



An  
Bord  
Pleanála

## Inspector's Report PL06F.249370

---

<b>Development</b>	Construction of front bay window to the east side of existing front porch
<b>Location</b>	Baldongan, Lusk, Co. Dublin
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F17B/0178
<b>Applicant(s)</b>	Mary Harford
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Eileen Foran
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	29 <sup>th</sup> November 2017
<b>Inspector</b>	Niall Haverty

## 1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.2 ha, is located in the townland of Baldongan, c. 1.5km west of Loughshinney and 3.5km north east of Lusk in North County Dublin. The site is located on the northern side of the L1285 road, and accommodates a two storey dormer style detached house. The front (south) elevation of the house has a projecting central element with the front doors located within a double height gable fronted glazed porch area. Detached houses are located to the east and west of the appeal site. The house to the west shares its vehicular entrance with the appeal site and features a projecting bay window to its front elevation. The eastern boundary of the appeal site comprises a line of coniferous trees, with hedging along the northern part of the boundary.

## 2.0 Proposed Development

- 2.1. The proposed development consists of the construction of a new projecting bay window to the front of the house, on the eastern side of the existing front porch and all associated site works.
- 2.2. The proposed bay window would result in a stated increase in floor area of 7.5 sq m and it will form an extension to the existing kitchen. I note that the proposed bay window extends beyond the existing eastern gable of the house by 1.75m, and that the separation distance between the bay window and the eastern boundary of the site would be 5m.
- 2.3. The proposed bay window is fully glazed to the front as well as to the side and rear of the small area that projects beyond the existing gable wall. It is stated as having a zinc or similar roof.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Fingal County Council decided to grant planning permission.

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

3.2.1. The Planning Officer's report can be summarised as follows:

- The level of detail in the application is sufficient for the Planning Authority to assess the proposed development.
- Development description and elevations meet statutory requirements.
- Proposed development would not give rise to overlooking of adjoining property. The development is single storey and the two properties are separated by dense vegetation and trees which provides strong visual screening.
- The proposed development is not dissimilar to the bay window granted retention permission on the site to the immediate west under F17B/0123.
- The proposed development is simple and contemporary and the associated visual impact is considered acceptable.
- The house has been previously extended to a considerable extent and as such the scope for further works as exempted development would be limited by these previous works. Therefore no conditions are required to address this matter.

### 3.3. **Other Technical Reports**

3.3.1. **Water Services:** No objection.

### 3.4. **Prescribed Bodies**

3.4.1. **Irish Water:** No objection.

### 3.5. **Third Party Observations**

3.5.1. One third party observation was made on behalf of the appellant. The issues raised were generally as per the appeal.

## 4.0 Planning History

### 4.1. Appeal Site

- 4.1.1. **ABP Ref. PL06F.246414; Reg. Ref. F16B/0025:** Permission refused for two storey extension to eastern side of existing house, incorporating a self-contained flat at ground floor level. The Board's reason for refusal was as follows:
- It is considered that the proposed extension by reason of its scale and design particularly the fenestration arrangements proposed would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.
- 4.1.2. **ABP Ref. PL06F.236882; Reg. Ref. F10A/0109:** Permission granted for Retention of two triangle bay windows to the north-west elevation, alterations to four dormer windows, relocation of chimney and omission of first floor window to north-west elevation, alterations to glazed projection to front elevation which includes roof pitch and size and relocation of house position on site from that previously granted.
- 4.1.3. **Reg. Ref. F09B/0210:** Permission and retention permission refused for storey and a half glazed storm porch plus storey and a half extension to the right hand side of the dwelling house, including retention of roof pitch, position of dormer windows, design and projection of the front porch and two bay windows.
- 4.1.4. **Reg. Ref. F06A/0515:** Permission granted for a new dormer bungalow with wastewater treatment system and all associated site works.

### 4.2. Surrounding Area

- 4.2.1. **Reg. Ref. F17B/0123:** Permission granted for new dormer window on western elevation; retention permission granted for alteration of shape and flat roof to bay window to front elevation from that previously granted under Reg. Ref. F13B/0173; and permission refused for two dormer windows on the eastern elevation of Villa D'Mere (the house to the west of the appeal site).

## 5.0 Policy Context

### 5.1. Fingal Development Plan 2017-2023

5.1.1. The appeal site is zoned 'Rural' (RU) under the Fingal Development Plan 2017-2023. This zoning objective seeks to protect and promote in a balanced way, the development of agriculture and rural-related enterprise, biodiversity, the rural landscape, and the built and cultural heritage.

5.1.2. The appeal site is also located within an area identified as a 'highly sensitive landscape' on the Development Plan's Green Infrastructure maps.

5.1.3. Table 12.4 of the Development Plan sets out design guidelines for rural dwellings. With regard to materials and detailing, it states, *inter alia*:

- The detail, texture, colour, pattern, and durability of materials of the proposed development should be sustainable and of a high quality, and will be sensitive to its proposed location.
- Particular attention should be paid to fenestration details, particularly window openings and design. Windows should be in proportion to the development and complement the style of the building.

5.1.4. The following Objective is noted:

- **Objective PM46:** Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. A third party appeal was made on behalf of Eileen Foran, the owner of the property to the east of the appeal site. The grounds of appeal can be summarised as follows:

- Full planning history of the property should be referred to, as it provides an insight into the methods employed to carry out unapproved works and subsequently apply for retention permission.

