



An
Bord
Pleanála

Inspector's Report ABP 302120-18

Development	Retain improvements to front elevation of house
Location	25 Highfield, Ennis Road, Limerick
Planning Authority	Limerick City and County Council
Planning Authority Reg. Ref.	18/395
Applicants	Ken & Mary Robinson
Type of Application	Retention permission
Planning Authority Decision	Refuse
Type of Appeal	1 st Party v. Refusal
Appellant	Ken & Mary Robinson
Observer(s)	None
Date of Site Inspection	07/09/18
Inspector	Pauline Fitzpatrick

1.0 Site Location and Description

The appeal site is within the mature residential estate of Highfield accessed from the Ennis Road to the north-west of Limerick City centre. The estate comprises of semi-detached two storey dwellings some of which have been extended with a mix of external finishes including brick and rough render. The front garden areas are delineated by low walls and railings, some of which are backed with hedging.

No.25 is on a cul-de-sac fronting onto an open space. The dwelling has been redesigned with a plaster finish to the front elevation. The front wall/railing has been removed in its entirety with the front garden area covered in a hard surface

2.0 Proposed Development

Retention of alterations to the front elevation of the dwelling including the 1st floor fenestration and provision of a 2nd front door at ground floor level. The works also include the widening of the access resulting in the removal of the front boundary fence in its entirety and covering of the front garden with a hard surface.

3.0 Planning Authority Decision

3.1. Decision

Refuse for the following reason:

The development to be retained by reason of design, layout and finish is incongruous to the general character of the area and not capable of satisfactory assimilating (*sic*) into the local landscape. The development represents an unduly prominent development in the area and is contrary to Section 16.30 *Dwelling Extension* of the Limerick City Development Plan 2016 which states that “*the character and form of the existing building should be respected and external finishes and window types should match the existing*”. The proposed development is therefore contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

It is considered that the works to be retained are incongruous with the general character of the estate, are unacceptable and contrary to the policies of the City Development Plan. A refusal of permission for one reason is recommended.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

An objection to the proposal received by the planning authority is on file for the Board's information. Issues raised include disregard for planning process, alterations being out of character with the area and removal of public parking space.

4.0 Planning History

None

5.0 Policy Context

5.1. Development Plan

The Limerick City Development Plan 2010-2016 refers.

The site is within an area zoned 2A – Residential, the objective for which is to provide for residential development and associated uses.

Chapter 16 sets out the development management requirements for specified types of development. In terms of residential development the following is noted:

Dwelling Extensions

The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy. The character and form of the existing building should be respected and external finishes and window types should match the existing.

Proposed extension design should comply with the following:

- Follow the pattern of the existing building as much as possible.
- Be constructed with similar finishes and with similar windows to the existing building so that they will integrate with it.

5.2. **Natural Heritage Designations**

None in the vicinity

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The appeal, which is accompanied by photographs, can be summarised as follows:

- There are many different house types in the Highfield estate. The houses originally had garages with narrow driveways. Many of the garages have been converted and driveways widened.
- The garage doors were re-instated and the room is used as a utility room.
- The removal of the front boundary and hard surfacing of the front garden allows for their two cars to be parked off road and improves safety for their children accessing the green opposite.
- The style of the doors or windows has not changed significantly.
- The house was externally insulated. It is believed that such works are exempt.
- The façade could be painted a different colour if so required

6.2. **Planning Authority Response**

None

6.3. **Observations**

None

7.0 **Assessment**

The application before the Board is for retention of works undertaken to the front of the dwelling, only. An extension was erected to the rear, the footprint of which is delineated on the site layout plan. This is not before the Board for assessment.

As noted on day of inspection the appeal site is within the mature residential area of Highfield comprising largely of 2 storey semi-detached dwellings with garages, many of which have been converted and extended. The houses are not protected structure and are not within an architectural conservation area. The area is zoned 2A – Residential, the objective for which is to provide for residential development and associated uses.

Whilst extensions and alterations to an existing dwelling are acceptable in principle there is an obligation to reconcile the need to meet the requirements of the applicant with the requirement that such works should maintain the visual amenities and character of the parent building and wider area whilst not compromising the residential amenities of adjoining properties.

In my opinion the front elevation alterations including (a) adjustment to the front door arrangement (from side to front opening), (b) provision of further door opening to the utility room, (c) alterations to the windows openings and (d) removal of brick detailing and provision of a smooth render finish, whilst different to that prevailing, do not overwhelm or detract materially from the character of the area and are acceptable.

The justification for the removal of the front boundary and surfacing of the front garden area is so as to remove on street parking along the road frontage thereby improving visibility and safety for their children accessing the green area opposite. I noted that vehicular movements along the cul-de-sac to be very light at time of

inspection. Any vehicles moved at low speeds. Whilst the road is relatively narrow on street parking is currently unrestricted.

As noted by the appellants there are a number of examples of where the entire front garden area has been covered in a hard surface and that, in itself, is not problematic. However I consider that the removal of the front boundary in its entirety is. I submit that the unifying feature in the estate is the front boundary treatment comprising largely of a low wall and railing. Whilst a number of dwellings have widened the vehicular entrance all have retained the boundary. In order to assist in the assimilation of the dwelling as modified into the estate I consider that it is appropriate to require the reinstatement of the boundary. This can be addressed by way of condition.

Subject to the necessary alterations as detailed above I consider that the works to be retained would not have a negative impact on the established character or visual amenities of the area or the overall streetscape. Therefore I would not concur with the planning authority's assessment and do not consider that the proposal contravenes the relevant development plan provisions in terms of house extensions.

Environmental Impact Assessment

Having regard to the nature and scale of the development to be retained there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

AA – Screening

Having regard to the location of the site and the nature and scale of the proposed development 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

Having regard to the documentation on file, the grounds of appeal, a site inspection and the assessment above I recommend that retention permission for the above

described development be granted for the following reasons and considerations subject to conditions.

9.0 Reasons and Considerations

Having regard to the residential land use zoning for the area, the objective for which is to provide for residential development and associated uses, to the pattern of development in the area and to the scale, nature and design of the works to be retained, 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 of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. (a) The development shall be 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.

(b) The development to which this permission for retention relates is limited to the plans and details accompanying the application only, and does not refer to any other works within the site that is outlined in green on the site layout plan received by the planning authority on the 25th day of April, 2018.

Reason: In the interest of clarity.

2. Within three months of the date of this order the front boundary line to the footpath shall be reinstated with a plinth wall and railing with provision made for a vehicular access of not more than 3 metres wide in the south-eastern corner. Gates shall not be capable of opening outwards. The front boundary shall match that of the adjoining dwellings, details of which to be submitted to the planning authority for written agreement prior to construction.

Reason: In the interest of the protecting the visual and residential amenities of the area.

Pauline Fitzpatrick
Senior Planning Inspector

September, 2018