



An  
Bord  
Pleanála

## Inspector's Report ABP-301052-18

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| <b>Development</b>                  | Extension to kitchen, living room and bedroom, modifications to porch and associated alterations to all elevations. Retention permission is sought for sunroom extension to side of dwelling and detached domestic garage. |
| <b>Location</b>                     | Drumahurk, Butlersbridge , Co. Cavan   |
| <b>Planning Authority</b>           | Cavan County Council   |
| <b>Planning Authority Reg. Ref.</b> | 17512  |
| <b>Applicant(s)</b>                 | Eileen and Colm Murphy.  |
| <b>Type of Application</b>          | Permission and retention permission.   |
| <b>Planning Authority Decision</b>  |  |
| <b>Type of Appeal</b>               | Third Party  |
| <b>Appellant(s)</b>                 | Ronan and Pauline Flood.   |
| <b>Observer(s)</b>                  | None.  |
| <b>Date of Site Inspection</b>      | 30 <sup>th</sup> May 2018  |
| <b>Inspector</b>                    | Patricia Calleary  |

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## 1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.27 hectares is located in Drumahurk, which is a rural area, just under one kilometre south of Butlersbridge village in County Cavan. It is triangular in shape and comprises a substantial two-storey house with a gross floor area (GFA) of 215 sq.m and a detached domestic garage with a GFA of 38.4 sq.m.
- 1.2. The site is bounded on each side and rear by mature hedge landscaping and by a local road to the front (east). The immediate area is characterised by a row of one-off houses located on individual sites, including the appellant's house, which is located immediately to the south. This adjoining house is of a similar design to the house on the appeal site. There is also a two-storey house to the rear (west) of the appeal site. The N3 national road, lies c.125m to the west.

## 2.0 Proposed Development

- 2.1. **Permission** is sought to erect a single-storey kitchen and living room extension to the rear of the dwelling, a first-floor bedroom extension to the south side, to carry out modifications to the front entrance porch and corresponding alterations to all elevations. In addition, **retention permission** is sought for the existing sunroom constructed to the side of the dwelling and for the detached domestic garage on site. As set out on the planning application form, the proposed works would measure 71.6 sq.m and the works to be retained would measure 51.2 sq.m.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The Planning Authority issued a decision to **grant permission** for the development subject to five conditions, all of which are standard in nature.

## 3.2. **Planning Authority Reports**

### 3.2.1. Planning Reports

- The principle of the extension to the dwelling is acceptable subject to assessing residential and visual amenities.
- No increase in loading on the existing sewerage treatment facilities will occur.
- Notes the contents of the third-party submission and two issues raised regarding impact on privacy.
- Considers that proposed development is unlikely to significantly impact on residential amenities of adjoining property.
- No issues arise with regard to visual, traffic or environmental factors.
- Recommends a grant of permission.

### 3.2.2. Other Technical Reports

- None

## 3.3. **Prescribed Bodies**

- None

## 3.4. **Third Party Observations**

- 3.4.1. One third party observation was received from the occupiers of the adjoining house to the south and this included objections to the proposed development based on concerns relating to the impact on neighbouring residential amenities, including loss of privacy.

## 4.0 **Planning History**

- 4.1. Both the house on site and the neighbouring (appellant's) house to the south appear to have been constructed on foot of Planning Ref. 99/1169 which relates to a grant of permission for two houses and effluent treatment units.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The Cavan Development Plan 2014-2020 is the applicable development plan for the area. The following provisions are relevant to the appeal.

- **Section 10.3.3 Extensions to Dwellings** - Requires that extensions to houses should have regard to amenities of adjoining properties particularly including sunlight, daylight and privacy and states that extensions shall not be permitted where they result in an unacceptable negative impact on adjacent residential amenity.
- **10.14 Development Management Policies for one-off-rural houses**
- **10.14.4 Extensions to Dwellings** - The County Council recognises the importance of maintaining use of existing dwellings in rural location and this along with changing families and lifestyles may necessitate extensions to dwellings. It is essential that such extensions do not interfere with the existing character of the dwelling or by its size and design render a dwelling out of character with its rural setting.- Extensions should be designed to relate to the character of the existing dwelling, be constructed with similar finishes, where appropriate, and with similar windows to the existing building so that they will integrate with it.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. An appeal was received from Ronan and Pauline Flood, who occupy the house immediately adjoining the appeal site to the south. The contents of the appeal are summarised as follows:

- Proposal for a patio door facing south will impact on the appellants' privacy due to overlooking.
- First floor bedroom including a window facing west will overlook appellants' rear garden.

- No provision has been shown to mitigate the loss of privacy, which will be detrimental to the amenities currently enjoyed.