- Planning notice was misleading.
- Glazed elements overlook appellant's property, front and side garden, living room bay window, front porch area and infringes on privacy and amenity and impacts on property value.
- Appellant is concerned that proposed development could be forerunner to further extensions along the gable area in the future. A window to the existing kitchen area has already been allowed which also overlooks the appellant's property.
- It is difficult to understand why glazed elements wrap around to the east and north sides, when the main viewing aspect is to the south.
- It is hard to reason why the proposed extension goes beyond the existing gable by 1.8m as the net gain in extra floor space is minimal for the outlay in construction costs.
- The proposed extension will not compliment or harmonise with the existing house or adjoining houses, especially with the lean-to zinc roof finish.
- Proposed development is not in line with Development Plan objectives.
- It is the appellant's belief that this is another attempt to acquire what would be the beginning of an extension to the eastern side of the property as attempted in the past.
- Two previous applications to extend the existing dwelling to the eastern side elevation were refused by the Council and Board.
- Appellant has no objection to an extension to the western side of the existing house, where there is ample space.

## 6.2. Applicant Response

6.2.1. None.

## 6.3. Planning Authority Response

6.3.1. The Planning Authority's response can be summarised as follows:

- Having regard to the limited extent of the proposed development and characteristics of the site, it would be acceptable in terms of design and would not injure the residential amenities of the area.
- The appeal does not raise any significant issues which would warrant a change in the decision of the Planning Authority.

#### 6.4. **Observations**

6.4.1. None.

#### 6.5. **Further Responses**

6.5.1. None.

### 7.0 **Assessment**

7.1. I consider that the key issues in determining this appeal are as follows:

- Visual amenity.
- Residential amenity.
- Appropriate assessment.

#### 7.2. **Visual Amenity**

7.2.1. I note that the footprint of the proposed development is comparatively modest, and would result in a relatively minor increase in floor area of c. 7.5 sq m. The Fingal Development Plan 2017-2023 recognises and acknowledges the need for people to extend their dwellings, and I consider the proposed development to be generally acceptable, subject to consideration of the potential impact on visual and residential amenities.

7.2.2. The front elevation of the existing house is currently symmetrical, with a centrally located projecting entrance area which is double-height and gable-fronted. Either side of this projection are two windows at ground floor level and a dormer window at first floor level. I note that while the proposed bay window extension will protrude

beyond the main existing front elevation, it is aligned with the central projecting element.

- 7.2.3. The house currently has extensive glazing to the front elevation, most notably as a result of the incorporation of a double-height glazed entrance feature in the central projecting element. A reasonable solid-to-void ratio is, however, maintained by the use of smaller ground floor windows located within a solid wall. The proposed development would result in the addition of a c. 6.5m long almost full-height glazed element, which projects beyond the eastern gable wall of the house. It is not clear what the design rationale for such a projection is, since it results in a small area of c. 1.7m x 1.2m to the side of the house which is fully glazed on three sides.
- 7.2.4. I consider that the extent of glazing proposed, particularly in light of the projection beyond the eastern gable wall, is excessive. When considered together with the double height glazing within the projecting central element, the dormer windows, and the various projections and protrusions on the western, northern and southern elevations, I consider that the development, as proposed, detracts from the legibility and composition of the existing house and would entail piecemeal development that fails to complement the existing house, and thereby serves to detract from the character of the house and the visual amenities of the area.
- 7.2.5. Notwithstanding this, and having regard to the otherwise acceptable nature of the proposed development, I consider that if the proposed bay window were to be shortened such that it does not protrude beyond the existing eastern gable elevation of the building, then this amendment would serve to reduce the extent of glazing to a level that is more consistent with the character of the house and would adequately address the piecemeal nature of the development as proposed. I therefore recommend that if the Board is minded to grant permission, that a condition be included to amend the design of the proposed bay window in this manner.

### 7.3. **Residential Amenity**

- 7.4. Having regard to the design and layout of the proposed development, the relative positioning and orientation of the applicant's and appellant's respective dwelling houses, the existence of mature and dense vegetation along the eastern boundary of the appeal site and the 5 metre separation distance between the proposed ground



floor bay window and the eastern boundary, I do not consider that any significant overshadowing, overlooking or loss of privacy impacts would arise from the proposed development. The proposed development is modest in scale and is not comparable, in my opinion, with the previously refused application under PL06F.246414 (Reg. Ref. F16B/0025), which related to a proposal for a much larger extension of 112 sq m which extended within 0.4m of the boundary with the appellant's property.

7.5. In light of this, and having inspected the site and the drawings submitted with the application, I am therefore satisfied that the proposed development would not have a significant impact on residential amenity.

#### **7.6. Appropriate Assessment**

7.6.1. Having regard to the nature and scale of the proposed development, which comprises a relatively small extension to an existing house on a site which is not within or in close proximity to any European sites, I am satisfied that 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 that planning permission should be granted, subject to conditions as set out below.

#### **9.0 Reasons and Considerations**

9.1. Having regard to the zoning objectives for the area and the pattern of development in the area, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or property in the vicinity, would be acceptable in terms of traffic impact and would 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. The development shall be amended as follows:
  - (a) The proposed bay window shall not extend beyond the existing eastern gable wall of the house.

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

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

3. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

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

4. 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.

---

Niall Haverty  
Planning Inspector

5<sup>th</sup> January 2018