



An  
Bord  
Pleanála

## Inspector's Report

### ABP-305211-19

---

<b>Development</b>	Change roof design to gabled roof, and convert attic space to storage area,
<b>Location</b>	14 Tara Court Square, Proudstown Road, Navan, Co. Meath
<b>Planning Authority</b>	Meath County Council
<b>Planning Authority Reg. Ref.</b>	NA190723
<b>Applicant(s)</b>	Michael and Fionnuala Nolan.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	To refuse.
<b>Type of Appeal</b>	First
<b>Appellant(s)</b>	Michael and Fionnuala Nolan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	26 <sup>th</sup> November 2019
<b>Inspector</b>	Deirdre MacGabhann

# Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision.....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	3
3.3. Prescribed Bodies/Third Party Observations .....	4
4.0 Planning History.....	4
5.0 Policy Context.....	4
5.1. Meath County Development Plan 2013-2019.....	4
5.2. Natural Heritage Designations .....	5
5.3. EIA Screening .....	5
6.0 The Appeal .....	5
6.1. Grounds of Appeal .....	5
6.2. Planning Authority Response .....	6
6.3. Observations/Further Responses.....	6
7.0 Assessment.....	6
8.0 Recommendation.....	8
9.0 Appropriate Assessment.....	8
10.0 Reasons and Considerations .....	8
11.0 Conditions .....	8

## **1.0 Site Location and Description**

1.1. The appeal site lies to the north of Navan Town in a residential area. It comprises no. 14 Tara Court Square, Proudstown Road, a two-storey semi-detached property that faces broadly south. Tara Court Square comprises a cul-de-sac residential development of two storey semi-detached properties situated around an area of public open space.

## **2.0 Proposed Development**

2.1. The proposed development comprises a change to the profile of the existing roof to gable, at side, and dormer, at rear and the internal rearrangement of accommodation, to include conversion of attic space for storage place.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. On the 25<sup>th</sup> July 2019 the planning authority decided to refuse permission for the development on the grounds that it would result in unacceptable overshadowing and loss of light to the private amenity space on no. 13 Tara Court Square, would set an undesirable precedent and seriously injure the established residential amenity of the adjoining property.

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

#### **3.2.1. Planning Reports**

- 23<sup>rd</sup> July 2019 – The report refers to the location and zoning of the site and local planning policies in respect of residential development. It considers that the principle of the development is acceptable but that due to its scale and orientation it would overshadow the private amenity space and result in the loss of sunlight to the property to the north east of it, no. 13 Tara Court Square. It also considers that the design of the development is out of character with the existing pattern of development in the area and would

create an undesirable precedent. The report recommends refusing permission.

### 3.2.2. Other Technical Reports

- None.

### 3.3. Prescribed Bodies/Third Party Observations

- None.

## 4.0 Planning History

- PA ref. NA/190045 – Permission granted, in March 2019, for the construction of an extension to the side and rear side of the appeal site (applicant Michael and Fionnuala Nolan).
- PL32.241989 (PA ref. NT/130015) – Permission granted by the Board for the conversion of existing attic space to a study/store room and the conversion of the existing hipped roof to a full gable with three roof windows to the rear of the existing house, 84 The Paddocks, Proudstown Road, Navan.
- PL32.237893 (PA ref. NT/100082) – Permission granted by the Board for the conversion of existing attic space to a study/store room and existing hipped roof to be converted to a full gable roof with two roof windows to rear of existing house, 4 The Paddocks, Proudstown Road.

## 5.0 Policy Context

### 5.1. Meath County Development Plan 2013-2019

#### 5.1.1. Relevant policies from the current County Development Plan include:

- **Section 11.2.4 – Extension.** States that development will be required to respect and integrate with the existing dwelling in terms of height, scale, materials used, finishes, window proportions etc. and that the planning authority will consider the impact on amenities of adjacent residents, in terms of light and privacy (including that extensions to not overshadow windows,

yards or gardens) in its assessment. It is also stated that dormer extensions should not obscure the main features of the existing roof (not break the ridge or eaves lines of the roof ) and that box dormers should be avoided.

5.1.2. Relevant policies from the Navan Development Plan 2009 -2015 include:

- Zoning of the site as **A1 Existing Residential**, the objective of which is '*To protect and enhance the amenity of the developed residential communities*'. Infill or redevelopment proposals are stated to be acceptable in principle, with careful consideration given to protecting amenities such as privacy, daylight/sunlight and aspect in new proposals.

## 5.2. Natural Heritage Designations

5.2.1. The nearest site of nature conservation interest lies c.1km to the south of the site and comprises the River Boyne and River Blackwater SAC and SPA (site codes 002299 and 004232 respectively). It is separated from the appeal site by substantial residential and commercial development.

