



An
Bord
Pleanála

Inspector's Report

ABP-313938-22

Development	House, new vehicular access and on-site car-parking
Location	22 Bramble Glade, Ashford, Co. Wicklow, A67EH21
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	22372
Applicant(s)	Alan Austin.
Type of Application	Planning Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party
Appellant(s)	Declan Mc Ateer.
Observer(s)	No Observers.
Date of Site Inspection	31 st of May 2023.
Inspector	Elaine Sullivan

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1.0 Site Location and Description

- 1.1. The subject site is located within the Bramble Glade housing estate in Ashford, Co. Wicklow. The housing estate is a mature, low-density development to the north-west of Ashford centre, on the southern side of the R763. The development comprises detached dormer-bungalows on individual sites arranged around cul-de-sacs and a large green space.
- 1.2. The development site forms the side garden to No. 22, which is located on the corner of a short cul-de-sac with houses adjoining it to the north and east. The subject site currently comprises lawn with a high mature hedge to the west, north and east. The garage to No. 23 is directly to the north of the site boundary.

2.0 Proposed Development

- 2.1. Planning permission is sought for a two-storey, two- bedroom house of 119 sq m in the side garden of No. 22 Bramble Glade. The house would have a pitched roof with an asymmetrical profile. A rear garden of 81m² would be provided for the new house. A new vehicular entrance is proposed with off-street parking for one car to the front. The new house would be connected to the mains water and wastewater services.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority (PA) granted permission for the development subject to 6 planning conditions, which were mainly standard in nature.
- 3.1.2. Condition No. 3 requires that the first-floor rear elevation window be finished in obscure glazing.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

The decision of the PA was informed by the report of the Planning Officer, (PO), dated the 24th of May 2022, which includes the following,

- Ashford is designated as a level 5 settlement (Small Growth Town) in the Wicklow County Development Plan 2022-2028.
- As a 'growth town' there is no restriction on the occupancy of housing within the settlement.
- The principle of the development is acceptable as it would be located on an infill site with a residential zoning objective in the Ashford LAP.
- The proposed new vehicular entrance would have sufficient separation distances from existing entrances and from the bend in the road and would not result in a traffic hazard.
- Infill development do not have a specific density requirement subject to good design. The house is similar to existing housing in scale and design and reflects the established character in the area.
- The development would not result in overlooking or overshadowing of the neighbouring properties.

3.2.2. Other Technical Reports

- No technical reports on file.

3.3. Prescribed Bodies

- Uisce Éireann – No objection to the proposed development.

3.4. Third Party Observations

Three third party observations were received by the PA and the following issues were raised,

- The plot ratio and proposed density is not in keeping with the general area.
- Any future development of the garage at No. 23 would be prejudiced by the development.

- A shared access arrangement is preferable to the provision of a new access.
- The new house would overlook adjoining property at No. 23, 21 and 27 Bramble Glade.
- Disruption during the construction phase.
- The removal of trees on the site.

4.0 Planning History

- No planning history for the subject site.

5.0 Policy Context

5.1. Development Plan

5.1.1. The Wicklow County Development Plan 2022-2028, (WCDP) is the operative Development Plan for the site. The site is within the settlement boundary Ashford which is designated as a 'Level 5 – Small Town' in the settlement strategy for the County. The Town Plan for Ashford is contained in Volume 2 of the WCDP.

5.1.2. The following sections of the Development Plan are relevant to the proposal:

Appendix 1 – Development and Design Standards.

Section 3.0 – Mixed House and Housing Developments

Section 3.1.3 – Privacy

Section 3.1.4 – Open Space

Section 3.1.6 – Infill / backlands development in existing housing areas. Standards require that,

- The site is capable of being developed in accordance with the requirements for the area,
- The design of the house compliments the area,
- Existing privacy is protected,

- A minimum separation distance of 0.9m is required between the house gable and the side wall of the plot,
- Access and car parking should be detailed with sufficient space for turning vehicles,
- Development on surrounding sties should not be prejudiced.

5.2. **National Policy**

- **National Planning Framework.**

The NPF 2040 was adopted in 2018 with the overarching policy objective to renew and develop existing settlements rather than the continual sprawl of cities and towns out into the countryside. The NPF sets a target of at least 40% of all new housing to be delivered within the existing built-up areas of cities, towns and villages on infill and/or brownfield sites. It also seeks to tailor the scale and nature of future housing provision to the size and type of settlement.

5.3. **Natural Heritage Designations**

No designations apply to the site.

5.4. **EIA Screening**

- 5.4.1. 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

The grounds of appeal include the following,

- The proposed development, in terms of plot ratio and residential density is not in keeping with the general character of Bramble Glade.
- The style of the house and the asymmetrical roof profile is not in keeping with the existing housing in the estate.
- Any future development or repurposing of the garage to the side of No. 23 Bramble Glade would be prejudiced by the proximity of the proposed development.
- The provision of one car parking space is inadequate. Additional parking generated by the development will impact on the existing cul-de-sac.
- A shared entrance with No. 22 would be a more appropriate solution. Reg. Ref. 18981 is referenced in this instance.
- A condition of the PA's decision requires that obscure glazing be fitted to the rear, east facing window. This will only provide privacy if the window does not open.
- There is no condition provided to prevent the flat roof elements from being used as balconies in the future.

6.2. Applicant Response

A response from the applicant was received on the 28th of July 2022 and includes the following,

- The application was appropriately assessed, and conditions were applied to address concerns.
- The proposal is in accordance with the WCDP standards for housing in existing residential areas.

