



An
Bord
Pleanála

Inspector's Report ABP-303002-18

Development	Provision of a porch structure to the front elevation of dwelling.
Location	No 29 Corrib Park, Galway.
Planning Authority	Galway City Council
Planning Authority Reg. Ref.	18/285
Applicant(s)	Michael and Alison Ryan.
Type of Application	Permission
Planning Authority Decision	Grant Permission subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Sean and Marie Griffin.
Observer(s)	None.
Date of Site Inspection	03/02/2019.
Inspector	Brid Maxwell

1.0 Site Location and Description

- 1.1. The appeal site .0231 hectares comprises a corner plot, no 27, within the well-established Corrib Park residential estate to the northwest of Galway City. The site is occupied by an end of terrace two storey dwelling which has a single storey side extension to its southern side gable.

2.0 Proposed Development

- 2.1. The proposal involves permission for the provision of a single storey porch structure of 4.6 sq.m to the front elevation of the dwelling.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 By order dated 25th October 2018, Galway City Council issued notification of its decision to grant permission and 3 standard conditions were attached including requirement for matching external finishes and limited hours of construction.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 3.2.1.1 Planner's report recommends permission subject to conditions.

3.2.2. Other Technical Reports

None

3.3. Prescribed Bodies

None

3.4. Third Party Observations

- 3.4.1 Submission from Brendan McGrath and Associates on behalf of the third-party appellant raises issues raised in the appeal with regard to loss of sunlight and impact on outlook from living room of adjoining dwelling.

4.0 Planning History

17/122 Permission granted for retention of changes in roof design to the single storey extension to dwelling, granted under PI Ref No 16/147.

16/147 Permission for provision of a single storey extension to the side and rear elevation of the dwelling.

15/349 Permission granted for the provision of a 2 storey extension to the side elevation of dwelling.

93/388 Permission granted for retention of a garden shed, coal shed, side entrance and access footpath.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The relevant development plan is the Galway City Development Plan, 2017-2023. The site is located on lands that are zoned 'Residential' under the provisions of the development plan. The stated objective for such zones is *"To provide for residential development and for associated support development, which will ensure the protection of existing residential amenity and will contribute to sustainable residential neighbourhoods"*

- 5.1.2 Section 11.3.1.(l) Residential Extensions

"The design and layout of extensions to houses should complement the character and form of the existing building, having regard to its context and adjacent residential amenities."

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The appeal is submitted by Brendan McGrath and Associates on behalf of Sean and Marie Griffin residents of the adjoining dwelling no 30 Corrib Park. Grounds of appeal assert that the proposal will have a serious adverse impact on 20 Corrib Park as a result of adverse impact on sunlight to living room window of no 30 and impact on quality of the view from this room. Proposed porch is significantly larger than that which would constitute exempted development. (4.6m compared to 2m)

6.2. Applicant Response

6.2.1 The applicant did not respond to the grounds of appeal.

6.3. Planning Authority Response

6.3.1 The Planning Authority did not respond to the grounds of appeal.

7.0 Assessment

7.1 As regards the principle of the proposed extension, which is intended to provide for improved residential accommodation, it is supported in terms of national, regional and local planning policies. The proposed porch extension in terms of its design, scale and materials it takes its reference from the established dwelling on the site and in visual terms integrates appropriately with the existing dwelling. The main issues to be considered in this case relate to the question of impact on established residential amenity of the adjacent property. The key concerns raised in the appeal relate to impact on light and obstruction of the view from the living room window.

7.2 I note that the porch is modest single storey structure with a monopitch roof design and extends 2.3m forward of the front building line. Having regard to the proximity of the proposed structure to the living room window of the adjoining dwelling and given the south-westerly orientation there is potential for overshadowing of the adjacent

living room window and an impact on the established outlook from the dwelling. Applying the “45 degree approach” as outlined in BRE Site Layout for Planning and Daylight and Sunlight: A Guide to Good Practice 2011, it is evident that the 45-degree line extends beyond the centreline of the appellant’s window thus indicating an adverse effect on the daylighting of the appellant’s property. Accordingly, further detailed daylight studies would be required to include Vertical Sky Component, Daylight distribution, Average Daylight Factor to inform the assessment of the potential impact of the development on the established residential amenity of adjoining dwelling No 30.

7.3 On the issue of Appropriate assessment, having regard to the nature of the proposed development and the established connection to existing public services together with the separation from any designated European Site and having regard to the source pathway receptor model, it is not considered that the proposed development is likely to have significant effect either individually or in combination with other plans or projects on a European Site. It is therefore considered that a stage 2 appropriate assessment and submission of an NIS under the Habitats Directive (92/43/EEC) is not therefore required.

7.4 On the issue of Environmental Impact Assessment screening having regard to the limited nature and scale of the development, nature of the receiving environment no likelihood of significant effects on the environment arising from the development. The need for environmental impact assessment can, therefore, be excluded.

8.0 Recommendation

8.1. I have read the submissions on the file, visited the site and had due regard to the development plan and all other matters arising. I recommend that the Board request the following further information:

In order to enable further assessment of the potential impact of the proposed extension on the residential amenity of the adjoining dwelling No 30 submit a detailed assessment in accordance with *BRE Site Layout and Planning for Daylight*

and Sunlight: A Guide to Good Practice 2011 to address inter alia the following Vertical Sky Component, Daylight Distribution, Average Daylight Factor, Annual Probable Sunlight Hours. Measures to mitigate significant adverse impact arising should be outlined.

Bríd Maxwell

Planning Inspector
4 February 2019