



An  
Bord  
Pleanála

## Inspector's Report ABP-309590-21

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<b>Development</b>	Extension to side and rear of house
<b>Location</b>	21 Beechfield, Monaleen, Castletroy, County Limerick
<b>Planning Authority</b>	Limerick City & County Council
<b>Planning Authority Reg. Ref.</b>	20/1300
<b>Applicant(s)</b>	Aoife & Emmet Rock
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Gavin & Caroline Connell
<b>Date of Site Inspection</b>	13 <sup>th</sup> April, 2021
<b>Inspector</b>	Kevin Moore

## **1.0 Site Location and Description**

1.1. No. 21 Beechfield is a detached, two-storey house at a cul-de-sac end within an estate of detached houses in Castletroy to the east of Limerick City. There are two-storey, detached houses flanking the house and there is two-storey housing in the immediate vicinity. The house is within a plot area of 0.0489 hectares and has front and rear gardens. The appellants' house is the detached house immediately to the north of the site.

## **2.0 Proposed Development**

2.1. The proposed development would comprise the construction of a first floor extension to the side of the house, a single storey extension to the rear, which would include the removal of an existing sun room, the removal of a chimney, and the reconfiguration of the front elevation. The total floor area of the new extensions would be 80.2 square metres and the area of the structures to be removed would be 17.4 square metres.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

On 5<sup>th</sup> February 2021, Limerick City & County Council decided to grant permission for the proposed development subject to 9 conditions.

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

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

The Planner noted the site is zoned residential in the Limerick County Development Plan and acknowledged the reports and third party submissions received. The single storey extension was not seen as resulting in adverse impact on the adjoining dwelling. It was considered that the attic window on the gable would detract from the visual and residential amenities of the area and should be omitted. The proposed finishes on the front elevation were regarded as acceptable. A grant of permission, subject to conditions, was recommended,

### 3.2.2. Other Technical Reports

The Environment Technician requested further information relating to a refurbishment demolition asbestos survey and recommended a condition relating to waste management in the event of a grant of permission.

### 3.3. Prescribed Bodies

Irish Water had no objection to the proposal.

### 3.4. Third Party Observations

Objections to the proposal were received from Gavin and Caroline Connell and Denis and Ruth Crehan. These raised concerns relating to adverse impact on residential amenity and the development being out of character with other housing.

The applicants responded to these submissions in a letter received by the planning authority on 1<sup>st</sup> February, 2021.

## 4.0 Planning History

I have no record of any planning application or appeal relating specifically to this site.

## 5.0 Policy Context

### 5.1. Castletroy Local Area Plan 2019-2025

#### Zoning

The site is zoned 'Existing Residential'.

The purpose of this zoning is to ensure that new development is compatible with adjoining uses and to protect the amenity of existing residential areas.

### 5.2. Limerick County Development Plan

#### Development Management Standards

##### *House Extensions*

Regard to the following relevant provisions relating to proposed house extensions is required:-

- 'Sustainable Residential Development in Urban Areas', 2009 and the accompanying 'Urban Design Manual – A Best Practice Guide' in considering the existing site density and remaining private open space.
- High quality designs for extensions will be required that respect and integrate with the existing dwelling in terms of height, scale, materials used, finishes, window proportions etc.
- Pitched roofs will be required except on some single storey rear extensions. Flat roof extensions visible from public areas will not normally be permitted.
- Impact on amenities of adjacent residents, in terms of light and privacy. Sunlight and daylight assessment may be required.
- Effect on front building line - extensions will not generally be allowed to break the existing front building line. However, a porch extension which does not significantly break the front building line will normally be permitted.
- Ability to provide adequate car parking within the curtilage of the house.

### 5.3. **Appropriate Assessment**

The site of the proposed development is within the serviced urban area of Castletroy within an established residential estate and is in the vicinity of extensive buildings, infrastructure and other developments. This is a location that is remote from European sites. Having regard to the established nature of development on this site, the nature, scale, and location of the proposed development, the serviced nature of the development, the nature of the receiving environment, and the separation distance to European sites, it is concluded that no Appropriate Assessment issues arise as 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.

#### 5.4. EIA Screening

Having regard to the nature, size and location of the proposed development, there is no real likelihood of significant effects on the environment. The submission of an EIAR is not required.

### 6.0 The Appeal

#### 6.1. Grounds of Appeal

The appellants reside at No. 22 Beechfield to the north of the site. The grounds of the appeal may be synthesised as follows:

- The proposed new door to the side of the house would have an immediate impact on the appellants' privacy with a direct view into their kitchen. The different positions of the two houses and different building lines are noted and comparison with the existing arrangement is referenced. Raising the boundary wall is seen as not being an option because it would take away light.
- The proposed changes to the front elevation and the dry wall replacement are completely out of character and style with the other houses in the cul-de-sac, with the design of properties remaining true to the original design.

