



An
Bord
Pleanála

Inspector's Report PL27.248969

Development	Alterations and two storey extension (comprising of ground floor level and attic level accommodation with rooflights) to existing single storey house.
Location	9 Kilgarron Park, Enniskerry, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	17/633
Applicant(s)	Mary Hannon
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	First Party -v- Decision
Appellant(s)	Mary Hannon
Observer(s)	None
Date of Site Inspection	13 th October 2017
Inspector	Hugh D. Morrison

1.0 Site Location and Description

- 1.1. The site is located in the western outskirts of Enniskerry in a small housing estate known as Kilgarron Park. This estate lies on the southern side of the L101 and it is composed of single storey dwelling houses and a mini-market with a post office. St. Mary's GAA Club lies on the northern side of the local road.
- 1.2. The site itself is situated at one of two entrance points to the housing estate from the L1011. This site occupies a corner position between an estate road that parallels the local road and one that is perpendicular to this road. It is of roughly regular shape and it extends over an area of 0.482 hectares. Vehicular and pedestrian accesses to the site are from the latter of the aforementioned estate roads and this site accommodates a single storey, semi-detached, dwelling house which faces onto this road. It also accommodates a mobile home, which is sited to the rear, and two sheds, one of permanent construction that adjoins a similar shed in the grounds of the adjacent dwelling house to the east and a timber garden shed. The dwelling house is served by front and side gardens and a rear yard. The boundaries to the site are denoted by means of walls.

2.0 Proposed Development

- 2.1. The proposal would entail the construction of a two storey extension to the existing dwelling. This extension would adjoin the northern side elevation and the north eastern corner of this dwelling house and it would be orientated on an east/west axis. The resulting extended dwelling would be roughly "L" shaped in plan view.
- 2.2. The extension would comprise ground floor and attic floor levels, which in each case would be slightly lower than the levels of the equivalent floors in the existing dwelling. (Existing eaves and ridge levels would be respected). Internally, day time accommodation would be provided on the attic floor and night time accommodation on the ground floor.
- 2.3. The combined floorspace of the existing dwelling house and the mobile home is 144.97 sqm. The applicant states that the mobile home would be removed in conjunction with the construction of the proposed extension, which would have a

floorspace of 141.34 sqm. The floorspace of the mobile home scales to 22.68 sqm and so the total floorspace envisaged is 263.63 sqm.

3.0 Planning Authority Decision

3.1. Decision

Refused for the following reason:

Having regard to:

- *the scale of the proposed extension, and*
- *the design and layout of the propose works which will result in a number of access points and stairwells and duplication of uses including a significant number of different living/dining, wc areas, etc.*

It is considered that the proposed development would represent a new second dwelling on a restricted site, would lead to a sub-standard development lacking in adequate private open space and car parking and which would be contrary to the zoning objective for the area which is "To protect, provide and improve residential amenities", and would set a precedent for similar inappropriate development contrary to the amenities of the area and proper planning and sustainable development.

3.2. Planning Authority Reports

3.2.1. Planning Reports

See reason for refusal.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

Site

- 17/105: Application bearing the same description as the current one was refused on 16th March 2017 for the same reason.

Adjoining site

- 93/136: Alterations and extension, including raising of roof and attic conversion, to the semi-detached bungalow adjoining the applicant's one: permitted.

5.0 Policy Context

5.1. Development Plan

The Wicklow County Development Plan 2016 – 2022 (CDP) identifies Enniskerry as a Level 5 Small Growth Town. Under Chapter 6 of Volume 2 of the CDP, the “Enniskerry Town Plan” is presented. This Plan shows the site as lying within the settlement boundary and in an area that is zoned R10 residential. The relevant Zoning Objective is “To protect, provide and improve residential amenities of existing residential areas.” Policy HD7 and Appendix 1, entitled “Development and Design Standards”, address domestic extensions.

5.2. Natural Heritage Designations

To the north of the site lie lands that are designated as Knocksink Wood SAC and Knocksink Wood NHA (both site code 000725) and to the south east lies lands that are designated as Powerscourt Woodland NHA (site code 001768).

6.0 The Appeal

6.1. Grounds of Appeal

The applicant outlines how the existing dwelling house has been used as the family home for 17 children and how its limited accommodation has been supplemented by means of a mobile home in the rear garden.

The impetus for the current proposal arises from the need to ensure that the accommodation is suitable for the applicant, e.g. the installation of specialised limited-mobility bathroom facilities, and that family members who will be involved in her future care can continue to reside in the extended dwelling house without recourse to the mobile home.

