



An
Bord
Pleanála

Inspector's Report

ABP-308294-20

Development	Demolition of ground floor porch and construction of single storey front extension.
Location	7 Balbriggan Road, Skerries, Co Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F20A/0326
Applicant(s)	Darrell & Bernadette Kavanagh.
Type of Application	Planning Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Appellant(s)	Darrell & Bernadette Kavanagh.
Observer(s)	Marie Macken & Conor Cahill.
Date of Site Inspection	15 th December 2020.
Inspector	Elaine Sullivan

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.03ha and is located on the Balbriggan Road approximately 1km east of Skerries village. It comprises a 2 storey, semi-detached dwelling which has been previously extended to the rear. There is a contemporary style porch to the front and a long front garden, which has a pebble/stone finish and provides off street parking.
- 1.2. A laneway along the western side of the site provides access to a 2 storey house to the rear. This laneway also provides access to the rear garden.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following development;

The demolition of the existing porch, (6.8m²), and the construction of a new single storey front extension of 17.7m². The extension would extend forward by 2.7m and would be approximately 6.4m in width. It would be clad with vertical timber slats on all sides and would be 2.7m in height.

The removal of the western boundary fence within the front garden and the provision of replacement boundary fence with inset bicycle/bin storage box (6m x 1.3 - 1.78m) along with all ancillary works required to facilitate the development.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse the development for the following reasons;

- It is considered that the scale of the proposed development would result in a form and scale of development out of character with the neighbouring residential properties, would be visually obtrusive to the neighbouring dwellings, and would seriously injure the amenities of property in the vicinity of the proposal and would for this reason would contravene Objective PM46 of the Fingal Development Plan 2017-2023. The proposed development would set an undesirable precedent in this highly sensitive location, 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 report of the Planning Officer, (August 2020), informed the decision of the Planning Authority and includes the following;

- The proposal is in accordance with the zoning for the site.
- The proposed extension would extend forward of the building line by 2.7m and would be incongruous with the existing streetscape by virtue of its depth and bulk and the lack of visual relief in terms of glazing.
- The proposed bin store would be out of character and would injure the residential amenity of the adjoining property at No. 8 due to its scale and proximity to the boundary and their front garden.

3.2.2. Other Technical Reports

- Transportation Planning Division – No objection subject to conditions.
- Water Services Division – No objection subject to conditions.

3.3. Prescribed Bodies

- Irish Water – No objection.

3.4. Third Party Observations

One third party observation was received from the residents of the adjoining dwelling at No. 8. It is summarised as follows;

- The plans as submitted are unclear and do not show the location of the ground floor windows and the details of the external finishes / fins are not specified. There is also a lack of context.
- A number of projecting bay / box windows have been constructed but none of this scale.

- The proposal will have an overbearing impact on the adjoining property in terms of its scale and the deck/ patio area to the front would hover above the adjacent gardens.
- The proposed bin / bicycle storey would be an unacceptable visual intrusion on the relatively unobstructed and open character of the front garden spaces across all properties at this location. There is little functional reason for this structure as the rear garden can be accessed from a side lane.

4.0 Planning History

F09A/0384 – Planning permission granted by the Planning Authority on the 8th September 2009 to extend and refurbish an existing two storey, semi-detached house. The works would comprise a 2 storey extension to the rear, a new porch to the front, new pedestrian access to the rear and ancillary site works.

F19A/0326 – Planning permission granted by the Planning Authority on the 13th September 2019 for alterations to an the 1st floor (17.4 sq.) uncovered external terrace, approved under Reg Ref F09A/0384, comprising the removal of the timber fins forming a vertical timber screen around the external terrace and the provision of a roofed winter garden

5.0 Policy Context

5.1. Fingal County Development Plan 2017-2023

The subject site is zoned objective RS is to “provide for residential development and to protect and improve residential amenity”.

Chapter 12 of the Development Plan sets out the development management standards with regard to domestic extensions and contains the following;

With regard to domestic extensions the Development Plan states the following;

- Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.

The following objectives are also of relevance to the subject development;

PM46 - Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

5.2. **Natural Heritage Designations**

No designations apply to the site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The main grounds of appeal can be summarised as follows;

- The bin store to the front of the property has been omitted and planning permission is now sought for a single storey extension of 17.7m² to the front of the house only.
- The proposed extension is modest in scale and is of innovative design. As such it is in accordance with Objective DMS42 of the Development Plan. The extension would replace an existing contemporary porch with a larger space in order to utilise the unusually large front garden.
- There is a high degree of variance in design in properties in the area with front extensions of varying scale. The extension is 300mm lower than the existing porch.
- The refusal reason states that the proposal would contravene Objective PM46 of the Development Plan. The proposed development would not have a negative impact on adjoining properties as it would not result in overlooking and/or overshadowing. It would also read as subordinate to the main house and would be constructed using high quality materials.

