



An
Bord
Pleanála

Inspector's Report

ABP-307275-20

Development	Rear extension to existing dwelling house
Location	1 McCooley Terrace, Clogherhead, Co Louth
Planning Authority	Louth County Council
Planning Authority Reg. Ref.	19974
Applicant(s)	Renee Tallon & James Kirwan
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Renee Tallon & James Kirwan
Date of Site Inspection	18 th June 2020
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.10 hectares, is located in a residential area to the north west of Clogherhead. The appeal site is occupied by no. 1 McCooey Terrace, which is a single-storey semi-detached dwelling. The appeal site has a large garden to the side and the rear by virtue of being a corner site. The adjoining dwelling to the south east is the dwelling attached and is a single-storey dwelling with a large extension to the rear. Levels on the site fall moving north east. To the north of the site is the side boundary of a single-storey semi-detached dwelling located at a lower level due to the change of levels moving northwards. Boundary treatment on site consists of walls along all boundaries.

2.0 Proposed Development

2.1. Permission is sought to construct a rear extension to an existing dwelling and associated site works. The extension has a floor area of 179sqm and is a two-storey extension to the rear of a single-storey dwelling. The extension has a similar ridge height to the existing dwelling and features a pitched roof with external finishes matching the existing dwelling as well as brick detailing.

3.0 Planning Authority Decision

3.1. Decision

Permission refused based on one reason...

1. The proposed development, by reason of its excessive mass, scale and bulk would be out of character with the existing single-storey dwelling-house and the established character and pattern of dwellings along McCooey Terrace. The design response is considered inappropriate and incoherent with the architectural character of the existing dwelling. It is therefore considered that the proposed extension would be out of character and injurious to the visual amenities of the area and would set an undesirable precedent for other inappropriate extensions to dwelling-houses along this streetscape and as such, would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning report (17/01/20): Further information required including revised proposals to deal with concerns regarding scale and visual impact of the extension.

Planning report (28/03/20): The design and scale of the extension was considered excessive and out of character at this location. Permission was refused based on the reason outlined above.

3.2.2. Other Technical Reports

None.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

4.1 No planning history.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development plan is the Louth County Council Development Plan 2015-2021. Clogherhead is identified as a Level 3 settlement. The site is on lands zoned 'Residential Exiting' with a stated objective 'to protect and or enhance existing communities'.

5.2. Natural Heritage Designations

None in the vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal has been lodged by Renee Tallon & James Kirwan, 1 Father McCooley Terrace, Clogherheadm, Co Louth, A92HE43. The grounds of appeal are as follows...

- The appellants wish to extend their home due to the requirement for additional space for their family. It is noted that a significant number of the dwellings in the vicinity have been extended.
- The appellants have proposed an extension similar in scale and design to a neighbour with it noted that sloping garden to the rear allows for a two-storey extension while having a ridge height similar to the existing dwelling.
- It is noted that a requirement to provide a single-storey extension only would require a significant amount of dead building due to the change in levels on site and does not make sense.
- The design of the extension was intended to be similar and in keeping with existing development in the area with the appellants noting an alternative design they had explored was considered by themselves as too incongruous in design despite being a more contemporary design.

6.2. Planning Authority Response

6.2.1 Response by Louth County Council.

- There is no objection in principle to an extension to this property however it is considered that the design proposed is out of character due to its mass, bulk, roof slope and proposal for dormer windows.

7.0 Assessment

7.1 Having inspected the site and associated documents, the main issues can be assessed under the following headings.

Design, scale, visual impact

Appropriate Assessment

7.2 Design, scale, visual impact:

7.2.1 The proposal entails the provision of a two-storey extension to the rear of a single-storey dwelling. Permission was refused on the basis that the mass, scale and bulk would be out of character with the existing single-storey dwelling-house and the established character and pattern of dwellings along McCooey terrace. The existing dwelling is single-storey, however the level on site falls moving north east away from the rear elevation of the dwelling. The proposal is for a two-storey split level extension with the ground floor of the extension location at a lower level than that of the existing dwelling and the first floor of the extension at the same level as the ground floor of the existing dwelling. The ridge height of the extension ties into the ridge height of the existing dwelling.

7.2.2 The levels on site do facilitate the provision of a two-storey extension. A single-storey extension that ties into both the existing ground floor level and ridge height would require a significant amount of dead building and be not dissimilar in scale and bulk to the extension proposed. I would consider that there is scope to allow for a two-storey extension to the rear of the existing. Having inspected the plans for the initial proposal and the amended plans submitted in response to further information, I would note that there are elements of design that are unsatisfactory and would be out of character at this location. I would consider that the overall physical scale of the proposed extension is satisfactory however I would consider the dormer windows at first floor level seem unnecessarily prominent and incongruous in both the initial and amended plans. I would consider that the proposal would be acceptable subject to amendment of the design to omit the dormer windows and replace such with roof lights flush with the roof plane. I would consider this amendment would deal with the design issue and that the overall scale and design

of the extension subject to such an amendment would be satisfactory in the context of the visual amenities of the area and the residential amenities of adjoining properties. I would note that in the event of a grant of permission the proposal should be carried out in accordance with the plans submitted in response to further information on the 04th of April 20202 with the omission of the dormer windows in favour of roof lights and the provision of a rectangular window on the rear elevation as opposed to the irregular shaped window proposed in the plans submitted by the appellants.

7.3 Appropriate Assessment:

7.3.1 Having regard to the nature and scale of the proposed development and its proximity to 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

8.1. I recommend a grant of permission subject to the following conditions.

9.0 Reasons and Considerations

Having regard to the design and scale of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual amenities of the area and the amenities of adjoining property. 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 and as amended by the plans submitted

on the 14th day of April 2020, 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 proposed development shall be amended as follows:

(a) The 2 no. dormer window on the side elevation shall be omitted and replaced with roof lights flush with the roof plane.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual amenity.

3. 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.

Reason: In the interest of public health.

4. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times

shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Colin McBride
Planning Inspector

12th August 2020