



An
Bord
Pleanála

Inspector's Report

ABP-308992-20

Development	Two-storey extension to the rear and single storey extension to side and front of detached dwelling and ancillary works.
Location	33 Aston, Blessington, Co. Wicklow
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	D20/029
Applicant(s)	Steve and Deirdre Oxley
Type of Application	Permission.
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Markus and Fionnuala Leitner
Observer(s)	None
Date of Site Inspection	5 th February 2021
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The appeal site relates to a detached two-storey dwelling in an established housing development. It has a 3.35m wide space on its western side and a c. 900mm passage on the eastern side. The adjacent dwelling to the west is set back 900mm from the boundary. The rear garden depth is around 11m but the end of the garden is walled off to conceal a shed area which leaves a garden depth of around 8.5 at its shallowest and this appears to be the layout for the adjacent dwellings.
- 1.2. A number of the other houses have garages or extensions to the side where the subject site has a wide space.

2.0 Proposed Development

- 2.1. It is proposed to construct an extension and refurbish the house substantially by way of:

- Single storey of c. 30sq.m. to the side
- Two storey of c.26sq.m. to rear.

Drawing of the house plans and elevations are to an unusual scale of 1:75.

3.0 Planning Authority Decision

3.1. Decision

Notification of decision to grant permission issued on 4th December 2020. This was subject to 5 conditions of a standard nature. S.48 condition applies.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report notes the concerns regarding impact of the extension on the neighbouring dwelling and considers the scale of the development to be within reasonable limits. The orientation is considered to also minimises potential impact on overshadowing. The overall design is considered to be in keeping with the surrounding development and to be acceptable. The residual garden area is noted to be in excess of 25 sq.m.

3.2.2. Other Technical Reports

External: Dublin City Council: No objection

3.3. Prescribed Bodies

- No reports.

3.4. Third Party Observations

- Issues raised in grounds of appeal.

4.0 Planning History

- PA ref 95/2206 refers to permission for the substitution of houses 31,32 and 33.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is within the development area of Blessington and is zoned for residential development.

5.2. Natural Heritage Designations

Not relevant

5.3. EIA Screening

- 5.3.1. Having regard to the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive 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 and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A third-party appeal has been lodged by the owners in the neighbouring dwelling no.34 and the grounds of objection are based on the following:

- Scale and height of proposed two storey extension to rear – the roof extension is of particular concern.
- Impact on living space and enjoyment of established home by reason of blocking of light in rooms to the rear of the house and patio.

6.2. Planning Authority Response

No further comments to planning report.

6.3. Applicant Response

- It is a well considered design that responds to context and maintains a 1m passageway.
- Ne increase to ridge height at of main roof. The 8.450mm is a typo and should read 7675mm. The roof shape/hip limits overshadowing. The first floor extension is 4.5m from the first floor side wall of no.34 and 3.5m from the boundary which reduces potential for overshadowing. The northerly aspect of the rear elevation is the main source of the shadowing to the rear of these houses.

6.4. Third party counter response

- Emphasises the location of their garage and its lower height relative to the scale of the unprecedented extension. The typo highlights concerns about accuracy of drawings.
- The northerly aspect underlines the importance of protecting the eastern sun. and photographs illustrate the location of the sun relative to the existing roof profile of no.33 and penetration of light to their property.

7.0 Assessment

7.1. Issues

- 7.1.1. This appeal relates to a proposal for a domestic extension of 56sq.m. to a house of 116.5 sq.m. and its scale and extent is of concern to the adjacent residents to the north west. The issues relate to impact on residential amenity primarily by reason of overshadowing.

7.2. Impact of residential amenity.

- 7.2.1. The appellants hold the view that the scale and extent of the extension, particularly to the rear at first floor and attic level and its proximity to their house will result in an unacceptable level of overshadowing to both internal and external space of their home as illustrated in the photographs submitted on 21/3/21. The planning authority however considers the scale and extent to be within acceptable limits. Furthermore the orientation is considered to result in a minimal impact.
- 7.2.2. In terms of footprint, the proposal is, I note, in keeping within the front and rear building lines set by the single storey protrusion to the rear and the bay windows to the front and in terms of depth I concur with the planning authority that the extent of the footprint of development is within reasonable limits.
- 7.2.3. The extension to the side is comparable with many of the garage extensions to the side in the area and the proposed extension at ground level, at a distance of 1.1m from the boundary and with the mono-pitched roof design, will, I concur, have a minimal impact.
- 7.2.4. The proposal also involves a squaring off of the ground floor on the eastern side where it fills in a c. 3.2m deep void and this is of a nature that would be ordinarily exempted development.
- 7.2.5. It is also proposed to extend directly to the rear of the first floor to the depth of the existing single storey element and across the width of the existing house and therefore will be set back 3.35m from the western boundary. While in terms of footprint this is a modest and reasonably scaled proposal, the extension has to be assessed in the context of the relatively shallow usable rear gardens which are down to around 8.5m in depth (having regard to the sectioned off ends of gardens along

this row of houses) and a 7675mm high extension. I note that it is proposed to extend the 7675mm high ridge (which runs front to rear) by 3.2m. This will add considerable bulk to the rear and even at the distance proposed will cast a small shadow from morning to midday on the neighbouring house and will also cast a shadow over the subject dwelling and the other neighbouring garden to the east. While I accept that it is a relatively small extent, particular in view of the eaves height and boundary wall, there is I believe a case to be made to further minimise the impact. I note the plans incorporate a double height space in the proposed bedroom extension yet a high ceiling could still be achieved by dropping the ridge height and replacing with either a double pitched roof so as to retain the existing slope angle or a flat roof. This would have the benefit of reducing the massing visually and also marginally reducing overshadowing which would ultimately minimise any overbearing impact.

- 7.2.6. On balance I consider the proposed footprint of the extended house to be acceptable and that the overall development is otherwise acceptable subject to lowering of the ridge of the first-floor extension. In this way the proposed development would be in accordance with the proper planning and sustainable development of the area.

7.3. **Appropriate Assessment**

- 7.3.1. Having regard to the minor nature of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the 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 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 existing pattern of development in the area, and the nature 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 of the area or of property in the vicinity. 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. Prior to commencement of development the developer shall submit to, and agree in writing with, the planning authority the following-
 - a) Revised and suitably scaled drawings, showing the reduction by at least 1.2m in ridge height of the proposed first floor extension to the rear . The modified roof shall retain the pitch of the existing roof unless modified by way of a flat roof design.

Reason: In the interests of residential amenity.

3. 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.

4. The external finishes of the proposed extension (including roof tiles and render) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1930 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 property in the vicinity.

6. 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.

Suzanne Kehely

Senior Planning Inspector

22nd April 2021