



An
Bord
Pleanála

Inspector's Report ABP308342-20

Development	Retain house.
Location	17A Hillside, Greystones, County Wicklow.
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	20700
Applicant(s)	Mary Phelan
Type of Application	Permission
Planning Authority Decision	Grant with conditions.
Type of Appeal	Third Party
Appellant(s)	Roberta Ruth.
Observer(s)	None
Date of Site Inspection	29 th May 2021
Inspector	Hugh Mannion

1.0 Site Location and Description

- 1.1. The application site comprised the side garden of a house at 17 Hillside, Greystones, County Wicklow. The site has a stated area of 0.0308ha and is the first house in a cul de sac which accommodates 30 houses. These houses are semidetached, two storeys, with front and rear gardens. The public road fronting the side drops south to north towards the application site. Immediately north of the site is an area of public open space. The appellant's house is opposite the application site at 16 Hillside.

2.0 Proposed Development

- 2.1. The retention as constructed of a two-storey house, connection to piped services and associated works at 17A Hillside, Greystones, County Wicklow.

3.0 Planning Authority Decision

3.1. Decision

Grant with conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report recommended a grant of permission as set out in the manager's order.

3.2.2. Other Technical Reports

There are no other technical reports.

4.0 Planning History

Under ABP304018-19 Permission as granted for a house on this site subject to 5 conditions.

5.0 Policy and Context

5.1. Development Plan

5.2. The site is zoned Existing Residential in the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 (adopted September 2013 and not replaced) with the objective “To protect, provide for and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located”.

5.3. Appendix 1 of the plan sets out requirements for new residential development in relation to on-site car parking and private open space per unit.

5.4. Natural Heritage Designations

Not relevant.

5.5. EIA Screening

5.6. Having regard to nature of the foreseeable emissions from an additional house in an area where public piped services are available 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 house as constructed is at least 1m higher than permitted and is visually overbearing and insensitive to the area.
- The other houses in Hillside step down with the fall in the road but 17A stands out and disrupts the streetscape in that side of the street.
- The permitted brick chimney has been replaced by an unattractive aluminium flue.

- The new boundary wall restricts visibility at the corner and endangers public safety.
- The rooms to the front of the appellant's houses suffer reduced daylight and sunlight because of the proposed development.
- The northern boundary of the site is about 9.5 feet high.
- The planning authority did not properly consider the observations made by the appellant.

6.2. **Applicant Response**

- The changes made to the permitted development are minor and are not contrary to the proper planning and sustainable development of the area.

6.3. **Planning Authority Response**

- None

6.4. **Observations**

- None

7.0 **Assessment**

7.1. This assessment will consider the (1) streetscape impact of the proposed development, (2) the impact on adjoining residential property, (3) Traffic safety, (4) boundary treatments.

7.2. **Streetscape.**

7.3. The appeal makes the point that the house is of excessive height and negatively impacts on the visual integrity of the area.

7.4. There is a clear fall in elevation north to south on the public road (Hillside) which fronts the application site. There is a large open/parkland area at the northern end which provides a fairly open context for nearby houses. The subject house is the last one closest to the open space and this context allows for a reasonable variation as a

terminal point in the streetscape. The minor additional height does not unacceptably interrupt the pattern of dropping roofscapes on its side of the road.

7.5. The replacement of the permitted chimney with a metallic vent does not seriously injure the visual or residential amenity of the area.

7.6. I conclude that the proposed development does not negatively impact on the pattern of development in the area.

7.7. Impact on Adjoining Property

7.8. The appeal states that the house unreasonably reduces daylight/sunlight to the 16 Hillside.

7.9. The subject house is due west of 16 Hillside and is separated by two front gardens, two footpaths and a public road from the façade of 16 Hillside. I conclude that this orientation and separation distance ensures that no loss of sunlight or daylight will result in a manner as to seriously injure the residential amenity of 16 Hillside.

7.10. Traffic safety

7.11. The appeal makes the point that the revised boundary treatment will block visibility on the public road and endanger traffic and pedestrian safety.

7.12. The context is a suburban housing development where the speed limit of 50k/h applies. The amendments to the site boundary are minor and do not materially obscure visibility. I conclude on this basis that the proposed development will not endanger public safety by reason of traffic hazard.

7.13. Boundary treatments.

7.14. The northern boundary is a wall topped by horizontal timbers. This is a minor change to the previous boundary treatments and is justified by the requirement to enclose the rear garden of the application site. It is not out of character with the pattern of development in the area or detrimental to the visual amenity of the area.

7.15. Appropriate Assessment

7.16. Having regard to the very modest scale of the proposed development and the foreseeable emissions therefrom 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.

9.0 Reasons and Considerations

9.1. Having regard to the location of the proposed development in an area zoned for residential development in the Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 and the pattern of residential development in the area it is considered that the proposed development would not seriously injure the residential amenity of existing property in the area through overlooking or reduction of daylight or sunlight, would not give rise to traffic hazard and would otherwise accord with the zoning objective for the area set out in the Local Area Plan, with the standards for residential development set out in the Wicklow County Development Plan and with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>

3.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
4.	<p>The footpath shall be dished at the proposed vehicular entrance in accordance with the requirements of the planning authority. Details of the location and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of pedestrian safety.</p>
5.	<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 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.</p> <p>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.</p>

Hugh Mannion
Senior Planning Inspector

31st May 2021