



An
Bord
Pleanála

Inspector's Report

ABP-308486-20

Development	House extension.
Location	7 Kinsella Meadows, Mauritiustown Rosslare Strand, Co. Wexford.
Planning Authority	Wexford County Council
Planning Authority Reg. Ref.	20200963
Applicant(s)	Tabjorn and Penny Mathisen
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Peggy Kinsella
Observer(s)	None
Date of Site Inspection	20 th April 2021
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The subject site of 0.16ha relates to a detached dormer dwelling in a small cul-de-sac development at the periphery of the Rosslare Strand developed urban area and is accessed off the R736. No. 7 is the middle one of three widely spaced dwellings fronting onto an access road to the rear of a pair of dwellings fronting the R735. No 8 to the west is the home of the appellant. The dwelling comprises the main dormer element with a ridge height of 6.585m (12.25m wide), a single storey conservatory to the rear and a single storey extension to the side with a ridge height of 4.67m which extends 3.37m in width. The site is enclosed by a stepped concrete block wall which is up to 1.8m in height along the side and rear boundaries.

2.0 Proposed Development

- 2.1. It is proposed to extend the house to the western side by c. 26sq.m. (external gross floor area) by extending the single storey element to the side by 3.75m. It is proposed to maintain the ridge height but with a hipped roof with a rooflight rather than a gable ended roof as exists at present. The extension includes 3 openings – front, side and rear (double doors). Nap plaster is proposed to match. Other external changes include replacement of façade bedroom window with double doors and alterations to conservatory windows by adding insulated cavity walls and reducing glazing.

3.0 Planning Authority Decision

- 3.1. The Planning Authority decided to GRANT permission subject to 5 no. conditions.
- 3.2. **Planning Authority Reports**
- 3.2.1. **Planning Report:** The planning authority noted that ample open space would remain for the subject dwelling and that the proposed extension would not result in over-shadowing or overlooking of neighbouring property. The set back of 1m from the 1.8m high boundary with neighbouring property is also noted as is the set back of that property of 8m from the shared boundary. Opaque glazing is recommended to prevent overlooking potential. Having regard to the circumstances of the case, the development plan and submissions on file it was concluded that the proposed

development would not seriously injure the amenity of the area and would be in accordance with the proper planning and sustainable development of the area.

3.2.2. **Appropriate assessment screening:** No potential for significant effects on Natura 2000 sites.

3.2.3. **Other technical Reports**

3.2.4. Drainage Division: No objection subject to conditions.

4.0 **Planning History**

4.1.1. The Site: There is a number cases cited in the planning authority report which relate to decisions for housing on the subject site. These are not directly relevant to the issues in this appeal as they relate to the principle of housing.

5.0 **Policy Context**

5.1. **Wexford County Development Plan 2013-2019.**

5.1.1. Section 18.13.1 refers to house extensions.

5.2. **Natural Heritage Designations**

5.2.1. The nearest sites are: Wexford Harbour and Slobbs SPA, Lady's Island SPA, The Raven SPA and Tacumshin Lake SPA.

5.3. **EIA Screening**

5.3.1. Having regard to nature and scale of the proposed development and the urban location of the site 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

6.1.1. Peggy Kinsella of 8 Kinsella Meadows (the adjacent dwelling) has lodged an appeal against the decision to grant permission. The grounds of the appeal are based on the following points:

- The construction of the extension at 1m from the boundary will give rise to loss of privacy.
- Rooflight and window will overlook entrance, garden, kitchen and conservatory.
- Roof height will overshadow entrance and garden.
- The view from the kitchen will be of a blank wall and roof.
- Noise levels will be closer to boundary and will be increased in house.

6.2. Planning Authority Response

6.2.1. No comment to make on appeal.

6.3. First Party

- The proposed development will be 1m from shared boundary.
- There will be no overlooking from the extension – only the sky will be seen. (section drawing attached)
- The hipped roof extension is similar to other extensions in the area and will not result in overshadowing.
- No appreciable difference in view from neighbour's windows. There is an existing gable window facing boundary.
- There will be no difference in noise levels. The extension will be insulated and adjoining gardens will be the same as they are now.

7.0 Assessment

7.1. This appeal relates to the proximity of a domestic extension and its impact on an adjoining dwelling house west of the site and which I note has east facing windows onto the shared boundary . There is no issue with alterations to the rear of dwelling. The main concern is the extension to the side.

- 7.2. The issues relate to potential loss of residential amenities by reason of overshadowing, overlooking, change of view and noise impacts.
- 7.3. The proposed single storey side extension amounts to a gross floor area of c. 26 sq.m. (external dimensions) and I note that its form maintains the front and rear building lines and eaves and ridge heights of the existing single storey element to the side and in my judgement will be a discreet and unobtrusive extension as viewed from the street and surrounding properties including no. 8 . I consider the proposal to be of a scale and position that would not be incongruous with its context. The proposed design and finishes are I consider compatible with the existing dwelling and will not detract from the visual amenities of the area.
- 7.4. Having regard to the 1.8m boundary wall and single storey nature of the extension together with the top height of the gable window at 1.9m and sky views of the rooflight I am satisfied that it will not give rise to any overlooking. The use of opaque glazing will remove any opportunity and I note that the applicant has not objected to the provision of this. The height and roof design which incorporates a hip rather than the existing gable ended style minimises the bulk and will I consider have no material impact by reason of overshadowing of the neighbouring dwelling. It will not therefore in my judgement seriously injure residential amenities of the neighbouring dwelling by reason of overshadowing or overlooking and will not on the basis of proximity compromise a comparable extension of the neighbouring property subject to it meeting other Assessment criteria. Nor do I consider the proposal will result in undue disturbance by reason of noise having regard to the set back and domestic use.
- 7.5. Furthermore, having regard to the size of the site and modest scale of the extension there will be no material loss of private amenity space and it will not result in substandard development for existing or neighbouring properties.
- 7.6. Accordingly I consider the proposal to comply with the criteria, which I consider reasonable and appropriate, for assessing domestic extensions as set out in the Wexford County Development Plan and I therefore concur with the position of the planning authority that the proposed development would be consistent with the proper planning and sustainable development of the area.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the nature and scale of the proposed development to be retained in a fully serviced built-up urban area, 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 for the proposed development be granted based on the following reasons and considerations, as set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Wexford County Development Plan 2013 – 2019, the pattern of development in the 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 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 shall be carried out and completed in accordance with the agreed particulars

Reason: In the interest of clarity

2. The side window (facing the boundary with no. 8) in the proposed extension shall be fitted with opaque glazing and shall not be altered without a prior grant of planning permission.

Reason: In the interest of residential amenity.

3. Details including samples of the materials, colours and textures of all the external finishes to the proposed building, 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. 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.

5. Site development and building works shall be carried out only between the hours of 0730 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: To protect the amenities of the area.

Suzanne Kehely

Senior Planning Inspector

21st April 2021