#### 6.2. Applicant Response

The applicants' response to the appeal may be synthesised as follows:

- The proposed door does not directly view into the neighbours' kitchen. It is behind a 1.8m high wall.
- The door is positioned further away from the neighbours' patio doors than existing windows.
- It is not possible to see over the boundary wall.
- The impact on the neighbours' privacy is refuted.
- The materials to be used on the front elevation are in line with those that exist.
- The applicants are seeking to increase the energy value of the house.

### 6.3. Planning Authority Response

I have no record of any response to the appeal from the planning authority.

## 7.0 Assessment

7.1. I consider that the planning assessment should focus on the compatibility of the proposed development with the provisions of Limerick County Development Plan as they relate to house extensions. This will address the concerns raised by the appellants as they relate to impact on residential amenity and the design relative to the character of the existing residential estate.

7.2. My considerations are as follows:

- The proposed extensions would be provided to a detached house with substantial curtilage within an established residential estate. There is no concern relating to the increased density arising from the proposed development and the loss of open space within the curtilage of the house. The remaining space forming the curtilage will adequately meet the needs of the occupants of the house.
- I note the changes to the proposed development and its presentation to the public realm. The proposed development would culminate in a minor increase in building height to the northern side of the house, the introduction of two small velux-type windows on the front section of the roof, and changes to the fenestration at ground floor level at the northern end of the front elevation, with a render band above the entrance door and the altered window. I note also the proposed window on the southern gable elevation at roof level. I consider that the overall building character is generally maintained, with the roof form being retained, the finishes being compatible with those that exist at present on the building frontage, and the fenestration remaining proportionate to that which exists. In my opinion, these changes are very minor and could not reasonably be seen to be significantly incongruous with the pattern and form of development in the immediate vicinity. I am satisfied to conclude that the height, scale, materials, finishes, window proportions, etc. are compatible with the character of development at this location and would not result in any

adverse impact on the visual amenity of this area. Regarding the gable window, I note that it is intended to serve the attic, which would be served also by three rooflights on the rear section of the roof. This window would be a prominent addition when viewed from the south and its necessity is not clearly understood, notably as it is intended to be obscure glazed and the attic would be well served by the rooflights. The omission of this opening, as was required by the planning authority, would be reasonable and this could be addressed by way of a condition attached with any grant of planning permission.

- I consider the roof form and finishes to be compatible with the established dwelling.
- The house lies to the south of the appellants' property. The building line is not consistent at this location, with the appellants' house more orientated in a north-east / south-west direction. The proposed extensions would be at first floor level on the northern section and at ground floor level to the rear of the house on the northern side. The northernmost gable of the ground floor extension would be aligned with the northern gable of the house and the first floor extension would be above the established northern section of the house. There would be no windows provided at first floor level and there would be no issue arising from overlooking. Overshadowing would not be of any significant concern as the first floor extension results in a relatively minor increase in height of approximately 1.7 metres at this location, which abuts the established two-storey section of the house which is stated to be 8.555 metres over ground level. Regarding the proposed ground floor extension, I first note that there is a boundary wall that is approximately two metres in height which separates the appeal site from the appellants' property. I then note that the proposed extension does not provide any openings on its northern gable elevation. The proposed door opening into the utility room would be provided through the existing building. Such an opening does not necessitate the requirement to obtain planning permission and it is noted that this door, adjoining two established window openings, would serve the utility room, not any functional habitable room. This would face the two metre high boundary wall. Proposed sliding doors would provide a back entrance to the

house. It is evident that the design of the proposed extension has taken due regard of the potential impact on the neighbouring property to the north. It could not reasonably be determined that the proposed extensions the subject of this appeal would significantly impact on the residential amenity of neighbouring properties.

- The proposed development would have no notable impact on the established building line at this location.
- Adequate provision for parking within the curtilage of the site will remain following the construction of the proposed development.

7.3. Overall, it may reasonably be concluded that the proposed extensions would be in keeping with Development Plan provisions, would not have any detrimental impact on the visual amenity of the area, and would cause no significant adverse impacts on the residential amenities of neighbouring properties.

## 8.0 Recommendation

8.1. I recommend that permission is granted in accordance with the following reasons, considerations and conditions.

## 9.0 Reasons and Considerations

Having regard to the siting of the proposed development and its design, character and layout, it is considered that the proposed development would not adversely impact on the residential amenities of adjoining properties, would be compatible with the design, form and character of established properties in the vicinity, would be consistent with the provisions of Limerick County Development Plan as they relate to house extensions, and would otherwise 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 external finishes of the proposed extensions shall be the same as those of the existing dwelling in respect of colour and texture.

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

3. The proposed attic window on the southern gable elevation shall be omitted.

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

4. 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.

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.

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Kevin Moore  
Senior Planning Inspector

21<sup>st</sup> April 2021