



An  
Bord  
Pleanála

## Inspector's Report ABP 303110-18

### Development

Permission for the removal of roof and attic bedroom and construction of a new roof including a first floor, rear extension, internal remodelling and new dormer to the front. Widening of existing front driveway and gate, modifications to existing drainage and landscaping.

### Location

No. 6 Newcourt Avenue, Bray, Co. Wicklow.

### Planning Authority

Wicklow County Council.

### Planning Authority Reg. Ref.

18/1012.

### Applicant

Patrick Cannon.

### Type of Application

Permission.

### Planning Authority Decision

Grant permission with conditions.

### Type of Appeal

Third Party.

### Appellants

1. Bray Head Residents Association.
2. Liz Ferris.

<b>Observers</b>	None.
<b>Date of Site Inspection</b>	5 <sup>th</sup> March 2019.
<b>Inspector</b>	Dáire McDevitt.

## **1.0 Site Location and Description**

1.1 The appeal site, with a stated area of 0.0791 hectares, is located along the eastern side of Newcourt Avenue, access via Cuala Road off Putland Road (R766). Newcourt Avenue is a mature residential area located on the southern side of Bray, Co. Wicklow. It is bounded to the east (rear) by a golf course. The eastern side of Newcourt Avenue is characterised by a mixture of mid 1900s single storey houses, which are of uniform design and scale, with detached one and a half storey houses with gables fronting the road along the western side of the road which is at a lower level. A number of the houses along Newcourt Avenue have been refurbished and altered over the years. The scale and design of houses varies within the immediate area, including a number of two storey houses to the south along Eaton Court. Ground levels fall from east to west.

1.2 No. 6 Newcourt Avenue, is a detached single storey house which has previously been extended. It is bounded by No. 5 (appellant's house) to the north & No. 7 to the south. A number of the single storey houses have front dormer windows at attic level, including the appellant's house, No. 5. It fronts onto Newcourt Avenue, where the roadside boundary consists of a low wall with a pedestrian and vehicular gates/entrances off the road. Significant kerbside parking along Newcourt Avenue was observed on the day of inspection.

## **2.0 Proposed Development:**

The existing house has a gfa of c.146 sq.m on a site with a stated area of c. 0.0791 hectares.

The proposed development consists of:

- Removal of the existing roof and its replacement with a pitched roof and a first floor.

- A dormer window to the front.
- Two storey extension to the rear.
- Alterations and refurbishments to existing dwelling.
- Widening of existing entrance.
- Modifications to existing drainage.

Resulting in a house with an overall gfa of c. 225.m.

### **3.0 Planning Authority Decision**

#### **3.1 Decision**

Grant permission subject to 4 standard conditions.

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

##### **3.2.1 Planning Report (24 October 2018)**

This formed the basis of the planning authority's decision. Issues of notes raised in the report included:

- The proposal would not have a significant adverse impact on the visual amenities of the area.
- It would not have a detrimental impact on the amenities of adjoining properties in terms of overlooking, overshadowing or overbearing effect.
- The plot ratio is 0.28. The site can accommodate the scale of the proposed development.
- Works to the entrance would not constitute a traffic hazard.

##### **3.2.2 Other Technical Reports**

None.

### **3.3 Third Party Observations**

9 submissions were received by the planning authority. The issues raised broadly reflect the ground of appeal. The main issues included:

- Over development of the site.
- Overshadowing and Overlooking.
- Changes to the roof profile would be out of character with the existing roof profiles in the area.
- Compromises the views to and from Bray Head.
- Undesirable precedent and devaluation of property.

### **4.0 Planning History**

#### **No. 6 Newcourt Avenue**

**Planning Authority Reference No. 15/526** refers to a 2015 grant of permission to Karina Tierney for a dormer window to the front to the existing attic room together with roof light to the side.

#### **No. 5 Newcourt Avenue:**

**Planning Authority Reference No. 08630016** refers to a 2008 grant of permission for alterations and extensions, including single storey extension to the front and roof lights to the rear.

