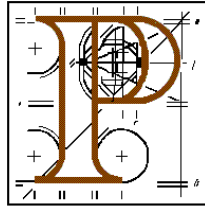


An Bord Pleanála



Inspector's Report

PL29S. 245666

Development

Demolition of existing extension and construction of a new ground and first floor extension to an existing house with all associated site works.

4 Beechwood Road, Ranelagh, Dublin 6

Planning Application

Planning Authority: Dublin City Council

Planning Authority Reg. Ref.: 3404/15

Applicant: Daniel and Marion McKeown

Type of Application: Planning permission

Planning Authority Decision: Grant permission

Planning Appeal

Appellant(s): Michael Mulcahy

Type of Appeal: Third v grant

Observers: None

Date of Site Inspection: 4th December 2015

Inspector: Karla Mc Bride.

1.0 INTRODUCTION

1.1 Site and location

The appeal site is located in Ranelagh on the south side of Dublin City and the surrounding area is predominantly residential in character. The site comprises an end of terrace, 2-storey, red brick house with front and rear gardens. The existing house and the neighbouring properties have 3-storey rear returns and several of the houses in the area have been extended, including the appeal premises. There is a laneway to the rear of the houses which have pedestrian access to the lane.

Photographs and maps in Appendix 1 describe the site and location in detail.

1.2 Proposed Development

Planning permission is being sought to:

- Demolish the existing single storey rear extension (c.15sq.m.)
- Construct a new part single and part 2-storey rear extension (c.43sq.m.):
 - The single storey element would be 5.5m wide, 13m deep and 3m high.
 - The first floor element would be 3.7m wide, 8m deep and 6.5m high.
- All associated site works including removal of rear chimney stack.

1.3 Planning Authority's Decision

The Planning Authority decided to grant planning permission for the proposed development subject to 6 standard conditions.

This decision reflects the report of the City Planning Officer.

The Environmental Services Department: No objection to the proposed development subject to compliance with conditions.

Public submissions: One submission received from the owner of the neighbouring house at no.3 which raised concerns in relation to amenity.

1.4 Planning history

No planning history.

2.0 DEVELOPMENT PLAN

Zoning objective:

The site is located within an area zoned with the objective “Z2” in the Dublin City Development Plan 2011-2017 which seeks “To protect and/or improve the amenities of residential conservation areas.”

Development standards for extensions:

Section 17.9.8 states that the design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible, and the development should integrate with the existing building through the use of similar finishes and windows. Applications for planning permission to extend dwellings will be granted provided that the proposed development has:

- No adverse impact on the scale and character of the dwelling.
- No unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.

Heritage:

Protected Structures: None in the vicinity

Architectural Conservation Areas: None in the vicinity

Conservation Area: The site forms part of a Z2 Conservation Area.

Natural Heritage: None in the vicinity

European sites: None in the vicinity

3.0 APPEAL

3.1 Third Party appeal

Michael Mulcahy, the owner of the adjacent house at no.3 Beechwood Road, submitted a Third Party appeal:

- Proposed extension is out of scale, out of character and much larger than other similar extension in the vicinity, loss or private amenity spaces and overdevelopment of the site.

- Overlooking and loss of privacy at no.3 and no new windows should overlook the neighbouring rear garden.
- Overshadowing and loss of light at no.3 and rear gardens are N facing.

3.2 First party response submission

The First Party response submission, which was accompanied by a Shadow Analysis, is summarised below:

- Scale of proposed extension is similar to existing structures and it would occupy less of the rear garden than the extension at no.2.
- The remaining rear garden would be c.45sq.m. which is adequate for a suburban location and the 43sq.m. floor area would not greatly exceed the 40sq.m. exemption and the site would not be overdeveloped.
- High density residential area where a certain amount of mutual overlooking and overshadowing of private open space is to be expected with no significant adverse impacts on amenity.
- The distance from the rear windows to the rear boundary is between 13m and 15m, the extension would extend 2.5m beyond the existing rear wall of the neighbouring extension, because of the angle the applicant's rear garden will be more overlooked than the appellants, and existing side facing windows will be blocked up.
- Existing evergreen trees already block light and the new structure will have less of an impact.
- The Sun Path Shadow Analysis concluded that there would be no significant change to the shadows cast at 9am, 12 noon and 12pm.
- The proposed development is modest in scale and proportion and serves to improve the residential amenities of the area and it complies with Development Plan requirements for zoning and extensions.