The applicant's grounds of appeal are set out below:

- The mobile home, which represents sub-standard accommodation and a fire risk, would, on completion of the proposal, be removed from the site.
- Contrary to the Planning Authority's reason for refusal, the extended dwelling house would not entail the provision of an additional dwelling house. Family members would continue to live together as a single household.
- The drive-in would be enlarged to provide 2 off-street car parking spaces and, if needs be, this could be enlarged further.
- Contrary to the Planning Authority's reason for refusal, the proposal is not too large, e.g. the ridgeline of the extension would coincide with that of the existing dwelling house and its building lines would tie in with those exhibited by the adjacent dwelling house to the east.
- The proposal would entail the provision of landscaping designed by the applicant's prospective daughter-in-law.
- By way of response to the Planning Authority's concerns, the applicant is willing to remove the existing back door. She also emphasises that the extended dwelling house would be served by only one front door, the extension would effectively have only one staircase, and that room duplication would not arise, e.g. the retained living room would be used as such in the

future should the applicant's mobility become more impaired; in the meantime, it would be used as a circulation space between the existing dwelling house and the proposed extension.

6.2. **Planning Authority Response**

None

6.3. **Observations**

None

6.4. **Further Responses**

None

7.0 **Assessment**

I have reviewed the proposal in the light of the CDP, relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that this application/appeal should be assessed under the following headings:

- (i) Land use and streetscape,
- (ii) Residential amenity,
- (iii) Access,
- (iv) Water, and
- (v) AA.

(i) Land use and streetscape

7.1.1 The site lies within an area that is zoned R10 residential in the CDP. This site has an established residential use and, under the said zoning, such use is permissible in principle. At present there is a dwelling house on the site and a mobile home. The dwelling house predates the planning system and the applicant states that the mobile home has been insitu since the 1970s. Under the proposal, this dwelling house would be the subject of a substantial extension and this mobile home would be removed from the site.

7.1.2 The existing, semi-detached, dwelling house is of simple rectangular form under a double pitched roof. Along with the adjoining dwelling house, these dwelling houses are one of two pairs of semi-detached dwelling houses on the eastern side of a short cul-de-sac, which rises gently in a southerly direction. Consequently, there is small step change in the levels of the two pairs.

7.1.3 The proposed extension would be constructed essentially off the northern side elevation of the applicant's existing dwelling house. The existing front door would be removed in favour of a window and a new, recessed, front door would be inserted in the new portion of continuous elevation. This door would be at a lower level than its predecessor. While the submitted plans indicate that the recessed area in front of new door itself would be c.1.35m in depth, they do not make explicit what the depth of this area would be above the height of the front door. I consider that, from an external perspective, this depth should be consistent. Internally this would have implications for the proposed kitchen/access to the attic conversion in the existing dwelling house.

7.1.4 The longer elevation of the proposed extension would face north towards the L1011 and the parallel nearside estate road. While the eaves and ridge heights of this extension would represent a continuation of these heights on the existing dwelling house, they would on this elevation present as slightly higher than the equivalent heights on the adjacent dwelling house to the east. In this respect the separation distance between the two corresponding gabled side elevations would be over 8m and so this distance would help ease the transition from one to the other. Likewise, it would mediate the slight variation in an admittedly mildly curving front building line presented by the pairs of semi-detached dwelling houses to the east.

7.1.5 I conclude that the continued residential use of the site would be appropriate and, subject to a consistent depth of recess to the new front door, the proposed extension would be compatible with the existing streetscape.

(ii) Residential amenity

7.2.1 The proposal would facilitate a net increase of 118.66 sqm of floorspace on the site. Thus, the replacement of the mobile home with the proposed extension

would facilitate the provision of more living space, especially, and larger bedrooms.

7.2.2 The applicant explains that the impetus for the proposal is the need to facilitate family members, who continue to reside with her, in their quest to care for her. To this end, the design and layout of the proposal has factored in the possibility that mobility impairment may feature in the future. She also expresses concern over the sub-standard accommodation provided by the mobile home and the fire risk that it poses and thus the desirability of providing permanent accommodation to facilitate its replacement.

7.2.3 The Planning Authority's draft reason for refusal expresses concern that the proposal would amount to the provision of a second dwelling house on the site, which would be served by insufficient open space and off-street car parking space. Evidence to support this concern is cited by way of reference to its scale and the specification of a number of external doors and duplicate spaces.