### **5.0 Policy & Context**

#### **5.1 Bray Municipal District Local Area Plan 2018.**

**Land Use Zoning: RE Existing Residential** *To promote, provide and improve residential amenities of existing residential areas*

#### **5.2 Wicklow County Development Plan 2016-2022**

The policies and objectives are generally reflective of what is included in the Local Area Plan.

**Objective HD9** provides that home improvements, alterations and extensions shall be in accordance with the principles of good design and protection of existing residential amenity will normally be permitted. New developments shall have regard to the protection of the residential architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building form), to provide visual diversity.

## **Appendix 1. General Development and Design Standards:**

### **House Extensions**

- Extensions shall be sensitive to the existing dwelling.
- Shall not provide for new overlooking of the private area of adjacent residences.
- It shall not increase overlooking possibilities.
- Should not overshadow adjacent dwellings.
- While the form, size and appearance of an extension should complement the area, unless the area has an established or unique or valuable character worthy of preservation, a flexible approach will be taken to the assessment of alternative design concepts.

### **5.3 Natural Heritage Designations**

Bray Head SAC (site code 000714) is c.98m to the east.

### **5.4 Environmental Impact Assessment**

5.4.1 Having regard to the nature and scale of the development which consists of alterations and extensions to an existing dwelling in a built up suburban location, 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.

## **6.0 The Appeal**

Two third party appeals have been received from:

1. Bray Head Residents Association.
2. Liz Ferris, No. 5 Newcourt Avenue, Bray, Co. Wicklow.

### **6.1 Grounds of Appeal**

Both appeals enclose copies of submissions lodged with the planning authority. The grounds of appeal reiterate the concerns raised in these submissions. There is significant overlap and reiteration of issues raised in both grounds of appeal and I, therefore propose to address these by theme rather than individually. The appellants have requested that the Board consider the application de novo. I do not consider that this is necessary. The grounds of appeal can be summarised as follows:

#### **6.1.1 Design & Residential Amenity.**

- The site bounds Bray Head Special Amenity Area. The views to and from this area would be directly compromised as a result of the over scaled and inappropriate extension.
- The proposed development would be out of character with the established pattern and layout of the area having regard to the proximity of the proposed extension to the neighbouring properties, no. 5 Newcourt Avenue in particular.
- The proposed development would seriously injure the residential and visual amenities of the area and would depreciate the value of property in the vicinity and set an undesirable precedent.
- There is no precedent for two storey extensions along Newcourt Avenue. The established pattern is modest single storey rear extensions.
- The changes to the roof profile would jar with the existing streetscape.

- The size and scale of the development would represent overdevelopment of the site and is aesthetically at odds with the neighbouring dwellings and would be bulky and overbearing in comparison.
- Overlooking of the private amenity space of No. 5 Newcourt Avenue.
- The height of the proposed extension and its proximity to the shared boundary would result in loss of daylight and sunlight to adjoining properties.

## **6.2 Planning Authority Response**

None.

## **6.3 Observations**

None.

## **6.4 Applicants response to the third party appeal**

This is mainly in the form of a rebuttal. Points of note include:

- Reference to two storey development in the vicinity.
- There is no evidence that the proposed extension would have any impact on the character of Bray Head Special Amenity Area.
- Overlooking and overshadowing are not an issue.
- It does not constitute overdevelopment of the site. The proposal complies with the requirements of Wicklow County Council for domestic extensions.
- The proposal does not extend above the existing ridge level of the house. Therefore, there would be negligible visual impact from the public road.

The response includes:

- Copy of Wicklow County Council Notification of decision (18/1021)



- Photographs of houses in the vicinity of the site.
- A copy of An Bord Pleanála Reference No. OG/TPB Order confirming the making of the Bray Head Special Amenity Area Order.
- A copy of Bray Head Special Amenity Order 2007

## **7.0 Assessment**

The main issues in this appeal are those raised in the grounds of appeal. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Design & Residential Amenities.
- Appropriate Assessment.