## 5.3. EIA Screening

5.3.1. The proposed development is of a type that constitutes an EIA project (involving construction works and demolition). However, it is modest in scale, is proposed in an existing urban area and will not give rise to any significant environmental effects. Consequently, there is, therefore, no real likelihood of significant effects on the environment to warrant environmental impact assessment.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- The proposed 2<sup>nd</sup> floor/dormer window will not be visible from the front of the site and service road. The finishes, ridge height and pitch of the new roof to side of the existing will match the existing roof. The rear window will provide natural light to the converted area. There will be no impact on the established building line.

- There are precedents for similar type developments (PL32.241989, 84 The Paddocks, Proudstown Road; PL32.237893 4 The Paddocks, Proudstown Road; PA ref. NT/100082). Tara Court Crescent is located to the front of the housing estate and has a gable roof design.
- The applicant has resided in the area for a considerable time and wishes to stay there. The applicant needs additional space for their family for domestic storage/study purposes. In the current economic climate many residents cannot afford to move and must look at extending their property. The attic will be used as a non-habitable storage room.
- There will be no overshadowing arising from the development (see attached shadow analysis).
- There are no objections from neighbouring properties.

## 6.2. **Planning Authority Response**

- Considers that the matters raised in the appeal were examined in the course of the assessment and makes no further comments.

## 6.3. **Observations/Further Responses**

- None.

## 7.0 **Assessment**

- 7.1. Having regard to the information and submissions on file and my inspection of the site, I consider that the key matters for this appeal are the impact of the development on residential amenity and precedent.
- 7.2. The appeal site comprises a semi-detached property which faces broadly south. It directly adjoins its neighbouring property no. 13 Tara Court Square, which also faces south. The proposed development includes three elements, (a) a change to the profile of the existing roof from hipped to gable, at side, and (b) provision of a dormer, at the rear and (c) conversion of attic space for storage place.

- 7.3. Meath County Development Plan requires residential extensions to respect and integrate with the existing dwelling and not to give rise to overshadowing of windows, yards or gardens.
- 7.4. **Respect/integrate with existing.** At the time of site inspection, no other dwellings in Tara Court Square had altered the original hipped roof design. However, I note that the residential development immediately east of the Tara Court Square, Tara Court Crescent, facing the public road, has a hipped roof design. Further, under PL32.241989 and PL32.237893 referred to by the appellant, the Board granted permission at appeal to change a hipped roof to a gable roof at two properties in 'The Paddocks'(and conversion of attic space to study/store). This residential development lies c.150m to the north east of the appeal site and photographs of the dwellings are on file. Whilst the different profile is evident in each case, neither is particularly conspicuous or obtrusive. Similarly, I consider that the proposed alteration to the existing hipped roof, to gable, would not of itself detract significantly from the visual or residential amenity to the area. With regard to the dormer to the rear, I note that the Meath County Development Plan specifically states that dormer extensions should not obscure the main features of the roof and that box dormers in particular should be avoided. The proposed dormer window is a box dormer and is substantial in scale. Whilst it does not break the ridge or eaves lines of the existing roof, it would dominate and obscure its main features (see elevations). I consider that in principle it would, in this form, conflict with the policies of the County Development Plan.
- 7.5. **Impact on amenity.** The appeal site faces broadly south. The proposed gable roof and dormer extension would increase the bulk of the existing roof potentially overshadowing the property to the east of it in the afternoon and evening. However, for the most part, the rear garden of this property, at this time, will be already affected by overshadowing from the existing property (no. 14 Tara Court Square) and the property to the west of it (no. 15). This effect is shown in the appellant's Amenity Sunlight Analysis i.e. that the proposed extension will have a modest effect on it. Notwithstanding this, as discussed above, I consider that the scale of the proposed rear dormer window is excessive and would be overbearing on the adjoining property, detracting from its residential amenity.

7.6. **In summary**, having regard to the above, I consider that the proposed alteration from gable roof to pitched roof is acceptable but that the proposed dormer to rear is excessive in scale and should either be reduced or, ideally, replaced with roof lights.

## 8.0 Recommendation

8.1. I recommend that permission for the proposed development be granted, subject to conditions.

## 9.0 Appropriate Assessment

9.1. Having regard to location of the proposed development, within an established urban area, and the modest nature of the proposed development which comprises the alteration of roof profiles and conversion of attic space, 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.

## 10.0 Reasons and Considerations

10.1. Having regard to the wider context for the appeal site which includes the existence of full gables in the vicinity, and to the design and scale of the proposed development, 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, would be acceptable visually and would not, therefore, be contrary to the proper planning and sustainable development of the area.

## 11.0 Conditions

1.	The development shall be carried out and completed 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
----	---



	<p>planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The dormer window to the rear of the property shall be replaced by roof lights. Revised drawings showing compliance with this requirement shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
4.	<p>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.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>

---

Deirdre MacGabhann  
 Planning Inspector  
 12<sup>th</sup> December 2019