



An
Bord
Pleanála

Inspector's Report

ABP-308333-20

Development	Construction of extensions and shed
Location	2 Victoria Close, Greystones, Co. Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	20/31
Applicant(s)	Caroline Ward and Des O' Connor
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Gerald Veloo
Observer(s)	None
Date of Site Inspection	18 th December 2020
Inspector	Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site is a backland site located to the rear of Victoria Road, Greystones, Co. Wicklow.
- 1.2. The site and an adjacent site at No. 1 Victoria Close to the east are served by a right of way from Victoria Road. Both Nos. 1 Victoria Close and No. 10A Arch Villas to the west are single storey dwellings. No. 10A is served by a separate access to the side of No. 10 Victoria Road.
- 1.3. The site itself contains a detached single storey dwelling on a plot with a stated area of 0.05 hectares. The area is a mature residential area and there is a mix of many different styles and finishes in the area.

2.0 Proposed Development

- 2.1. Permission is sought for the following:
 - Ground floor extension of 15 square metres to provide for an extended kitchen/ dining area and porch to the front and side of the house.
 - First floor extension of 57 square metres to provide for two additional bedrooms.
 - Single storey shed to the front of the house with an area of 19 square metres.
- 2.2. Further Information was submitted to the Planning Authority dated the 13th day of July 2020 as follows:
 - A 800mm screen wall is proposed to mitigate overlooking of the garden of 10A Arch Villas. It is also proposed to reduce the width of the window in bedroom No. 5 to 700mm.
 - Photographs and examples of similar development in the area submitted.
 - Details submitted relating to domestic use of existing garden shed.

2.3. Clarification of Further Information was submitted dated the 18th of August 2020 as follows:

- Photograph from front of house towards view of 9 Arch Villas.
- A timber screen is proposed to the front of bedroom No. 4 to the front of the dwelling. The detail of this is shown in diagram 3 included in the written response.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Permission granted subject to 5 No. conditions.

Condition 4 was as follows:

No occupation of the extended dwelling shall occur until the permanent timber Louvre screen to the front of the first floor window serving bedroom 4 and the permanent screen to the rear bedroom No. 5 have been installed.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The first planning report dated the 5th day of March 2020 considered that the extension is acceptable in principle. It noted that the proposed works would alter the design, character and form of the existing bungalow however, having regard to the backland location of the site, it was considered that it would not detract to a significant degree from the visual amenities of the area. Concerns were raised regarding overlooking of existing property.

3.2.3. The second planning report dated the 31st day of July 2020 considered that the details submitted in relation to overlooking from the first floor rear window were acceptable, however it was considered that further information was required in relation to the impact of overlooking from the first floor window in the front elevation.

3.2.4. The third planning report dated the 3rd day of September 2020 considered that the concerns raised by the Planning Authority had been adequately addressed by the applicant and recommended permission.

3.2.5. Other Technical Reports

Roads: No objection.

3.3. **Prescribed Bodies**

3.3.1. No reports.

3.4. **Third Party Observations**

3.4.1. The issues raised in the third party objection submitted to the Planning Authority are similar to the issues raised in the appeal.

4.0 **Planning History**

4.1. None relevant.

5.0 **Policy Context**

5.1. **Development Plan**

- **Wicklow County Council Development Plan 2016-2022**
- **Greystones – Delgany and Kilcoole Local Area Plan 2013-2019**

The site is zoned as Existing Residential with the objective 'To protect, provide for and improve residential amenities of adjoining properties and area while allowing for infill development that reflects the established character of the area in which it is located.'

5.2. **Natural Heritage Designations**

5.2.1. None relevant.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed development in a serviced urban area 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 at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- Concerns in relation to impact on residential amenities of No. 10A Arch Villas.
- Errors in drawings which make the impact on No. 10A Arch Villas look less severe.
- Increase in height will make it out of character with other dwellings at this location.
- Construction noise will impact on home schooling and working from home.
- A reasonable compromise would be to flip the proposed plan.

