



An
Bord
Pleanála

Inspector's Report

ABP-307141-20

Development	Construction of an attic conversion incorporating dormer extension to rear, change of roof profile from hip end to full gable
Location	11 Rochford Close, Kilcock, Co. Kildare.
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	20/142
Applicant(s)	Anthony and Ciara Fagan
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party V. Refusal
Appellant(s)	Anthony and Ciara Fagan
Observer(s)	None
Date of Site Inspection	7 th July 2020
Inspector	Elaine Power

1.0 Site Location and Description

- 1.1. The appeal site is located approx. 500m south of Kilcock town centre, on Rochford Close. It is located in the centre of a row of semi-detached houses which front to a public green area. The general area comprises a variety of single storey and 2-storey detached, semi-detached and terrace houses.
- 1.2. The appeal site has a stated area of 0.023ha. It accommodates a two-storey semi-detached house with a gross floor area of 100sqm. The house has a driveway to the front and private open space to the rear. It is bound to the north and south by semi-detached houses, to the west by the internal estate road and to the east by a recently completed Ledwill Park residential development.

2.0 Proposed Development

- 2.1. The proposed development comprises changing the roof profile from a hipped roof to a gable ended roof and the construction of a 4.4m wide rear dormer extension. The conversion of the attic space to a non-habitable room. The converted area has a gross floor area of 25sqm. The works also include the provision of a new internal stairs and 1 no. rooflight on the front elevation.

3.0 Planning Authority Decision

3.1. Decision

Permission was refused for the following reason: -

The proposed development of a dormer attic extension is considered out of context with the established pattern and character of residential development in the area and is not consistent with Section 17.4.8 of the Kildare County Development Plan 2017 – 2023 where extensions ‘should complement the area in which it is located, and its design and scale should have regard to adjoining properties’. The proposed development would therefore seriously injure the amenities and depreciate the value of property in the vicinity, would set an undesirable precedent for further such development and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. *Planning Reports*

The Area Planners report raised concerns regarding the proposed development and recommended that permission be refused for the reason outlined above.

3.2.2. *Other Technical Reports*

Chief Fire Officer: The development should comply with Building Regulations.

Area Engineer: No objection, subject to conditions

Roads, Transportation and public Safety Department: No objection.

3.3. Prescribed Bodies

Irish Water: No objection

3.4. Third Party Observations

None

4.0 Planning History

None

5.0 Policy Context

5.1. Kilcock Local Area Plan 2015-2021

The appeal site is zoned 'B' – Existing Residential and Infill with the associated lands use objective '*to protect and improve existing residential amenity; to provide for appropriate infill residential development; to provide for new and improved ancillary services*'. The primary aim of this zoning objective is to preserve and improve residential amenity and to provide for further infill residential development at a density that is considered suitable to the area and to the needs of the population.

Objective SN 1: *To promote new neighbourhoods which are well designed, safe and suitable for a variety of age groups and tenures, robust, adaptable, well served by local*

facilities and public transport, and which contribute to the structure and identity of Kilcock.

5.2. Kildare County Development Plan 2017 - 2023

Section 4.11: Extensions to Dwellings states that *'domestic extensions are an effective way for homeowners to adapt to changing household needs without having to move house. The design, scale and layout should have regard to the amenities of adjoining properties, particularly as regards overshadowing and privacy'*.

Chapter 17: Development Management Standards is considered relevant, in particular section 17.4.8 Extension to Dwellings which states that *'primarily, the design and layout of extensions should have regard to the character of the existing dwelling, the nature of the surrounding area and the amenities of adjoining properties, particularly as regards sunlight, daylight and privacy'*.

SRO 3 *Facilitate the extension of existing dwellings in accordance with the standards set out in Chapter 17 of this Plan.*

5.3. Natural Heritage Designations

There are no designated sites within the immediate vicinity of the site.