### **7.1 Design & Residential Amenities**

7.1.1 Objective HD9 and Appendix 1 of the current County Development Plan set out a number of key principles and development management standards for domestic extensions.

7.1.2 The proposed development consists of material changes and alterations to the fabric and character of the existing house, No. 6 Newcourt Avenue. The appellants have raised concerns that the provision of a pitched gable roof and a two storey extension to the rear of No. 6 Newcourt Avenue by virtue of their combined scale, bulk and mass would appear overbearing and dominant and detract from the residential amenities of adjoining properties and the visual amenities of the area, in particular Bray Head SAA.

- 7.1.3 Newcourt Avenue is a mature suburban area in Bray built in the mid-1900s. No. 6 forms part of a row of single storey bungalows with hipped roofs along the eastern side of Newcourt Avenue. House types are varied on the western side, but at a lower level. The existing house has been the subject of alterations in the past but has retained its roof profile. No. 4 & 5 Newcourt Avenue to the north of the site have dormer windows to the front. However, while a number of the houses have been altered and extended over the years, they have retained the hipped roof profiles.
- 7.1.4 The appellants have referred to houses in the area as precedents for different roof profiles and two storey extension. In my opinion the issue of precedent does not arise as the context differs from the current site in relation to the design and scale of the works proposed. The area is characterised by well-established suburban housing in the immediate vicinity. No. 6 forms part of a prominent row of single storey houses. The houses present a uniform look and in the main have not been altered substantially to the front. A number of houses have small scale front dormer windows.
- 7.1.5 The alterations proposed to No. 6 would provide for a two storey extension to the rear with a revised roof profile consisting of a pitched roof with a dormer to the front. And while no changes are proposed to the ridge height of the main house, in my view, the proposed changes to the roof profile, the scale and design of the extension proposed would jar with the existing pattern of development and result in a discordant feature on the streetscape and set an undesirable precedent for further similar developments.
- 7.1.6 The current proposal results in a changes to the hipped roof, which would obscure the features of the hipped roof and would be overly dominant in appearance. The modifications to the roof profile and the proposed two storey nature of the extension would detract from the

character and form of the main house. In my opinion, the introduction of a pitched gable roof along this section of Newcourt Avenue would be to introduce a discordant element into the streetscape. It would detract from the appearance and rhythm of hipped-roof houses, it would be out of character with the area and would have a negative impact on the visual amenities of the area. The appellants raised concerns that the scale of the development would detract from the views to and from Bray Head SAA, I consider this impact to be minimal.

7.1.7 I consider that the proposed development by virtue of its design, bulk and scale would be overly dominant and visually incongruous and would be at variance with the predominant pattern of development in the area. The proposed development would, therefore, detract from the existing pattern of development in the area and be contrary to Objective HD9 and Appendix1 of the Wicklow County Development Plan 2016-2022 and would set an undesirable precedent for further such developments in the area.

7.1.8 Overlooking of the rear gardens of adjoining properties is not considered material having regard to the orientation and relationship of the properties.

7.1.9 The refurbishment of the existing entrance is noted and considered acceptable. The Area Planner raised no concerns on traffic grounds.

## **7.2 Appropriate Assessment**

7.2.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, 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**

I recommend that planning permission should be refused for the reasons and considerations as set out below.

## **9.0 Reasons and Considerations**

It is considered that the proposed two storey extension and modifications to the roof profile by virtue of its design, bulk and scale would be overly dominant and visually incongruous and would be at variance with the predominant pattern of development in the area. The proposed development would, therefore, detract from the existing pattern of development in the area and be contrary to Objective HD9 and Appendix 1 of the Wicklow County Development Plan 2016-2022 and would set an undesirable precedent for further such developments in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Dáire McDevitt  
Planning Inspector  
13<sup>th</sup> March 2019.