



An
Bord
Pleanála

Inspector's Report ABP-307404-20

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| Development | Three storey extension to rear of house, internal alterations, the replacement of all windows on the front and rear elevations including new French doors to front and all ancillary works. |
| Location | Kincora, Dock Road, Dunmore East, Co. Waterford |
| Planning Authority | Waterford City & County Council |
| Planning Authority Reg. Ref. | 20/7 |
| Applicant | Norman Walsh |
| Type of Application | Permission |
| Planning Authority Decision | Refuse Permission |
| Type of Appeal | First Party |
| Date of Site Inspection | 7 th October 2020 |
| Inspector | Paul O'Brien |

1.0 Site Location and Description

- 1.1. The subject site comprises of a two-storey end of terrace house, named as 'Kincora' and located on the north eastern side of the Dock Road in Dunmore East, Co. Waterford. The house is located on a stated site area of 0.041 hectares and the existing floor area is stated as 128.3 sq m. This terrace consists of three houses with Kincora located to the north western side. A laneway to the north east/ rear provides access to an garage and the rear garden.
- 1.2. Kincora has a hipped roof, and a dormer is provided to both the front and rear roof profile, as is the case with the other two houses in the terrace. An enclosed porch is provided to the front of each of the houses. These are large units and appear as a terrace of six houses when viewed from the front. A more modern two-storey detached unit is located to the north west of Kincora. The front boundary consists of a low stone wall with hedge over. On-street parking is available to the front of the site and as already referenced, a garage is available to the rear of the site.
- 1.3. The site is located within the centre of Dunmore East with shops located on the opposite side of the street. From the rear of the house it is possible to look out over the sea and harbour. The street slopes downwards to the front of the site on a north west to south east axis.

2.0 Proposed Development

- 2.1. The proposed development as submitted, consisted of the following:
 - The erection of a three-storey rear extension and internal alterations to the existing house to include:
 - an additional building services room at lower ground floor level.
 - a dining area, bathroom, laundry, bay windows, external deck area at ground floor level.
 - An extension to the existing guest bedroom with balcony, hot press and en-suite to the master bedroom at first floor level.

The proposed extensions to provide for an additional 28.28 sq m of floor area.

- The replacement of all windows on the front and rear elevations with Alu-Clad windows.

- New French doors to the front elevation at ground floor level.
- All ancillary site works.

A further information request sought the omission of the balcony replacement of associated doors with windows and omission of the French doors. Details in the form of a brochure/ samples were sought in relation to the alu-clad windows. The response did not omit the balcony and additional screening was proposed to the south eastern side and the French doors were not proposed for omission.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission for a single reason as follows:

‘Having regard to the location of the proposed balcony area at first floor level and the raised deck area at ground floor level relative to the garden areas of adjoining residential properties and the proposed alterations to the front elevation it is considered that the proposed development would seriously injure the residential amenities of neighbouring properties by reason of visual intrusion, overlooking and loss of privacy and would negatively impact on a Streetscape of Distinctive Character as designated in the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area’.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Planning report reflects the decision to refuse permission.

3.2.2. Other Technical Reports

None.

3.2.3. Prescribed Bodies

None.

3.2.4. Objections/ Observations

None.

4.0 Planning History

P.A. Ref. 13/299 refers to a September 2013 decision to grant permission for retention permission for the retention of a parapet wall on the rear extension of Sea View, Dunmore East (a Protected structure). This is the house to the south eastern side of this terrace of houses.

P.A. Ref. 07/762 refers to a July 2007 decision to grant permission for a material change of use, namely to convert an existing two storey granny flat to a self-contained apartment unit and subdivision of a residential unit at Creaden View, Dunmore East, the detached unit to the north west of the subject site.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Waterford County Development Plan 2011 – 2017, Dunmore East is designated in the County Settlement Hierarchy in Table 4.2 as one of the county District Service Centres. These centres provide an important service function for their hinterlands and each have their own development map and development objectives. Section 4.4.3 states the following:

‘Dunmore East has been identified in the Regional Planning Guidelines as a town where more measured growth is desirable in a manner that allows community, social and retail development to catch up with recent residential development’.

- 5.1.2. The subject site is located on lands zoned ‘VC’ for Village Centre development and which seeks ‘To provide for an integrated mix of residential, commercial, community and social uses within the town or village centre’. A ‘Dwelling’ is generally permissible on such zoned lands. A protected structure is indicated to the north of the subject site and this section of the Dock Road is indicated as a ‘Streetscape of Distinctive Character’ – Section 8.34 and Section 10.46 of the development plan are relevant as is the following policy.

