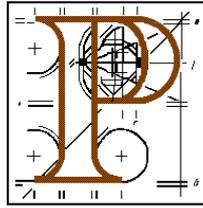


An Bord Pleanála



Inspector's Report

PL.06S.245332.

DEVELOPMENT:-

Extension, conversion of garage, porch, modifications to roof including the removal of 2 dormer windows, replacement with 1 dormer and 1 ridge window at 46 Monastery Walk, Clondalkin Village, Dublin 22.

PLANNING APPLICATION.

Planning Authority: South Dublin County Council.
Planning Authority Reg. No: SD15B/0190.
Applicants: John Mansell and Lisa Hanbury.
Application Type: Permission.
Planning Authority Decision: Permission with conditions.

APPEAL

Appellants: John Mansell and Lisa Hanbury.
Type of Appeal: First Party.

OBSERVERS None

DATE OF SITE INSPECTION: 2nd December 2015

Inspector: **Derek Daly**

1.0 SITE LOCATION AND DESCRIPTION.

The appeal site is located in the outer western suburbs of Dublin in close proximity to the centre of the village of Clondalkin. Monastery Walk is a residential road consisting mainly of semi-detached properties which are located in a housing estate off Monastery Road the main traffic artery in the area. There is a two storied semi-detached property located on the site and the houses have gardens to the front and rear with an open plan layout at the front of the dwellings.

2.0 PROPOSED DEVELOPMENT.

2.1 The proposed development as received by the planning authority on the 5th of June 2015 is for the construction of a

- Single storey, stepped flat roof extension to the rear of existing dwelling to consist of a lounge & kitchen. The height of the single storey extension ranges from 2.85m to 3.95m in height;
- Conversion of existing garage to TV room, with a new front window to be implemented;
- Construction of a new entrance porch with low level cills & a tiled apex roof over located centrally on the elevation;
- Modifications to the front roof of dwelling to include the removal of 2 existing dormer windows to be replaced with 1 dormer and 1 ridge window, and
- Drainage structural and associated site works.

The existing property has a stated floor area of 142.8m² and the extended floor area is stated as 40.8m² with the extension to the rear accounting for the bulk of the extended area.

The Board in a letter to the appellants under section 142(4) requested revised notices. Revised notices were submitted to the board on the 27th of October 2015 referring to all matters in the original public notices and also to the widening of the vehicular entrance and increased provision of hardstanding. The site notice was on display and visible during the site inspection.

3.0 PLANNING HISTORY.

3.1 No planning history relating to the site.

4.0 PLANNING AUTHORITY'S REPORTS.

4.1 The planning report dated the 27th of July 2015 refers to the provisions of the current county development plan; to an assessment of the proposal and to

concern in relation to the height of the rear extension with regard to overshadowing. Reference is also made to the widened vehicular access and the visual effects of this widening on existing planting. It was noted that the entrance widening was not referred to in the public notices. It was considered that concerns arising can be addressed by condition. Subject to conditions permission was recommended.

5.0 PLANNING AUTHORITY'S DECISION.

5.1 The Planning Authority decided to grant planning permission for the development subject to 8 conditions. Among the conditions of note,

- Condition no.1 (b) as part of the permission omits the widening of the vehicular access and increased hardstanding area.
- Condition no. 2 limits and requires the rear extension to be not more than 3.3 metres in height.

6.0 APPEAL SUBMISSIONS.

6.1 FIRST PARTY APPEAL.

The appellants in the grounds of appeal indicate,

- The appeal relates to condition nos. 1(b) and 2.
- In relation to condition no. 1(b) the dwelling is being amended and there is a new entrance arrangement which necessitates altering the vehicular entrance.
- The front area could have been tarmacked as other dwellings in the area have tarmacked their front garden space.
- There is an increased necessity to accommodate two cars on the site and doing so it is for increased security and it also keeps cars off the roadway and thus is improving road safety by avoiding cars being on the carriageway.
- Some lawn area is being retained.
- In relation to condition no.2 there will be no impact on adjoining properties or lands.
- There is no overlooking or overshadowing.
- The overall design is compromised as the step roof and slit glazing
- No objections have been received.
- It will not impact on neighbours wishing to extend their properties.
- There is a mix of extensions in the area.

7.0 RESPONSES TO APPEAL.

- 7.1 The planning authority in a submission dated the 10th of September 2015 in relation to the first party appeal indicates,
- In relation to the entrance this aspect of the proposal was not included in the public notices.
 - In relation to reason for the condition is outlined in the manager's order.

8.0 POLICY.

8.1 Dublin County Development Plan.

The current Development Plan is the South Dublin County Development Plan 2010-2016.

