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## Inspector's Report ABP-312633-22

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| <b>Development</b>                  | Retention of prefabricated house.                             |
| <b>Location</b>                     | 'Lavally', Knocknagow Lane, Oldcourt Road, Bray, Co. Wicklow. |
| <b>Planning Authority</b>           | Wicklow County Council  |
| <b>Planning Authority Reg. Ref.</b> | 211324  |
| <b>Applicant</b>                    | Pauline Cooling.  |
| <b>Type of Application</b>          | Permission.   |
| <b>Planning Authority Decision</b>  | Refuse  |
| <b>Type of Appeal</b>               | First Party   |
| <b>Appellant</b>                    | Pauline Cooling.  |
| <b>Observer</b>                     | None.   |
| <b>Date of Site Inspection</b>      | 10 April 2022.  |
| <b>Inspector</b>                    | Mairead Kenny   |

## 1.0 Site Location and Description

- 1.1. The stated site area is 0.00380 ha but the actual area appears to be 0.038 hectares. The site is at the end of a cul de sac in a residential area which has been developed in the form of one of houses located off a narrow laneway.
- 1.2. At the site of the proposed development is an existing detached dwellinghouse. The subject development which is proposed to retain comprises a prefabricated structure which has been painted externally, has a pitched roof and which is occupied as a residential unit. There is also a small shed on site.

## 2.0 Proposed Development

- 2.1. Permission is sought to retain a prefabricated building which is described in the public notices as comprising a one-storey two-bedroom domestic dwelling house.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority decided to refuse permission for the reason summarised below:

- Having regard to the scale and the bedroom size, the size and shape of the house and the development on site, the proposed density and the inadequate parking and turning area
- The proposed development would be contrary to the national guidelines, constitute an unacceptable overdevelopment, result in inadequate private amenity space for all dwellings and set an undesirable precedent for further haphazard development which would negatively impact on the character of the area and result in a pedestrian and traffic hazard and would therefore be contrary to the development plan.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The contents of the planner's report reflect the issues raised in the decision of the planning authority and include:

- the overall scale of the dwelling would not meet the minimum size requirements for a one-bedroom apartment
- the proposed development is excessive in terms of density
- there is a poor circulation and layout and no clarity relating to how the site is to be subdivided into two separate plots
- represents overdevelopment
- will not have a significant overbearing impact
- there is insufficient space to the front of the site to accommodate vehicular turning areas and three or four off-street parking areas to serve 2 no. houses.

#### 3.2.2. Other Technical Reports

Bray Engineer - requests information relating to sustainable drainage system, water supply and Building Regulations.

#### 3.3. **Prescribed Bodies**

Irish Water - standard requirements relating to water connection.

#### 3.4. **Third Party Observations**

None.

#### 4.0 **Planning History**

There is no recent relevant planning history.

#### 5.0 **Policy Context**

##### 5.1. **Development Plan**

Bray Municipal District Plan 2018

The site is zoned 'to protect, provide and improve residential amenities of existing residential areas'.

Specific policies relating to new residential development include HD3, HD9 and HD 10 which set standards with respect to design, layout and infill development.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The main points of the appeal are:

- the scale of the dwelling is suitable for our needs and in harmony with the scale of the original dwelling house
- the dwelling house is located in a corner of the property to minimise impact on the overall site
- the location also serves to maintain distance between the existing house and the neighbouring boundaries
- if required the two bedrooms could be merged into one bedroom
- the development is well landscaped and aesthetically pleasing
- the density of the site can be reduced by removing an existing shed
- there will not be a requirement for more than one car which is and will be shared between myself and my daughter
- there is adequate private amenity space
- it is hard to envisage how this dwelling could result in pedestrian and traffic hazard
- the guidelines in the development plan has been sensitively considered
- the dwelling will be occupied by my daughter and her son as family members are now residing in my house, including one who has special needs
- my daughter assists me as I have medical needs
- the house is dependent on the main house for water, electricity and sewerage

- if necessary I could connect the dwelling house to the main house thus making the proposed development and extension of the existing house
- an oral hearing is requested.

## 6.2. **Planning Authority Response**

None.

## 6.3. **Observations**

None.

## 6.4. **Further Responses**

None.

## 7.0 **Assessment**

I consider that the matters raised in the division of the planning authority cover the main issues in this appeal. These issues can be assessed under the following headings:

- Internal space standards
- Private amenity space
- Traffic and parking.

### 7.1. **Internal space**

The planning authority refers to the overall size of the unit, the lack of shower and bath facilities and states that given the gross floor area of 31.4 m<sup>2</sup> the dwelling would not meet the minimum size requirements for a one bed apartment, let alone a two-bedroom house. I agree with this assessment and the conclusion drawn. The internal space standards are set down at national level as requiring the provision of reasonably configured bedroom and other spaces and a minimum bedroom size of 7.1 m<sup>2</sup>, with a main bedroom of 13 m<sup>2</sup> the proposed development shows two inadequately sized bedrooms, which are grossly below the minimum required for a

main bedroom. Even if the two bedrooms were merged the minimum would not be met. There simply is not sufficient internal space to provide for the minimum requirements for residential unit under the national guidance.

I consider that the decision of the planning authority should be upheld in this respect.

## **7.2. Private amenity space**

I consider that the private amenity space within the curtilage of the dwellinghouse is inadequate for the purposes of serving the existing and proposed development, including by reason of its size and configuration.

## **7.3. Traffic and parking**

I note the comments of the planning authority with respect to pedestrian and traffic hazard, which is included in the reason for refusal given. Following inspection, I consider that while there is inadequate parking and car turning available to the front of the house, and the proposed development would exacerbate the situation, the character of the area is somewhat unusual.

In the context of a proposal for a small dwelling house for a family member and having regard to the inner suburban location, I am not convinced that this is a substantive reason for refusal. However, the issue raises the fact that the site would be substantially overdeveloped.

## **7.4. Appropriate Assessment**

Having regard to the nature and scale of the proposed development, the nature of the receiving environment, the likely emissions arising from the proposed development, the availability of public water and sewerage in the area, and distance to the nearest European sites, I am satisfied that 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 that the decision of the planning authority to refuse permission be upheld for the reasons and considerations below.

## 9.0 Reasons and Considerations

It is considered that the proposed development which it is proposed to retain, by reason of the internal floor area and the availability of private open space would constitute a substandard and piecemeal form of development. The proposed development would not meet the standards of national guidance under Quality Housing for Sustainable Communities, Best Practice Guidelines, would constitute overdevelopment of the site and would not therefore be in accordance with the proper planning and sustainable development of the area.

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Mairead Kenny  
Senior Planning Inspector

11 April 2022