



An
Bord
Pleanála

Inspector's Report ABP 301505-18

Development	Demolition of dwelling and outbuilding, Construct 2 no. dwellings.
Location	Stoneybatter, Wexford, Wexford BMD.
Planning Authority	Wexford Co. Council
Planning Authority Reg. Ref.	20180112
Applicant	Deirdre Goode
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party v. decision
Appellant	Deirdre Goode
Observer	Terry Mythen
Date of Site Inspection	26/7/18
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The proposed development site is located at Old Hospital Road, Wexford, Co. Wexford. It is situated 1km to the west of the Main Street of Wexford Town. The site itself has a stated site area of c. 0.12 hectares, is roughly L shaped and is located on the northern side of Old Hospital Road. Wexford General Hospital is located to the south.
- 1.2. The site contains a single storey cottage which directly adjoins the roadside boundary. The site is extremely overgrown and contains two small outbuildings to the north and west of the cottage.
- 1.3. Rose Park a cul-de-sac of 18 No. dormer dwellings is located to the immediate north and east of the application site. The site boundary adjoins no. 12 and no. 13 Rose Park. Parkview housing estate is located to the western of the site. The western boundary of the site and part of the northern boundary adjoins no. 2 Parkview.

2.0 Proposed Development

- 2.1. Permission is sought for the following;
 - 2 no. two-storey detached dwellings,
 - Demolition of existing single storey dwelling and outbuilding.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for one reason.

1. The proposed dwellings by virtue of its design, scale, elevated position on the suite and proximity to the site boundaries, would result in an overbearing form of development towards the dwellings at No. 12 and No. 13 Rose Park to the north and north east of the site, thereby resulting in an unacceptable impact

on the amenity of the occupiers of those properties, which would be contrary to Section 18.10.1 of the Wexford County Development Plan 2013-2019, Section 11.8.3 of the Wexford Town and Environs Development Plan 2009 (extended to 2019) and the proper planning and development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- It was concluded in the report that the design and scale of the proposed development and the elevated position of the dwellings would result in an overbearing impact which would therefore have a negative impact on the residential amenities of no. 12 and no. 13 Rose Park. It was recommended that permission be refused on that basis.

3.2.2. Other Technical Reports

Environment Department – Further information requested in relation to the submission of document from Irish water confirming consent to connect to the public sewer.

Chief Fire Officer – No objection subject to conditions.

3.3. Third Party Observations

3.3.1. The Planning Authority received two submissions/observations in relation to the application. The main issues raised can be summarised as follows;

- Overlooking
- Overbearing impact
- Negative impact upon residential amenity
- Proposed design is out of character with surrounding development
- Potential for surface water flooding
- Proposed vehicular entrances would be located close to a bend in the road.

4.0 Planning History

PA Reg. Ref. 20051700 & PL 26.217352 – Permission was granted for the demolition of a dwelling and the construction of 3 no. two-storey flat roofed houses.

5.0 Policy Context

5.1. Wexford County Development Plan 2013-2019

Section 18.10 – refers to Residential Development in Towns and Villages

- Development designs should be informed by, but not necessarily replicate, the context in which it is set. Contemporary designs and finishes will be facilitated when not unduly incongruous with their context.
- All aspects of the development, including public open space, boundary treatments and landscaping, should be of high quality, and should contribute positively to the street scene and the character and identity of the neighbourhood.
- Developments should be designed to avoid significant adverse impacts on the amenities of existing neighbouring properties, uses and the wider amenities of the area.

Section 18.14 – refers to Infill and Backland Sites in Towns and Villages

- The proposed development should be designed to avoid an undue detrimental impact on neighbouring residential amenities through a significant loss of private amenity space, undue overlooking, undue overshadowing, an over dominant visual impact and/or disturbance from traffic.

5.2. **Wexford Town and Environs Development Plan 2009-2015** (extended to 2019)

- The site is zoned 'residential medium'

Section 11.08 – refers to Residential Development

5.3. **Natural Heritage Designations**

The following Natura 2000 sites are located in the vicinity of the proposed development site:

- The Slaney River Valley Special Area of Conservation (Site Code: 000781), approximately 200m north of the site.
- The Wexford Harbour and Slobbs Special Protection Area (Site Code: 004076), approximately 200m north of the site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A first party appeal was submitted by Raymund Kelly Architects on behalf of the applicant Deirdre Goode. The main issues raised concern the following;

- The property is the former home of Mrs Deirdre Goode who currently lives in Co. Clare.
- Under ABP Ref. PL26.217352 permission was granted for the development of 3 no. dwellings on the site. However, the development did not take place due to the recession.
- Raymund Kelly Architects were employed by the applicant to review the proposal and improve the design and layout. The number of dwellings was reduced to two and the first floor rear windows were omitted from the design.
- The proposed scheme is considered more appropriate to the site than the previously granted scheme for 3 no. dwellings.

- The site is zoned 'residential medium' in the Wexford Town and Environs Development Plan 2009-2015 (extended to 2019).
- The proposed dwellings are split level and the floor plan was designed to avail of solar gain.
- A revised site layout plan was submitted with the appeal. It indicates an increased separation distance between the proposed dwellings and the rear boundary with the properties at Rose Park. The applicant would be amenable to the repositioning of the proposed dwellings should the Board decide to grant permission and deem it appropriate.
- A single storey design is not considered a suitable approach to address potential overlooking. The proposed development would have a minimal impact upon the neighbouring properties to the north as no first floor rear windows are proposed.
- The split level dwellings would be built into the site contours.
- The two dwellings will be served by two separate vehicular entrances.
- It is requested that the Board overturn the decision of the Planning Authority and grant permission.