The site is zoned with the zoning objective A “to protect, provide and/or improve residential amenities”.

Policy H16 is a policy which supports extensions to houses.

Appendix 5 outlines guidelines for extensions to houses.

9.0 ASSESSMENT.

- 9.1 The proposed development as received by the planning authority on the 5th of June 2015 and which is the subject of this appeal provided for construction of a single storey, stepped flat roof extension to the rear of existing dwelling to consist of a lounge & kitchen. The height of the single storey extension ranges from 2.85m in height in one section to 3.95m in height in another section; the conversion of existing garage to TV room, with a new front window to be implemented; the construction of a new entrance porch with low level cills & a tiled apex roof over located centrally on the elevation; modifications to the front roof of dwelling to include the removal of 2 existing dormer windows to be replaced with 1 dormer and 1 ridge window, and the widening of the vehicular entrance and hardstanding area.
- 9.2 The appeal relates to a first party appeal in relation to condition nos. 1(b) and 2 of the planning authority's decision to grant planning permission.
- 9.3 In relation to condition no. 1(b) part of this condition omits the proposed widening of the vehicular access and increased hardstanding area. In the planning report it is indicated that these aspects of the development were not referred to in the original public notices and there was also concerns in relation to the loss of mature vegetation arising from the proposed works. The appellants in the grounds of appeal indicate that the dwelling is being

amended and there is a new entrance arrangement for the dwelling which necessitates altering the vehicular entrance.

It is also indicated that the entire front area could have been tarmacked as other dwellings in the area have tarmacked their front garden space; that there is an increased necessity to accommodate two cars on the site and doing so it is for increased security and also keeps cars off the roadway and this improves road safety by avoiding cars being on the carriageway and also that some lawn area is being retained.

The proposed widening of the vehicular access and increased hardstanding area is addressed in the revised public notices requested by the Board. I would agree what there will be loss of green area and planting arising from these works but there are other dwellings in relative close proximity which have widened the vehicular access and increased the hardstanding area. Some green area and planting is being retained. I would have no objection to this aspect of the development and that condition 1(b) be amended to reflect this position.

- 9.4 In relation to condition no.2 which set the maximum height of the rear extension at 3.3m, the basis of this was to reduce effects of overshadowing. In the grounds of appeal the appellants contend that there will be no impact on adjoining properties or lands; there is no overlooking or overshadowing; the effects of this condition is to compromise the overall design and that no objections have been received. It is also indicated that the proposed development and the height proposed will not impact on neighbours wishing to extend their properties and also that there are a mix of extensions in the area.

In relation to the rear extension it provides for two distinct elements. The first is a flat roof extension with a depth of 3300mm and a height of 2850mm and there is no objection to this aspect of the rear extension. The second element is an extension with a depth of approximately 4500mm to accommodate a lounge and this part of the extension which also has a flat roof has a height of 3950mm. the extension provides for double doors to the rear but also slit glazing at a higher level on two elevations rear and side facing into the appeal site property just under the roof line. The provision of the slit glazing does I accept assist in breaking the bland nature of the elevation but they are not a critical design nature given the presence of glazing at a lower level and the relative small scale nature of the development.

The primary issue to consider, notwithstanding the absence of any objection to the proposal, is impact in relation to residential amenities. This aspect of the development adjoins the eastern boundary and the effects of any

overshadowing arise in the evening period and will not extend of the entire garden area of the property to the east. Some level of overshadowing will occur irrespective of whether the height is 3.3m or 3.95m and given the depth of the proposed extension a reduction of 0.65m will not be material or significant. I therefore consider that the condition could be omitted.

- 9.5 In relation to other aspects of the development which include conversion of the garage to a living area, the proposed front porch and the alterations to the windows on the first floor front elevation I have no objections.

10.0 CONCLUSION AND RECOMMENDATION.

Having considered the overall development and the submissions raised I consider that the appeal should be determined under section 139. Having considered the issues arising I would therefore recommend that condition no 1(b) of the planning authority's decision to grant permission be omitted and condition 1 be amended to reflect this. I also recommend that condition no.2 be omitted for the reasons and considerations set out hereunder:

REASONS AND CONSIDERATIONS.

Having regard to the nature to the overall design and scale of the proposed development it is considered that the proposed development would not adversely impact on visual amenities of the area or adversely impact adjoining properties It is also considered, that subject to compliance with the conditions as set out, the development will not adversely impact on the overall character of the area and would not be contrary to the proper planning and sustainable development of the area.

CONDITIONS

Revise condition no. 1 as follows,

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 5th of June 2015 and in accordance with the revised notices received by the Board on the 27th of October 2015, 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.

Condition no.2 be omitted.

Derek Daly

3rd December 2015

Inspectorate.