6.2. **Planning Authority Response**

Includes;

- No additional points are raised, and it is requested that An Bord Pleanála uphold the decision of the Planning Authority.
- In the event that the appeal is successful, provision should be made in the determination for applying a financial contribution in accordance with the Council's Section 48 Development Contribution Scheme.

6.3. Observations

One observation was received from the residents of the adjoining house at No. 8. It can be summarised as follows;

- All of the issues raised in the original observation still apply.
- The photographs of dwellings in the appeal submission are misleading and depict older houses in smaller relief beside more recent developments. It is not a true depiction of the developments.
- Although the bicycle/bin shed has been removed from the proposal, there is still mention of the plinth being retained. This element would hover above the adjoining gardens.

7.0 Assessment

7.1. The proposed development is in accordance with the 'RS' zoning objective for the site. Given the nature and scale of the proposal, the main issues for assessment relate to the impact of the proposal on existing residential amenity and its visual impact on the streetscape.

7.2. Although not explicitly detailed in the drawings, the application states that the proposal would provide an additional bedroom at ground floor level and would allow for the re-orientation of the sitting room. The window adjacent to the eastern site boundary would be replaced with a narrower window of 0.77m in width and 2.4m in height. All three sides of the extension would be clad with timber slats. The elevations do not detail the extent of the of the main window to the front but the floor plan indicates that it would be full width of the front elevation. I note that the only

natural light to the proposed bedroom would be from the doorway on the northern elevation, which could result in a very dark space.

- 7.3. In my opinion the proposed development would not result in any undue negative impact on existing residential amenity. It would be set back from the adjoining site boundary by 1.3m and would not have any windows directly facing onto that site. As such it would not result in any overlooking or significant overshadowing of adjoining property.
- 7.4. Concerns were raised by the Planning Authority regarding the impact of the proposal on the 'highly sensitive area'. The site is located within an area designated as a 'Highly Sensitive Landscape' in Sheet 14, Green Infrastructure, of the Development Plan. Whilst this section of Balbriggan Road benefits from unobstructed sea views, the lands are mostly developed with a mix of residential developments. The houses along this stretch of Balbriggan Road are mainly two-storey, semi-detached dwellings with large front and rear gardens, which would be typical of suburban style housing. In my opinion the subject site, and the surrounding sites, do not form part of the sensitive landscape by virtue of the existing pattern of development.
- 7.5. A number of houses along the road have constructed extensions of varying scale and as such there is a diversity in the overall character of housing in the area. The long front gardens in proximity to the site have been retained mainly as open spaces with low-level landscaping and no large features. This open character will contribute to the visual prominence of the proposed extension. However, in my opinion, whilst the extension will be prominent, it will not result in a negative visual impact.
- 7.6. The houses at this location are slightly offset from each other and as such do not have a defined building line. This allows for some divergence to the front of the properties. The length of the front gardens also allows for some additional development to the front.
- 7.7. It is my view that the proposed extension would not result in an overall negative impact on the receiving environment or on adjoining properties in the area. As such the proposed development would not contravene Objective PM46 of the Fingal Development Plan.

7.8. **Appropriate Assessment**

7.9. The appeal site is neither within nor immediately abutting any European site. Having regard to the minor nature of the development, the absence of a pathway to and the separation distance to any European site, no Appropriate Assessment issues arise and it is considered that the proposed development would not 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 that planning permission is granted for the proposed development in accordance with the following reasons and considerations;

9.0 **Reasons and Considerations**

9.1. Having regard to the nature and scale of the proposed development, for a single storey extension to the front of a domestic dwelling, it is considered that subject to the conditions set out below, the proposed development would be in accordance with the policies and objectives of the Fingal County Development Plan 2017-2023 including the RS zoning for the area, and would not seriously injure the visual or residential 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
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The bicycle and bin storage area to the front shall be permanently omitted from the scheme, as per the details submitted with the appeal on the 28th September 2020.</p> <p>Reason: In the interest of clarity.</p>
3.	<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>
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>Reason: In the interest of public health.</p>
5.	<p>The applicant shall comply with the requirements of Irish Water.</p> <p>Reason: In the interest of public health.</p>
6.	<p>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, as amended. The contribution shall be paid prior to 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</p>

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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Elaine Sullivan
Planning Inspector

15th January 2021