7.2.4 The applicant has responded by stating that the Planning Authority is mistaken: only one dwelling unit is envisaged as family members live together as a single household, i.e. the applicant, her two sons, and one of her son's fiancé. She states that the existing living room would serve as a circulation space, but could revert to use as a living room should she become mobility impaired in the future. In a bid to allay the Planning Authority's concern, she offers to close up the back door to the existing dwelling house.

7.2.5 I note that the description of the proposal does not refer to the provision of an additional dwelling unit on the site. I note, too, that the sub-division of a dwelling house to provide two dwellings is a material change of use for planning purposes and so, should such sub-division be proposed/occur, it would be the subject of planning control.

7.2.6 I consider that the proposal, as submitted, would not amount to a fully integrated dwelling unit. Thus, the location of a future wheelchair lift would only serve the two ground floors, rather than the proposed ground floor and the proposed attic floor, where the living/dining/kitchen area would be located. Furthermore, if mobility impairment is to be fully provided for, then a ramp would be needed to serve the new front door.

- 7.2.7 In the light of the foregoing paragraph, I consider that the internal design and layout of the proposed extension needs to be altered to ensure that the future wheelchair lift would be capable of serving the proposed attic floor, too. Likewise, a ramp should be specified for the front door. These matters could be conditioned. The applicant's offer to close up the back door to the existing dwelling should also be accepted.
- 7.2.8 The proposed living/dining/kitchen area would be served by 3 large rooflights on the northern roof plane. Ideally, this area should be served by windows in a vertical plane that would afford a horizontal view out. Within the parameters of the proposed extension, such a stipulation would entail the specification of front dormer windows, of which there are no examples within the vicinity of the site. Such specification would thus be problematic in streetscape terms. Furthermore, to specify dormer windows on the rear roof plane would lead to overlooking of neighbouring residential properties. Accordingly, within the specific circumstances of the proposal, I am prepared to accede to the rooflights proposed.
- 7.2.9 I conclude that, subject to specific alterations to the proposal to ensure that it is capable of being fully integrated with the existing dwelling house, I consider that the proposal would afford a satisfactory standard of amenity to future occupiers, while being compatible with the residential amenities of the area.

(iii) Access

- 7.3.1 Under the proposal, the vehicular access would be retained and the pedestrian access, which serves the existing front door, would be closed-up. The drive-in that accompanies the vehicular access would be partially built over and so part of the front garden would be laid out as a substitute car parking space. Thus, the extended dwelling house would be served by two off-street car parking spaces.
- 7.3.2 The ramp discussed under the second heading may encroach onto the area earmarked for car parking. Nevertheless, I consider that there is scope to accommodate both this ramp and two off-street car parking spaces forward of the front building line to the existing dwelling house.

(iv) Water

7.4.1 The existing dwelling house is served by the public water mains and the public sewerage system for foul and surface water.

7.4.2 The site is not identified as being at risk of flooding under the CDP's SFRA.

(v) AA

7.5.1 The site is neither in nor adjacent to a Natura 2000 site. It is fully serviced by the public sewerage system. Accordingly, having regard to the nature and scale of the proposal, no Appropriate Assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

That permission be granted.

9.0 Reasons and Considerations

Having regard to the Wicklow County Development Plan 2016 – 2022, the proposal, would, subject to conditions, comply with the zoning objective for the site and be compatible with the visual and residential amenities of the area. Access and drainage arrangements would be satisfactory. No Appropriate Assessment issues would arise. The proposal would thus accord 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, as amended by the further particulars received by An Bord Pleanála on the 2nd day of August, 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 interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The opening in the proposed western elevation forward of the new front door shall be of a consistent depth over its full height. As a consequence, the kitchen above this opening shall be redesigned.
 - (b) A wheelchair ramp shall serve the new front door. Consequential changes to the design and layout of the car parking area shall be shown.
 - (c) The back door to the existing dwelling house shall be closed-up and a window installed in its place.
 - (d) The future wheelchair lift shall be redesigned to serve the attic floor within the proposed extension. Consequential changes to the design and layout of the ground floor and the attic floor in this extension shall be shown.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity and to ensure that the extended dwelling house would be fully accessible.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The landscaping scheme shown on the planting schedule, as submitted to the planning authority on the 31st day of May, 2017, shall be carried out within the first planting season following substantial completion of external construction works.

All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the

planning authority.

Reason: In the interest of residential and visual amenity.

5. 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.

6. 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.

7. The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

8. 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

. Hugh D. Morrison
Planning Inspector

19th October 2017