- Bramble Glade is a low-density development from the 1980's. The spaces between and to the side of many houses in the development are entirely suitable for infill development without impacting on the amenity of existing houses.
- Infill development has been carried out on other plots in the estate and most recently at No. 14 Bramble Glade, Reg. Ref. 12/6027 and 09/1232.
- The design, scale, form and materials are in keeping with existing dwellings and the asymmetrical roof was chosen to provide good quality internal space whilst minimising the impact on No. 23 to the north.
- There are no windows facing the appellants property and the future development of the adjacent garage would not be impacted.
- A shared entrance is not feasible due to the c. 18m separation distance between both entrances. The internal roads in the estate are of ample width and cars are frequently parked on the street without obstruction to traffic movements.
- The 600mm wide window that the appellant refers to does not face on to their property and the obscure glazing requested by the PA would restrict any overlooking of adjoining properties.
- There is no intention to use the flat roofs as balconies.

6.3. Planning Authority Response

- No response received.

6.4. Observations

- No observations received.

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, inspected the site and having regard to relevant local/regional/national policies and

guidance, I consider that the main issues in this appeal can be addressed under the following headings:

- Principle of Development
- Development Plan Standards
- Impact on Residential Amenity
- Appropriate Assessment

7.2. Principle of Development

- 7.2.1. The subject site is located within the settlement boundary of Ashford and within an established housing estate. The site is zoned objective 'RE – Existing Residential' in the Ashford Town Plan and as such the principle of the development is acceptable. As the site forms part of a larger developed site, it is categorised as an infill site and the requirements of Appendix 1, Section 3.1.6 apply.

7.3. Development Plan Standards

- 7.3.1. The proposed house is modest in scale and has been designed to comply with the Development Plan standards for new housing as set out in Appendix 1, Section 3.0 of the WCDP. Approximately 81 sqm of private amenity space would be provided to the rear and off-street parking for one car would be provided to the front of the house. The area to the front of the house would be in c. 9.5m x 3m and would provide sufficient space for a car to manoeuvre.
- 7.3.2. The appellant raised concerns about the density of the proposal within the context of the existing development. The WCDP Density does not specify a density for infill sites and instead places the emphasis on well-designed developments of suitable scale that integrate well. In their response to the appeal the applicant states that the house has been designed to reflect the existing pattern of development and I would agree. The form of the house is similar to the existing houses with a long-pitched roof profile, but with the high gable wall to the front rather than the side. External finishes would be simple with concrete tiles on the roof and painted render to the walls. The asymmetrical angle of the roof is unusual within the streetscape but is

unobtrusive and the lower pitch on the northern side minimises the impact on the appellants house to the north.

- 7.3.3. The grounds of appeal also question whether the proposed entrance is appropriate and suggests that a shared entrance with No. 22 is a better arrangement. I see no reason why the properties should share an entrance. There are clear sightlines from the proposed entrance and there is sufficient distance from the corner to prevent a traffic hazard. Combining both entrances would result either in the loss of the front garden to No. 22 as it would be replaced by parking, or the loss of an existing mature hedgerow which would have to be removed to accommodate an equidistant shared entrance. A shared entrance would be impractical and onerous given the existing and proposed site layouts and the location of the proposed entrance.
- 7.3.4. I am satisfied that the proposed house would be in accordance with the standards for new and infill houses as set out in the WCDP. It would provide an infill development of adequate size and scale and would integrate with the existing pattern of development. It would also be in accordance with national planning policy to utilise underdeveloped sites in existing settlements to achieve a more sustainable form of development.
- 7.3.5. The appellant raised concerns that the development of the site would impinge on any future plans to repurpose or redevelop their garage which is in proximity to the site boundary and would be adjacent to the proposed development. I see no reason why the proposed house would impact on the development of the adjoining site, subject to appropriate design. There would be no windows facing onto or overlooking the adjoining site to the north and a separation distance of c. 1.4m would be provided between the side wall of the house and the site boundary.

7.4. Impact on Residential Amenity

- 7.4.1. Any impact on existing residential amenity from the development would be from overlooking and/or overshadowing of adjoining properties. I am satisfied that the proposed development would not result in any undue overshadowing to neighbouring properties given its orientation, the design of the roof profile and the separation distances between properties.

- 7.4.2. The site is currently bounded by a mature hedge which obstructs views to and from the site along the northern and eastern boundaries. This hedge would be retained. There would be no windows on the side elevations of the proposed house and just one window at first floor level on the rear elevation. Due to the orientation of the site, the proximity of the garage on the site to the north and the retention of the existing high hedge along the northern boundary, overlooking of the house to the north would be restricted.
- 7.4.3. There are no opposing windows at first floor level to the rear of the site. However, third parties expressed concern regarding the overlooking of the rear garden to No. 21, which is located to the east of the site. This was addressed by the PA who attached a condition requiring that the first-floor window on the rear elevation be fitted with obscure glazing. I am satisfied that this condition is reasonable and would sufficiently address any concerns regarding overlooking.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the proposed development within a serviced urban area and separation distance to the nearest European site, 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 planning permission be granted for the development.

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed infill development, within the settlement boundary of Ashford and on a site with an 'RE – Existing Residential' zoning objective, it is considered that the proposal would be in accordance with the Wicklow County Development Plan 2022-2028, and 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 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 8th day of April 2022, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The rear bedroom window at first floor level shall be fitted with obscure glazing.</p> <p>Reason: To protect residential amenity.</p>
3.	<p>The site development and construction works shall be carried out such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.</p> <p>Reason: To protect the residential amenities of property in the vicinity.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 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.</p>

	Reason: In order to safeguard the residential amenities of property in the vicinity.
5.	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.
6.	The applicant shall comply with the requirements of Irish Water. Reason: In the interest of public health.
7.	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.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Elaine Sullivan
Planning Inspector

1st of June 2023