



An  
Bord  
Pleanála

## Inspector's Report

### ABP-308732-20

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<b>Development</b>	Construct a two storey extension to the rear of property consisting of dining room at ground floor level and bedroom at first floor level, with all associated site works.
<b>Location</b>	20 Barker Street, Waterford
<b>Planning Authority</b>	Waterford City and County Council
<b>Planning Authority Reg. Ref.</b>	20356
<b>Applicant(s)</b>	Siobhan McIlpatrick
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	Party
<b>Appellant(s)</b>	Siobhan McIlpatrick
<b>Observer(s)</b>	none.
<b>Date of Site Inspection</b>	23 <sup>rd</sup> of February 2021
<b>Inspector</b>	Caryn Coogan

## 1.0 Site Location and Description

- 1.1. 20 Barker Street is a mid terrace two storey dwelling site area (0.0043Ha) in an old inner part of Waterford city. The dwelling faces south west and backs onto another terrace, Thomas Hill, which is positioned at a lower ground level than Barker Street.
- 1.2. The dwelling is located within an old style triangular urban terrace, with a pedestrian link to the east, providing steps down from Barker Street to Thomas Hill. The section drawing demonstrates the difference in ground levels between 20 Barker Street and the dwelling to the rear along Thomas Hill.
- 1.3. The dwelling has a small yard area to the area. The dwelling consists of a small living room, kitchen and downstairs WC on the ground floor, with two bedrooms on the first floor.

## 2.0 Proposed Development

- 2.1. The two storey townhouse at 20 Barker Street has a total floor area of 38.95sq.m. ( 20.93sq.m. on the ground floor and 18.02sq.m.on the first floor).
- 2.2. The proposed extension is a rear two storey extension, 14.43sq.m. with 7.83sq.m on the ground floor and 6.6sq.m on the first floor. The extension will provide a dining room on the ground floor and a new bedroom at first floor level.

## 3.0 Planning Authority Decision

### 3.1. Decision

Waterford City and County Council refused the propose development by Manager's Order dated 28<sup>th</sup> of October 2020, for one reason:

*The proposed development would be detrimental to and detract from the residential amenity of adjoining properties by reason of been overbearing and would have a negative impact on private amenity space by way of overshadowing. The proposed development would seriously injure the amenities of the properties in the vicinity and would therefore by contrary to the proper planning and sustainable development of the area.*

### 3.2. **Planning Authority Reports**

#### 3.2.1. ***Planning Reports***

- 3D drawings were submitted following a request for further information, of the proposed rear extension relative to neighbouring properties. Because Barker Street houses are positioned on higher ground than the houses on Thomas Hill, the proposed extension will have a negative and overbearing impact on private amenity space of adjoining properties by way of overshadowing.
- Recommendation to refuse.

#### 3.2.2. ***Other Technical Reports***

None

### 3.3. **Third Party Observations**

None

## 4.0 **Planning History**

None

## 5.0 **Policy Context**

### 5.1. **Development Plan**

#### **Waterford City Development Plan 2013-2019**

The site is in an area zoned 'City Centre Commercial' with a zoning objection 'To protect, provide and improve City Centre Commercial uses'. A hotel is generally acceptable in principle in this zoning.

## 5.2. Natural Heritage Designations

The Lower River Suir SAC is approx. 70 metres north of the site.

## 5.3. EIA Screening

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, which is a fully serviced urban location, 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 stage, and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- The applicant, Ms McIlpatrick is unable to provide sleeping accommodation for herself and her two adult daughters. There is only two bedrooms in the existing dwelling, and the proposed development includes for an additional bedroom to resolve the problem, and a dining area to make the property more usable and spacious for the family.
- During the planning application assessment, there were drawings submitted by way of further information addressing the issue of potential overshadowing of neighbouring property, and as the proposed extension is finished at parapet level, lower than the existing ridgeline of No. 20 Barker Street, the development would not be detrimental to neighbouring properties.
- There are other properties in the general vicinity with rear extensions varying in heights and sizes.
- It is a City centre property, and the properties are positioned extremely close to one another. Properties to the east and west of 20 Barker Street have been extended at the rear.

## 6.2. Planning Authority Response

There was no additional submission from the planning authority regarding the appeal.

## 7.0 Assessment

The proposed development involves a modest rear extension (14.43sq.m) onto a small terraced dwelling (38.95sq.m.) in order to provide an additional bedroom at first floor level and a dining room on the ground floor. Having inspected the house, I consider the small extension will greatly enhance the minimal living accommodation and conditions for the applicant and her family.

I note the planning authority's reason for refusal which are mainly concerned with the overbearing impact of the development and injurious impact to the residential amenities of the adjoining residences, in particular the two storey dwelling backing onto the subject site along Thomas Hill.

I have inspected the site, considered the appeal file and the following is my assessment of the issues arising:

- The proposal is not an overdevelopment of the subject site, it is a modest extension onto a modest dwelling. The planning decision fails to acknowledge the private open space area to the rear of the opposing dwelling along Thomas Hill. It also fails to acknowledge both neighbouring houses west and east of 20 Barker Street (subject site) have rear extensions.
- The yard area associated with the subject dwelling at 20 Barker Street is small, and the section drawings reveal is located at a higher ground levels than the opposing property along Thomas Hill. I acknowledge this adds to the impacts. However by way of further information, a shadow analysis was carried out. Due to the south western aspect of the rear yards area associated with the opposing property along Thomas Hill, there will still be sufficient sunlight onto the yard area during the summer. The roof on the proposed extension is at parapet level, and below the level of the ridge height of the dwelling.

- There will be no loss of privacy associated with the proposed development, having regard to the positioning of the first-floor window to the rear. This is an urban setting, where a certain amount of indirect overlooking of rear garden areas is unavoidable.

### **Appropriate Assessment**

Having regard to the small nature and scale of the proposed development, alternations to an existing dwelling located in the built up urban area of Waterford City, 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 the conservation objectives of any European site.

## **8.0 Recommendation**

I recommend planning permission for retention and completion of the rear extension and detached garage be granted planning permission.

## **9.0 Reasons and Considerations**

Having regard to the provisions of the current Development Plan for the area and to the siting 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 amenities or depreciate the value of properties in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **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) 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.

**Reason:** In the interest of public health and to ensure a proper standard of development.

- 3) The external finishes shall harmonise in colour and texture with the existing finishes on the house.

**Reason:** In the interest of visual amenity.

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Caryn Coogan  
Planning Inspector

24<sup>th</sup> of February 2021