of an existing dwelling with a stated area of 55m² and replaced by a part single storey and part two storey development. proposal with the extension would have a ground floor area of 131m² and a first floor area of 81m² a total of 212m². The increased height of the extension would be approximately 2000mm over the existing dwelling and to offset the rise in height the finished floor level is lowered in part of the proposed extension.
 - 2.1.3. The development would connect to existing services.

2.2. Further information was submitted on the 17th of May 2017 referring to details in relation to the party wall, an amendment to the internal layout of the proposal to accommodate ceiling height and revised entrance details.

2.3. Revised public notices were submitted on the 12th of June 2017.

3.0 **Planning Authority Decision**

3.1. **Decision**

The decision of the planning authority was to grant planning permission for the development subject to 6 conditions.

3.2. **Planning Authority Reports**

3.2.1. Planning Report

The planning report dated the 4th of May 2017 refers to:

- the site's planning history;
- relevant provisions of the current development plan;
- submissions received;
- an appraisal of the development where the principle of extending the property is acceptable; matters to addressed include design impact on adjoining property.
- reference is made to the setting of the development and the area; no overlooking issues arise.
- Further information is required in relation to the access.
- recommends further information on entrance, the party wall and ceiling height.

The planning report dated the 4th of July recommends permission be granted.

3.3. **Third Party Observations**

A submission received objecting to the development referring to design and aesthetics; impacts on the adjoining dwelling; health and safety; the intended use of the proposed development; flood risk; impacts on daylight and traffic.

4.0 **Planning History**

P.A. Ref. No. 1660636.

Permission refused for the demolition of a dwelling and replacement with a detached dwelling part single storied and part two storied.

Two reasons were stated which refer to impact on the structural integrity of the adjoining dwelling and impact on the character of the area referencing the row of single storied dwellings.

5.0 **Policy Context**

5.1. **Development Plan**

The current plan is the Clonmel and environs Development Plan 2013.

The site is located within an area zoned 01 Residential which refers to existing residential.

Chapter 9 relates to Development Management and section 9.3 of the plan refers to domestic extensions and provides guidance in relation to proposed development in this regard.

5.1.1. Section 9.13 specifically indicates that;

5.1.2. *The Council will generally seek to implement the following guidelines in respect of residential extensions:*

- *The extension should generally be subordinate to the main building;*
- *The form and design should integrate with the main building, following window proportions, detailing and finishes, including texture, materials and colour;*
- *A pitched roof will be required except on some small single storey extensions;*

- *Designs should have regard for the amenities of the neighbouring residents, in terms of light and privacy; and*
- *Flush roof lights are preferable to dormer windows.*

5.1.3. Section 9.21 outlines standards in relation to traffic and transportation.

6.0 The Appeal

6.1. Grounds of Appeal

The appellant in a submission dated the 26th of July 2017 refers to:

- The development is over development of the site.
- It is not in keeping with the area and contrary to section 9.13 of the development plan.
- The extension is not subordinate to the original dwelling.
- There is no consent to works on the party walls.
- The development does not comply with traffic requirements as set out in section 9.21 of the plan and this is acknowledged by the planning authority.
- No flood risk is submitted, the development is within a flood plain and it is proposed to lower the finished floor level by 150mm.

6.2. Applicant Response

The applicant in a response dated the 28th of August 2017 refers to:

- The development is fully compliant with the Clonmel and Environs Plan 2017-2023.
- The dwelling is not listed or a protected structure.
- Reference is made to the provisions of the development plan and that the development complies with the zoning.
- Disagrees that the development is overdevelopment.
- There are various sizes and houses in the vicinity.

- The development allows for a contemporary design and modernisation of the property and providing a dwelling to meet modern standards.
- Fire issues relating to the party walls are not planning issues and consents are required under the building regulations. Reference is also made to section 34(13).
- The context of the site and environs make the traffic provisions as submitted acceptable.
- Reference is made to the flood risk guidelines and that this is a domestic extension. The site is on the periphery of the flood plan with little possibility of impacting flow paths.

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 its scale and design and impact on residential amenity and the area generally.
- 7.2. The principle of constructing an extension to the dwelling is acceptable.
- 7.3. The proposal is for a development which will have an overall floor area of 212m² replacing a current dwelling of 55m² and involving the demolition of most of the existing dwelling which is a semidetached property.
- 7.4. Section 9.13 of the current plan outlines guidance that should generally apply in relation to domestic extensions.
- 7.5. The first guidance is that the extension should generally be subordinate to the main building and it is difficult not to consider that this applies in relation to the current proposal given the scale of the development current and existing and that a two storey extension of a larger scale is proposed that would exceed the current property with a proposal four times the floor area of what is there at present.
- 7.6. This guidance does not necessarily preclude considering the current proposal but the context of the site is important. It is a semi-detached single storied property part of a row of four similar properties.

- 7.7. The guidance also indicates that the form and design should integrate with the main building, following window proportions, detailing and finishes, including texture, materials and colour. In effect the proposal as submitted provides for a development which I consider does not apply or comply with this. It forms its own design statement which is not necessarily wrong in many situations but in this case, location and context has not offered any meaningful approach to integrate.
- 7.8. In this respect I consider the design approach as submitted is insensitive and unsympathetic to its immediate surroundings. I would consider that the approach of constructing a detached property would possibly have less impact and I would accept that the area has a mix of house types and heights so a two storey of a sensitive and appropriate scale and design could be considered. It is not readily accepted that the reasons for the refusal of the previous proposal on the appeal site are addressed by the current proposal.
- 7.9. In relation to the actual design I would make a number of observations.
- 7.9.1. I do not consider that the dormer extension on the front elevation providing light to an attic storage area is warranted and this area could have been used as a softer transition between the existing adjoining dwelling and the proposed two storied element of the design.
- 7.9.2. A lower scale ground floor footprint with the building line recessed rather than projected would also have softened the impact and assimilation with its surrounding area.
- 7.9.3. A recessed building would have provided for better managed on-site parking and landscaping in the front area as the road is relatively narrow and avoidance of on street parking would be desirable though not essential.
- 7.9.4. Overlooking and over shadowing issues do I consider arise.
- 7.9.5. The development would not be considered overdevelopment in the context of site coverage and plot ratio.
- 7.10. Issues relating to fire proofing are matters for other codes and regulations.
- 7.11. In relation to flood risk the guidance does refer to developments of a minor nature and extensions of properties. A flood risk assessment and sequential test is not I consider required.

8.0 Recommendation

8.1. It is recommended that permission for the development be refused.

9.0 Reasons and Considerations

Having regard to the established pattern of development in the vicinity of the appeal site where the site forms part of a row of four semi-detached single storied dwellings; the provisions as stated in section 9.13 of the Clonmel and Environs Development Plan 2013 in relation to guidance for the construction of domestic extensions; it is considered that proposed extension is not subordinate to the main building on the site; the proposed form and design does not integrate with the main building and adjoining building in relation to proportions, detailing and finishes and that the proposed development by reason of its scale and overall design would detract from the character of the area and properties in its immediate vicinity. The proposed development would therefore be contrary to the proper planning sustainable development and injurious to the residential amenities of properties in the area.

Derek Daly
Planning Inspector

11th October 2017