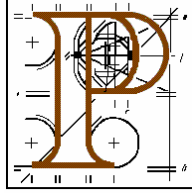


An Bord Pleanála



Inspector's Report

PL06D.238120

Extension to Dwelling House at 4 Rock Lodge, Killiney, Co. Dublin

PLANNING APPLICATION

Planning Authority: Dun Laoghaire Rathdown Co.Co.

Planning Authority Reg. No: D10B/0399

Applicant: Alan and Concepta Corbett

Planning Authority Decision: Grant with Conditions

APPEAL

Appellants: Alastair & Olive Graham

Type of Appeal: Third Party – V- Decision

Observers: None

DATE OF SITE INSPECTION: 14th of February 2011

Inspector: Caryn Coogan

1.0 THE SITE

The site is 14 Rock Lodge, a two story terraced dwelling in Killiney. The dwelling on the site is a two storey dwelling with a single semi-detached garage to the side. The land drops from south to north, and the neighbouring property at No. 15 is located on a lower ground level to the subject site.

Note on my site inspection I saw that portion of the garage floor had been dug out down to the level underneath the existing foundations. I can confirm the excavation is in line with the engineer's report submitted by the applicant on appeal on the 17th of January 2011.

2.0 THE PLANNING APPLICATION

2.1 PROPOSED DEVELOPMENT

The proposed extension is a first floor extension over and existing ground floor garage and utility room. The extension is to the side of the dwelling. It will provide an additional bedroom and an ensuite bathroom at first floor level. Externally the extension will match the existing front faced of the dwelling. The existing dwelling is 165sq.m. and the proposed extension is 33sqm.

2.2 SUBMISSIONS

The submission from the neighbour raised concerns regarding the high level window at first floor level, the carrying load of the party wall, the impact of the eaves on no. 15 Rock Lodge.

2.3 PLANNING AUTHORITY REPORTS

The main points raised in the planning report are:

- The proposed extension will be marginally lower in height than the existing roof ridge and will be setback marginally from the existing front building line. It will be flush with the rear building line. The proposed gable window is to be omitted by condition in case it impacts on the future development of the neighbouring site. The canopy across the front of the dwelling is considered to be acceptable.
- A note should be attached requiring the consent of the neighbour to any oversailing and that the permission does not imply approval for the structural stability

2.2 PLANNING AUTHORITY'S DECISION

Dun Laoghaire Rathdown granted planning permission for the extension subject to 6No. conditions and two footnotes.

3.0 THE APPEAL

3.1 GROUNDINGS OF APPEALS

The third party appellants own the dwelling next door at 15 Rock Lodge. They are concerned about potential encroachment onto their property and the structural stability of the garage, over which it is proposed to construct the extension.

The existing foundations for the garage may not be sufficient to bear the additional load of the proposed development. As the garages were only single story the foundations are unlikely to be as substantial or as deep as the main dwelling.

The ground level steeps significantly across Rock Lodge, and the garage at No. 14 is approximately 400mm lower than the floor level of the main house. The floor level of the garage at 15 Rock Lodge is a further 800mm lower than the garage level at No. 14 which means there is a differential between floor levels of the adjoining houses of approximately 1.3metres. This would imply that in the event of any difficulties arising from the foundations that may need to be replaced or supplemented, it is likely the proposal would have a detrimental impact on their property.

The proposal is likely to result in the interference and adjustment to the edge of their roof which will result in potential damage or ingress of moisture.

3.2 PLANNING AUTHORITY'S RESPONSE

In the planning authority's response to the appeal the planning authority re-iterates the two footnotes included in the conditions schedule of the permission:

- The applicant is advised in the event of encroachment or oversailing of the adjoining property, the consent of the adjoining property owner is required. If this written agreement is not obtained the proposed development shall be modified insofar as is required to do this.
- This permission does not imply any consent or approval for the structural stability and / or habitability of the works carried out and does not imply that the structure complies with the Building Regulations.

A subsequent report was submitted from the planning authority on the 1st of February 2011 with no further comment.