Policy AH 10

Within Streetscapes of Distinctive Character, it is the policy of the Council to:

- Identify, protect and enhance the unique character of a streetscape by providing guidelines on appropriate development to retain its distinctive character;
- Protect elements of landscapes and streetscape such as stonewalls, limekilns and street furniture such as water pumps etc. which make a positive contribution to the architectural heritage;
- Promote sensitive reuse and/or alterations of buildings of historic character.

Proposed works shall not detract from the building and shall make a positive contribution to the character of the building/streetscape or setting; and

- Ensure that the design of new buildings within such a streetscape respects the established character of the area in height, scale and massing.

- 5.1.3. Section 10.23 'Extensions' of Chapter 10 'Development Standards' is relevant to this proposal and states the following:

'The Planning and Development Regulations 2001 (as amended) provide exemptions from planning permission for extensions to the rear of dwelling houses subject to certain limitations on floor area, height, use, etc. Extensions to the side or front of a dwelling (except porches under 2m²) require planning permission. The Council shall only look favourably on extensions that respect the scale and character of the existing structure, and that afford protection to the existing residential amenity of the area'.

Note: The Waterford County Development Plan 2011 – 2017 was extended until such time as the Regional Spatial and Economic Strategy is prepared by the Southern Regional Assembly and a new Waterford City and County Development Plan will then be prepared.

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed the decision of Waterford City and County Council to refuse permission for this development and they have engaged the services of Tritschler Architects in support of the appeal. Mains grounds include:

- The local significance of 'Kincora' is recognized, and much work has gone into restoring the house to a habitable use. Repairs have been made to the chimneys, external walls, and porch. The proposed development will further improve the house.
- The proposed exterior works are similar to development carried out to adjacent units.
- The development is designed to be compliant with Technical Guidance Document M of the Building Regulations.
- The Planning Report referred to three specific areas of concern: 1st Floor balcony, ground floor decking and French doors to the front of the house.
- In relation to the 1st Floor balcony, the reason for refusal referred to negative impact on adjoining residential amenity through visual intrusion, overlooking and loss of privacy. The applicant consulted with the neighbours and sea-view balconies are a feature of the houses on this section of street – reference 'Seaview' on Dock Road. The reasons for refusal are noted and the applicant proposed at further information stage to provide additional 1.8 m high opaque privacy screens to the south eastern side of the proposed balcony.
- In relation to the raised decking area, this was proposed as an amenity area for wheelchair users – the deck would be level with the ground floor of the house.
- In relation to the French doors to the front, these were proposed to improve the access to the house which is currently limited. These would allow for full access to the house.
- The reason for refusal did not take account of the need for compliance with mobility regulations.

- The proposed development will provide for a high quality of residential amenity and ensure that the character of the house is protected. The revisions to the house will ensure compliance with Fire and Building regulations.

A number of photographs and documents have been submitted in support of the appeal.

6.2. **Planning Authority Response**

6.2.1. No new comments provided.

7.0 **Assessment**

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Nature of Development
- Impact on the Character of the Area
- Impact on Residential Amenity
- Other Issues
- Appropriate Assessment Screening

7.2. **Nature of the Development**

- 7.2.1. The proposed development provides for the extension and internal alterations to this house. A total of 28.28 sq m of additional floor area is proposed in the form of a services room on the lower ground floor level, an extended dining room and study/ guest bedroom at ground floor level and extended guest bedroom at first floor level. The extensions are to the rear/ north east elevation. The existing house is indicated as providing for four bedrooms and this will remain the case, though the new bedrooms are larger than currently provided for.
- 7.2.2. A balcony at first floor level and raised timber deck is proposed at ground floor level. External alterations include revised window opens, new windows and French door to the front/ south west elevation.

