



An
Bord
Pleanála

Inspector's Report

ABP-314152-22

Development	Extension to the rear and side with associated alterations and new roof light.
Location	3 Davitt Road, Bray, Co. Wicklow, A98 AW98
Planning Authority	Wicklow County Council
Planning Authority Reg. Ref.	22507
Applicant(s)	Róisín and Chris McCabe.
Type of Application	Planning Permission.
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Tom Curtis & Fergal Flanagan.
Observer(s)	No Observers.
Date of Site Inspection	24 th of July 2023.
Inspector	Elaine Sullivan

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	3
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Development Plan.....	5
5.2. Natural Heritage Designations	6
5.3. EIA Screening	6
6.0 The Appeal	6
6.1. Grounds of Appeal	6
6.2. Applicant Response	7
6.3. Planning Authority Response.....	7
6.4. Observations.....	7
7.0 Assessment.....	7
8.0 Recommendation.....	9
9.0 Reasons and Considerations.....	9
10.0 Conditions	9

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.0342ha. It is located on Davitt Road, a residential street approximately 200m to the west of the Main Street in Bray Co. Wicklow. The houses on the street are suburban in style and are two-storey, semi-detached houses with single storey garages to the side. An original feature of the housing is a stepped parapet wall to the front of the single storey garage.
- 1.2. A large portion of the garages, have been converted into living accommodation, including the subject site. Some of the houses have also been extended to the side and have removed the parapet feature wall, as is the case with No. 1 and No. 2 Davitt Road, directly to the south of the site.

2.0 Proposed Development

- 2.1. Planning permission is sought for the construction of a part single storey, part two storey extension to the rear and side of the existing two-storey, semi-detached house. A new rooflight would also be fitted to the south facing slope of the existing roof.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority, (PA), granted planning permission subject to five planning conditions which were mostly standard in nature. Condition No. 2 required that the smaller north-facing window serving Bedroom 2 shall be non-openable and fitted with obscured glass.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer dated the 27th of June 2022 informed the decision of the PA and included the following:

- The development is acceptable in principle.

- The PO notes that the design is atypical of existing extensions but is satisfied that it respects the character of the existing house and the area.
- The first-floor set-back will read as subordinate and will not impact on the established building line.
- The first-floor extension to the side and rear would not result in additional, unacceptable overshadowing or overlooking.

3.2.2. Other Technical Reports

- None on file.

3.3. Prescribed Bodies

- No referrals.

3.4. Third Party Observations

Four third party observations were submitted to the PA and raised the following issues:

- The flat roof extension and set-back is out of alignment with existing houses,
- It would impact on existing amenity on the road,
- Overlooking from gable window,
- Overshadowing of adjoining property.

4.0 Planning History

- 4.1. **PL39.234490, (PA Ref. PL39.234490)** – Planning permission granted by the Board on the 10th of August 2009 for an extension comprising a single storey extension to the rear and a first-floor extension to the side and above the existing garage and the widening of the vehicular entrance.

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 of Bray which is designated as a 'Metropolitan Key Town' in the settlement strategy for the County, (Section 4.2).

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

Appendix 1 – Development & Design Standards

Section 3.1.8 – House extensions

The construction of extensions to existing houses will be encouraged. The following principles will be applied,

- The extension should be sensitive to the existing dwelling and should not adversely distort the scale or mass of the structure.
- The extension shall not provide for new overlooking.
- The new extension must not significantly increase overlooking possibilities.
- New extensions should not overshadow adjacent dwellings to the degree that a significant decrease in day or sunlight entering into the house comes about.
- While the form, size and appearance of an extension should complement the area, unless the area has an established unique or valuable character worthy of preservation, a flexible approach will be taken to the assessment of alternative design concepts.

Bray Municipal District Local Area Plan 2018 – 2024

The site is zoned '*RE - Existing Residential - To protect, provide and improve residential amenities of existing residential areas*'.

The Zoning Description is, '*To provide for house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity. In existing*

residential areas, the areas of open space permitted, designated, or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted.

5.2. Natural Heritage Designations

- No designations apply.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed development for a domestic extension, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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 extension is not in keeping with the existing architecture on the road.
- The proposed rectangular, flat roof extension and the setback which is out of line with the existing line of buildings on Davitt Road, is contrary to the principles of good design and the protection of existing residential amenity as stated in the zoning objective.
- The proposed box-like, rectangular structure is not in keeping with the style of existing architecture on the road.
- The window to the front is not in keeping with the style of those on that side of the road.

6.2. Applicant Response

A response was received from the applicant on the 19th of August 2022 and includes the following:

- The applicant notes that the appellant seeks refusal of the proposal based on their opinion that the development is out of character with the architecture in the area.
- The proposed additions to the dwelling have been designed by way of massing, scale and finish to appear subservient to the architectural character of the existing house and streetscape.
- The proposal will not give rise to adverse impact on the residential amenities of the area, not have any such impacts been convincingly demonstrated by the appellants.

6.3. Planning Authority Response

- No comments.

6.4. Observations

- No observations.

7.0 Assessment

7.1. I consider the main issues of the appeal can be addressed under the following headings:

- Design and Form
- Impact on Amenity
- Appropriate Assessment

7.2. Design and Form

- 7.2.1. The main issue in the grounds of appeal relates to the proposed design of the extension. The appellants are of the opinion that the design is not in keeping with the existing architecture and that it would have a negative impact on adjoining properties. A particular issue is the flat roof extension to the side.
- 7.2.2. I note that Davitt Road is not an architecturally sensitive area. It is not designated as an Architectural Conservation Area and none of the properties on the street are listed on the Record of Protected Structures. Nonetheless, the street has an attractive scale and form. Previous extensions on the street retained the pitched roof profile but removed the stepped parapet feature wall. The subject proposal retains this feature and steps the extension back from the front elevation by approximately 1m. I am satisfied that the flat-roof profile would be acceptable within the context of the street. The first-floor element would be set-back from the front elevation and would read as subordinate to the original house. Whilst the flat roof extension is atypical on the street, I do not consider it to be damaging to the architectural character of the suburban-style street.

7.3. Impact on Amenity

- 7.3.1. I am satisfied that the proposed development would not result in any negative visual impact on existing properties. The extension to the rear is modest in scale and would extend past the original rear wall by just 1.2m. By virtue of the nature, scale and orientation of the extension, it would not result in any overshadowing of adjoining properties.
- 7.3.2. Third parties had raised concerns regarding the potential for overlooking from the first floor, north-facing bedroom window. This window is just 0.5m in width and would be approximately 5m from the adjoining boundary with No. 4, overlooking the flat roof the single storey extension. This roof would obscure any direct sightline from the secondary bedroom window to the neighbouring patio or open space. Therefore, I am satisfied that the proposal would not result in any loss of amenity in terms of loss of privacy.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the nature and scale of the proposed development and the 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 is granted for the development.

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development for a domestic extension on a site which is zoned 'RE – Existing Residential', it is considered that the proposal would be in accordance with the Wicklow County Development Plan 2022-2028. 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 11th day of May 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 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>
3.	<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> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
4.	<p>a) All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.</p> <p>Reason: In the interest of orderly development.</p>
5.	<p>Details of the materials, colours and textures of all the external finishes shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>

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

24th of July 2023