## 6.2. Applicant Response

- 6.2.1. No response was received from the applicant.

## 6.3. Planning Authority Response

- 6.3.1. The new patio door is at ground floor level and, as such, will not significantly impact on privacy of the adjoining dwelling. The proposed first-floor window will marginally overlook a section of the rear garden, which is considered to result in a minor and acceptable impact.

## 6.4. Observations

- 6.4.1. None

## 7.0 Assessment

- 7.1. The existing house is a substantial two-storey house, located on a spacious site. **Permission** is sought to add a single-storey kitchen and living room extension to the rear, a first-floor extension which would comprise a bedroom to the south side and modifications to the front entrance porch and elevations. **Retention permission** is also sought for an existing single storey sunroom to the side of the dwelling and for a detached garage on site. A third-party appeal was received from the owners/occupiers of the neighbouring property to the south, raising concerns regarding the impact of the proposed extensions on their privacy.
- 7.2. Under the provisions of the current Cavan County Development Plan 2014-2020, as set out under Section 5 of my assessment above, the Planning Authority express their support for extensions to dwellings subject to such extensions not interfering with the existing character of the dwelling or being out of character with their rural setting.
- 7.3. Having reviewed the design submitted, I am satisfied that the extension would relate appropriately to the existing character of the host dwelling and would be constructed

with similar finishes. I recommend minor changes to ensure that the windows proposed achieve a simpler form, to ensure the extended dwelling would not be out of character with its rural setting. I am satisfied that this can be secured by way of a planning condition.

- 7.4. Policy set out in the development plan also requires that extensions to houses should have regard to amenities of adjoining properties particularly sunlight, daylight and privacy and requires extensions shall not be permitted where they result in an unacceptable negative impact on adjacent residential amenity. Included in the grounds of appeal are concerns regarding loss of privacy, which the appellants consider would arise because of the development. The proposed development would include a patio door to the rear extension element at ground floor level. It would be sited c.18m from the boundary with the neighbouring property and given the presence of the boundary wall between both properties, together with the resultant separation distance, I am satisfied that no direct overlooking or loss of privacy would arise. The new bedroom proposed to be added over the existing projection to the south elevation would face onto the front and rear gardens of the appeal site. No direct overlooking would occur onto the appellants' property to the south, as there are no windows proposed above ground floor level on this elevation. Having regard to the orientation and separation distance of more than 20m, as well as noting that the line of any indirect view would be somewhat interrupted by the garage structure and mature boundaries, no unacceptable indirect overlooking or loss of privacy would arise.
- 7.5. Given their locations, size and scale, no residential amenity issues are considered to arise with the proposal to amend the porch to the front, to retain the sunroom to the north side of the house or the detached garage on site which is also proposed to be retained.
- 7.6. In conclusion, I am satisfied that the proposed development and the development proposed to be retained would result in appropriate form of residential extensions, which would generally follow the requirements for extensions set out in the development plan for the area. Based on my assessment above, I am also satisfied that the development would not result in unacceptable residential amenity impacts on adjoining properties and would be in accordance with the proper planning and sustainable development of the area.

## 8.0 **Appropriate Assessment**

- 8.1. Having regard to the minor nature of the proposed development, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 9.0 **Recommendation**

- 9.1. I recommend that **permission** and **retention permission** are **granted** for the reasons and considerations set out below, subject to compliance with conditions hereunder.

## 10.0 **Reasons and Considerations**

- 10.1. Cavan County Council recognises the importance of maintaining the use of existing dwellings in rural locations and that this along with changing families and lifestyles may necessitate extensions to dwellings. It is considered that having regard to the nature, scale and design of the proposed development and the development proposed to be retained and noting the orientation and separation distances which would result, no unacceptable impact on the amenities of adjoining properties or on the nature of the surrounding area would occur. Furthermore, the proposed development and the development proposed to be retained would not interfere with the existing character of the dwelling itself or render the extended dwelling out of character with its rural setting. The proposed development and development proposed to be retained would therefore be in accordance with the proper planning and sustainable development of the area.



## 11.0 Conditions

1. The development shall be carried out and retained 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.
  - a. The external finishes of the proposed extension shall harmonise with those of the existing dwelling in respect of colour and texture.
  - b. The windows proposed shall be simple in form with straight edges. No curved windows shall be permitted.

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

3. The domestic garage shall be used solely for non-habitable ancillary domestic and private purposes only which are ancillary to the enjoyment of the house.

**Reason:** In the interest of orderly development.

4. 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.

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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Patricia Calleary  
Senior Planning Inspector

22<sup>nd</sup> June 2018