3.3 APPLICANT'S RESPONSE

The applicant carried structural report of the gable wall following an excavation carried out in the garage of No. 14 to expose the party wall and existing foundations. The technical details of the existing foundations are detailed the bearing pressure of the proposed development is considered to be acceptable and the extension can proceed. It is advised that 215mm thickness lightweight blockwork would be used in the construction of the new gable wall to serve reducing the proposed additional weight by approximately 40%.

The section drawing through the party drawing is included.

3.4 APPELLANT'S RESPONSE TO APPLICANT'S SUBMISSION

The technical details are noted and the recommendations, however it is not stated how the applicant intends to construct the extension. The proposal will require access to their property in order to carry out the construction works to the party wall and there is no indication how this will be carried out, and to ensure the works won't have a detrimental impact on No. 15 Rock Lodge.

4.0 PLANNING HISTORY

There is no recent relevant planning history associated with the site.

5.0 STATUTORY FRAMEWORK

The subject site and area is zoned A to protect and provide for residential amenities in the Dun Laoghaire Rathdown County Development Plan 2010.

6.0 ASSESSMENT

- 6.1 The proposed development consists of a modest extension, 33sq.m. onto the first floor of two storey dwelling positioned above a two storey garage. It will match the existing dwelling in design and materials, and overall it is proportionate to the scale of the existing dwelling 14 Rock Lodge. The extension provides for an additional bedroom and bathroom on the first floor of the existing three bedroom dwelling.
- 6.2 The site onto which Rock Lodge was constructed slopes downwards from south to north. Consequently the houses are constructed on different ground levels. The houses are attached to each other, and the terrace is not uniform in appearance due to the difference on ground level and their garages are single storey. The neighbours appealed the decision because they were concerned that the foundations were insufficient to carry the weight of the proposed extension, and that the proposal will overhang their property.
- 6.3 On appeal I noted the applicant had carried out extensive excavation works within the garage of the subject site to establish the exact extent of the foundations. It has been established the foundations are acceptable. I noted on site the depth and extent of the foundations and that the report submitted on appeal by the applicant reflects what I inspected on the 14th of February 2011. The appellant's have responded to the applicant's site investigations, stating that there are no details of how the construction of the extension will be carried out and the works could impact negatively on their property.
- 6.4 The proposed extension is modest in scale, it will not unduly overlook or overshadow the neighbouring property. The proposal will not detract from the general appearance of the streetscape of Rock Lodge. The proposal therefore is in keeping with the zoning objective for the area and will not injure the amenities of the abutting dwelling. There is a small landing window proposed in the gable of the extension which will be omitted by condition in the interests of protecting the development potential of the appellant's property at No. 15 Rock Lodge.
- 6.5 The appellant's concern regarding access during construction and scaffolding, and the building works are beyond the remit of the Board. It is standard planning practice to include a condition to provide a Construction Management Plan to the planning authority for approval.

- 6.6 There is no development Contribution payable as the proposed extension is exempt from payment because it is below the 40sq.m. threshold.

7.0 RECOMMENDATION

I recommend the Board grant the proposed extension subject to the following conditions.

REASONS AND CONSIDERATIONS

Having regard existing use associated with the subject site, to the design, scale and layout of the proposed development, it is considered the proposed development would not injure the residential or visual amenities of the adjoining properties and would be in keeping with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the planning application, except as may otherwise be required by the conditions of this permission.

Reason: In the interests of the proper planning and sustainable development of the area.

2. Surface water from the site shall not be permitted to drain onto the adjoining public road or adjoining properties.

Reason: In the interest of traffic safety.

3. The construction of the development shall be managed in accordance with a Construction Management Plan which shall be submitted to, and agreed in writing with the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of amenities and public safety.

4. Prior to the commencement of the proposed development the developer shall submit to and agree in writing with the planning authority full details of the proposed access arrangements and construction arrangements.

Reason: In the interest of amenities and public safety

5. The proposed window to the side/ gable elevation at first floor level shall be omitted.

Caryn Coogan
Inspectorate

22nd of February 2011