6.2. Applicant Response

The response from the applicant can be summarised as follows:

- The error relates to two house addresses and was amended in the drawings submitted to the Planning Authority dated the 18th of August 2020.
- The proposed development will have minimal impact on the residential amenities of No. 10A.
- Unfortunately, working from home and home schooling is a problem for everyone in this pandemic.

- No. 1 Victoria Close is closer in proximity than 10A Arch Villas and flipping the plan is not a meaningful solution.
- Drawings and photos are attached of similar development in the vicinity.

6.3. **Planning Authority Response**

- None submitted.

6.4. **Observations**

- None.

7.0 **Assessment**

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

- Design and Impact on Residential Amenity
- Other Matters
- Appropriate Assessment

7.2. **Design and Impact on Residential Amenity**

7.2.1. This site is located on zoned land close to the centre of Greystones. The site is a backland site and whilst both houses either side are currently single storey, I do not consider that the conversion of the attic will unduly detract from the visual amenities of the area. I note that the planner's report dated the dated 5th day of March 2020 noted that whilst the proposed works would alter the design, character and form of the existing bungalow but having regard to the backland location considered that the design would not detract to a significant degree from the visual amenities of the area. I concur with this view and I also refer the Board to Diagram 3 submitted in the appeal response which demonstrates the context of the site. There is a wide range of architectural styles and designs in the area and I consider that the proposed extension would not detract from the prevailing character of the area.

- 7.2.2. Concerns have been raised in relation to overlooking from bedrooms No. 4 and 5 in the proposed first floor. I note that revised details were submitted to the planning authority in the Further Information Response dated the 13th day of July 2020 for a screen and reduced size window (bedroom 5) in the rear elevation. Proposals for a timber screen in front of the first floor front window (bedroom 4) were submitted to the Planning Authority in the drawings submitted in response to the Clarification of Further Information Response dated the 18th day of August 2020.
- 7.2.3. I consider that it is reasonable for the applicants to extend their accommodation at this serviced urban location close to facilities and good public transport links. However, such extensions should not overly intrude or overlook adjacent dwellings. No. 9 Victoria Road to the front of the site has a long back garden and a single storey extension to the rear. I refer the Board to the photograph submitted by the applicant's in the response dated the 13th day of July 2020. There is a large parking area to the front of No. 2 Victoria Close and it is proposed to erect a small shed in the corner of this parking area. Having regard to the separation distances between both properties, I do not consider that overlooking would unduly detract from the residential amenities of No. 9 Victoria Road. As such, I do not consider that there is any need to provide a screen at this location. Indeed, the provision of a screen as proposed would detract from the residential amenities of the applicants themselves in my view.
- 7.2.4. In relation to overlooking from the rear window towards the rear garden of No. 10A Arch Villas, in my view, there would be an element of perceived overlooking however, there would be no direct overlooking between directly opposing first floor windows. I note that the Further Information drawings submitted provided for a permanent screen wall and a reduced window size at this location. Having regard to the mitigation measures proposed, I am satisfied that the proposed development would not unduly detract from the residential amenities of neighbouring properties.

7.3. **Other Matters**

- 7.3.1. The appeal refers to an error in the drawings submitted to the Planning Authority. This relates to the use of an incorrect address on Drawing No. P08. I am satisfied

that this error was corrected in the drawings submitted to the Planning Authority dated the 18th of August 2020.

- 7.3.2. The appeal also refers to the impacts of construction at a time when home schooling and working from home is common. Construction can have significant impacts on neighbouring properties but such impacts are temporary in nature.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development, the availability of public services, the nature of the receiving environment, and the proximity of the lands in question 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 as follows:

9.0 Reasons and Considerations

- 10.0 Having regard to the pattern of development in the area and the design and scale of the proposed extensions and to the provisions of the Greystones- Delany and Kilcoole Local Area Plan 2013-2019 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the character of the streetscape and would not seriously injure the amenities of nearby dwellings. The proposed development would, therefore, be in accordance with 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, as amended by the further plans and

particulars submitted on the 13th day of July, 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. 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.

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

Reason: In the interest of visual amenity.

4. 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 residential amenities of the area.

5. 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 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.

Emer Doyle
Planning Inspector

21st day of December 2020