5.4. EIA Screening

Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive 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. An EIA - Preliminary Examination form has been completed and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the planning authority's decision to refuse permission. The submission is summarised below: -

- The applicant has raised concerns that the planning authority did not assess the correct development as the planners report incorrectly describes the development as the conversion of the attic space to a bedroom with en-suite and the provision of 5 no. rooflights on the front roof elevation. The development actually comprises a non-habitable attic room, the construction of a rear dormer and 1 no. front roof light.
- The proposed development is in accordance with the zoning objective and the provisions of the development plan. The planners report states that there is no objection in principle to the proposed development.
- Building regulations relating to head height for habitable rooms are not relevant as the room would not be habitable.
- There is a precedent for this type of development in the surrounding housing estates. The proposed development respects the residential character of the area. The ridge height would match the existing roof profile and the development is subordinate to the existing house. Due to the limited scale of the development and the matching external materials the proposed development is not visually obtrusive or incongruous and it would not negatively impact on the visual amenities of the street.
- The development is minor in nature. There is a 27m separation distance to the opposing windows, the extension have been designed to ensure it would not adversely impact the existing residential amenities in terms of overlooking or overshadowing.
- The proposed development would provide a den area to facilitate the needs of a growing family.
- There have been no third-party objections to the development.

- The applicant has included examples of different house types in Kilcock.

6.2. **Planning Authority Response**

The Planning Authority acknowledged that there was an error in the development description within the planning report, however, it is stated that the application was assessed on the correct drawings and description. It is considered that the development is entirely out of context with the existing pattern of development in the area and would set an undesirable precedent. It is recommended that permission be refused for the reasons outlined in the planner's report.

7.0 **Assessment**

7.1. The main issue in this appeal relates to the reason for refusal. Appropriate Assessment requirements are also considered. I am satisfied that no other substantial planning issues arise. The main issues can be dealt with under the following headings:

- Residential and Visual Amenity
- Appropriate Assessment

7.2. ***Residential and Visual Amenity***

7.2.1. The planning authority refused permission on the basis that the dormer extension would be out of character with the established pattern and character of the area and would seriously injure the amenities, depreciate the value of property in the vicinity and set an undesirable precedent for further such development

7.2.2. The applicant has stated that the proposed development respects the residential character of the area and would not negatively impact on the residential or visual amenities of the area.

7.2.3. Rochford Close comprises a row of 2-storey, semi-detached and terrace houses which have gable ended roofs. It is noted that there are a wide variety of housing types within the surrounding estates. The recently constructed Ledwill Park residential development, located to the rear of the property, includes gable ended houses with some dwellings incorporating dormers.

- 7.2.4. It is proposed to build up the existing hipped roof to provide a gable ended roof and to construction a rear dormer extension. The rear roof profile is approx. 6.5m in width, the proposed dormer extension is approx. 4.4m in width, with a 1.8m wide window located centrally on the extension. The dormer extension is located approx. 0.1m below the ridged of the roof, approx. 0.7m from the boundary with the adjoining property, no. 10 Rochford Close and approx. 1.1m from the side elevation of the house. It is also proposed to construction a new rooflight on the front elevation. The proposed window is approx. 0.4m by 0.4m and is located approx. 0.1m from the boundary with no. 10 Rochford Close.
- 7.2.5. It is noted that the proposed development would alter the roof profile, however, having regard to the residential nature of the development, the limited scale and the design of the extension, it is my view that it would not detract from the character of the dwelling and would not seriously injure the residential or visual amenities of the area. In addition, having regard to the limited size and the design of the rear dormer extension, it is my view that it would not have an adverse impact on the existing residential amenities in terms of overlooking, overshadowing or overbearing impact and would not be visually prominent within the local streetscape.
- 7.2.6. In conclusion, it is my opinion that the proposed development would not be out of character with the established pattern and character of the area and would not seriously injure the existing residential or visual amenities of the area. It is also considered that the proposed development is in accordance with Policy SRO 3 of the development plan to facilitate the extension of existing dwellings.

7.3. ***Appropriate Assessment***

Having regard to the nature and small scale of the proposed development and the distance from the nearest European site, 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 permission be granted subject to conditions.

9.0 Reasons and Considerations

Having regard to the residential zoning objective, the nature and limited scale of the development it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not adversely affect the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 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 planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. 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.

Reason: In the interest of visual amenity.

3. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. The applicant shall enter into water and wastewater connection agreements with Irish Water, prior to commencement of development.

Reason: In the interest of public health.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 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.

Reason: In order to safeguard the amenities of property in the vicinity.

Elaine Power
Planning Inspector

10th August 2020