6.2. Planning Authority Response

- The Planning Authority notes the proposed alterations to the layout, however concerns regarding the overbearing nature of the development remain.

6.3. Observations

An observation was received from Terry Mythen. The issues raised concern the following;

- The observer has raised concern in relation to the proposed vehicular entrances. Notwithstanding the proposals to provide improved sightlines the

road is heavily trafficked. The entrances would be located close to the brow of the hill and at a bend in the road.

- The matter of surface water drainage is raised. If excess surface water occurs on the site it could impact the adjoining properties on the lower ground to the north.

7.0 Assessment

Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

- Design and impact on Residential Amenity
- Vehicular access
- Appropriate Assessment

7.1. Design and Impact upon residential amenity

- 7.1.1. The proposal is for construction of 2 no. two-storey detached dwellings on the site of a single storey cottage which it is proposed to demolish. The design of the proposed dwellings are two-storey and split level. The eastern and northern site boundaries adjoin three residential properties no's 12 and 13 Rose Park and no. 2 Park Hill. The appeal site is elevated above the level of the neighbouring properties. The proposed height difference between the ground floor level of House no. 1 and the ground floor level of no. 12 Rose Park is circa 2.6m.
- 7.1.2. The Planning Authority refused permission on the basis that the proposed development would have an overbearing impact upon the dwellings at no. 12 and no. 13 Rose Park due to the elevated nature of the site above those properties and the siting and design of the proposed dwellings.
- 7.1.3. As indicated on the Site Layout a separation distance of 3.6m is provided between House no. 1 and the boundary of no. 12 Rose Park. The proposed dwelling would be 2.2m from the eastern boundary with no. 13 Rose Park. House no. 2 would be located a minimum distance of 4.5m from the boundary with no. 12 Rose Park. The

proposed dwellings have a ridge height of 8.098m to the rear (north) elevation. Having regard to the proximity of the proposed dwellings to no's 12 and 13 Rose Park and the elevated nature of the site, I consider that the proposed development will present an overbearing, dominant development when viewed from the north and particularly from no. 12 Rose Park.

- 7.1.4. Having regard to the relative difference in height of the dwellings and proximity to the closest dwellings to the north and north-east no's 12 and 13 Rose Park, I would be particularly concerned for the amenities of No. 13 relation to impacts from overshadowing and loss of light.
- 7.1.5. At first floor level only one window is proposed to the rear elevation of the dwellings. This is to serve a bathroom and therefore can be fitted with obscure glazing. Accordingly, I am satisfied that the proposed development would not give rise to any undue overlooking of the adjoining properties to the north.
- 7.1.6. A revised Site Layout was submitted with the appeal. It indicated the proposed dwellings marginally set back from the northern boundary. House no. 1 would be located approximately 4.5m from the boundary with no. 12 Rose Park at the closest point. House no. 2 would be located a minimum distance of 6m from the boundary with no. 12 Rose Park at the closest point.
- 7.1.7. In relation to the planning history on site, I note that the 3 no. dwellings were granted permission under PA Reg. Ref. 20051700 & PL 26.217352. I note that the siting and design of the dwellings previously permitted on site differs with the current proposal. A greater separation distance was provided between the house on site no. 1 from the northern boundary with no. 12 Rose Park. The houses no. 2 and no. 3 were roughly rectangular in shape with the narrower gable ends addressing the northern site boundary with no. 12 Rose Park and no. 2 Parkview. Furthermore, I note that during the course of the application and appeal process the proposed dwellings were redesigned from the original proposal of two-storey with pitched roofs to split level with flat roofs. Therefore, the siting and design of the previously permitted dwellings satisfactorily addressed potential impacts upon existing residential amenities.
- 7.1.8. I would consider that the scale, proximity and location of the proposed dwellings relative to the adjoining dwellings would result in an overbearing impact and overshadowing of the existing dwellings. The applicant has proposed to marginally

relocate the dwellings on site. I do not consider such to be a sufficient measure to alleviate concerns regarding impact on residential amenity.

7.2. Vehicular access

- 7.2.1. The appeal site has road frontage of circa 54m along Old Hospital Road. It is proposed to construct two new vehicular entrances to serve the two dwellings. It is proposed to remove the existing boundary wall and provide a new 1.5m high boundary wall. As indicated on the Site Layout the boundary wall would be setback to facilitate the development of a section of footpath. As indicated on the Site Layout car parking spaces are provided for two/three vehicles to the front of both dwellings. Sightlines of circa 60m are available at both entrance no. 1 and entrance no. 2. These are satisfactory at this location. Accordingly, I consider the proposed development is acceptable in terms of access and parking considerations.

7.3. Appropriate Assessment

- 7.3.1. Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

- 8.1. I recommend that permission is refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Having regard to the location of the proposed development on elevated ground above the adjoining residential development of Rose Park and to the nature and scale of the proposed development and proximity of the development to the northern and eastern site boundaries, and notwithstanding the modifications to the design put forward as part of the appeal it is considered that the proposed development would have an overbearing impact seriously injuring existing residential amenity and would also give rise to overshadowing. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Siobhan Carroll
Planning Inspector

20th of August 2018