7.3. Impact on the Character of the Area

- 7.3.1. 'Kincora' is located in the centre of Dunmore East and forms an important part of the streetscape. The primary proposed alteration to the front elevation is the replacement of a double window with 'French' doors. The replacement of the other windows to the front elevation is acceptable and will improve the visual appearance. I note that the adjoining property, 'An Grianan', has similar doors to the front. The proposed opening to provide the door is similar to that of the existing windows. The ground floor of the house is lower than the footpath along the public road and much of the ground floor elevation is screened by the boundary wall and hedgerow. It should be possible to design a door that matches the proposed windows in terms of door frame colour/ shape and glass type. The front door and porch area are to be retained as is and therefore the character of the house is protected. I am therefore satisfied that a 'French' door could be provided here which if designed to match the new windows, would not negatively impact on the streetscape or character of this house/ the terrace of houses.
- 7.3.2. The rear elevation will be significantly revised with new window openings and new window types. The site slopes to the rear downwards on a south west to north east axis. The rear of the house is visible from parts of the public road – Island Road, to the north, however I am satisfied that the revisions will not have a negative visual impact. Due to the topography of the area, the location of the house and existing building in the area, only the first-floor level and roof is visible.
- 7.3.3. Similarly, the balcony and raised terrace is acceptable in terms of impact on visual amenity as they will not be easily visible from public view. I do not foresee that the balcony and terrace will have any impact on the visual amenity of the unit to the north west – 'Creden View'. A separation distance of 1.1 m is provided between the boundary of 'An Grianan' and the proposed edge of the raised deck area. This will not give rise to a negative impact.
- 7.3.4. Balconies facing towards the coast/ harbour are a feature of the houses in Dunmore East. The topography of the area and views out towards the sea/ coastline, provide for a suitable environment for modest balconies on houses in the locality.

Note: The scale on Drawing No. 232.07 – Proposed Floor Plans (as submitted with the original application and by way of further information should be 1:100).

7.4. Impact on Residential Amenity

- 7.4.1. Proposed room sizes are acceptable and will provide a high standard of residential amenity for the occupants of this house. The alterations to the front of the house will not have any impact on the residential amenity of the area.
- 7.4.2. The provision of an opaque privacy screen to the north western side of the first-floor balcony will be sufficient to ensure the protection of residential amenity of neighbouring properties. The balcony is approximately 0.65 m set off the boundary and the screen will increase the separation to 0.8 m. The balcony has a depth of 1.2 m and will not therefore be suitable for large gatherings/ as an outdoor dining area. I do not foresee any issues of concern regarding overlooking/ loss of residential amenity. This balcony area will be provided over the ground floor extension and I note the comments in the appeal statement that it is desirable that a use be found for this space, I note the reference to potential use of a roof here by seagulls during nesting season. A separation distance in excess of 22 m is provided between the proposed extension/ balcony and a house to the rear/ north east of the subject site.
- 7.4.3. The proposed raised terrace area was raised as an issue of concern by the Planning Authority Case Officer. I note again the justification for it in the appeal and the benefits to the residents of this house. The submitted further information response included the provision of a 1.8 m high toughened glass privacy screen to the south eastern side and a raised planter between the boundary and the terrace. As with the balcony, it is considered that this privacy panel will be sufficient to address issues of overlooking. The planter area may take time to develop to its full efficiency, however, it will provide for an additional level of screening.
- 7.4.4. The planter and glass screen will not result in any loss of daylight/ sunlight to the residents of 'An Grianan' as their rear garden is located to the south east of the subject site. Similarly, I do not foresee any loss of daylight to 'Creaden View'.

7.5. Other Issues

- 7.5.1. I note the comments made in the appeal to the renovation of this house over time and it is considered that the proposed development will further improve the quality of the unit. Material finishes are considered to be acceptable including the use of Alu-clad for window frames etc.

7.5.2. I note the letters of support from neighbouring properties and in particular references to similar alterations undertaken to their properties.

7.5.3. I note the 'Waterford City & County Council Development Contribution Scheme 2015-2021' and that the first 40 sq m of an extension are exempt from development contributions, the proposed development is under the 40 sq m.

7.6. **Appropriate Assessment Screening**

7.6.1. Having regard to the nature and scale of the proposed development and the location of the site in an established urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 **Reasons and Considerations**

9.1. Having regard to the provisions of the Waterford County Development Plan 2011 - 2017 and the zoning for village centre purposes, to the location of the site in an established urban area and to the nature, form, scale and design 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 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**

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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 7 th of January 2020 and as amended by the further plans and particulars submitted on the 20 th of May 2020, except as may otherwise be required in order to comply |
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| | <p>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.</p> <p>Reason: In the interest of clarity.</p> |
| 2. | <p>The proposed development shall be amended as follows:</p> <p>(a) A 1.8 m high screen of obscured glazing shall be provided to the side/south eastern side of the raised timber deck area and a similar screen to the north west of the first floor balcony, as indicated on Drawing no. 232.07 received by the Planning Authority on the 20th of May 2020.</p> <p>(b) The 'French Door' to consist of the same materials and glass as of those to be used in the new windows. The door frame shall replicate the frames of the window, with the cross bar in the door at the same level as the window cill of the ground floor level.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.</p> <p>Reason: In the interest of residential amenity.</p> |
| 3. | <p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p> |
| 4. | <p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p> |

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| 5. | <p>Site development and building works shall be carried out only between the hours of 0800 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p> |
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Paul O'Brien
Planning Inspector

8th of October 2020