3.3 Planning Authority response

The Planning Authority response raised no new issues.

4.0 REVIEW OF ISSUES AND ASSESSMENT

The main issues arising in this case are:

1. Compatibility with zoning objective
2. Design, layout and residential amenity
3. Other issues

4.1 Compatibility with zoning objective

The proposed development would be located within an area zoned “Z2” in the Dublin City Development Plan 2011-2017 which seeks “To protect and/or improve the amenities of residential conservation areas” and the proposed development is compatible with this objective.

4.2 Design, layout and residential amenity

The proposed development would be located within a Residential Conservation Area which is characterised by terraces of Victorian red brick 2-storey houses with 3-storey rear returns and small rear gardens. Several of the neighbouring houses have been extended to the rear.

Planning permission is being sought to demolish the existing single storey rear extension (c.15sq.m.) and to construct a new part single and part 2-storey rear extension (c.43sq.m.). The proposed extension would extend to almost the full width of the existing house and rear garden. The single storey flat roofed element would be approximately 5.5m wide, 13m deep and 3m high and the first floor hip roofed element would be 3.7m wide, 8m deep and 6.5m high. The existing rear chimney stack would also be removed.

The design, layout and external finishes of the proposed development is considered acceptable in terms of visual amenity. The proposed extension and remaining rear garden would provide for an acceptable level of residential amenity for the occupants of the appeal premises at no.4.

Relationship to no.3 Beechwood Road:

No.3 and no.4 Beechwood Road are attached and form part of a terrace. The proposed c.3m high single storey element would be located along the site boundary with the neighbouring house to the W and it would extend c.2.5m beyond the rear elevation of the neighbouring single storey extension at no.3. The proposed c.6.5 high first floor element would extend c.2.5m beyond the rear elevation of the main house at no.3 but not beyond the rear elevation of the neighbouring extension.

There would be no windows located at ground or first floor level in the side elevation and the neighbouring site would not be overlooked. The proposed first floor rear window would not directly overlook the neighbouring rear garden having regard to the irregular shape of the gardens. The proposed extension would be located to the E of no.3 and the shadow cast by the new structure would give rise to a marginal increase in overshadowing in the early part of the day only, but not at any other time.

Relationship to no.5 Beechwood Road:

No.4 and no.5 Beechwood Road are not attached and the houses are separated by a c.1m wide passageway. The proposed c.3m high single storey element would be located along the site boundary with the neighbouring house to the E at no.5. It would be set back c.5m from the side elevation of the neighbouring extension whilst the c.6.5m high first floor element would be set back by c.7.2m.

There would be no windows located at ground or first floor level in the side elevation (other than a glazed first floor bathroom window) and the neighbouring site would not be overlooked. The proposed first floor rear window would not directly overlook the neighbouring garden having regard to the irregular shape of the rear gardens. The proposed extension would be located to the W of no.4 and the shadow cast by the new structure would give rise to a marginal increase in overshadowing in the later part of the day only, and having regard to the separation distances, this would not adversely affect residential amenity.

Conclusion:

I am satisfied that the proposed development would not have any significant adverse impacts on the residential amenities of the neighbouring houses to the W and E at no.3 or no.5 Beechwood Road by way of overshadowing, overlooking or loss of privacy, having regard to the scale and layout of the proposed development and the prevailing pattern of development in the area.

4.3 Other issues

Environmental services: The proposed arrangements are considered acceptable subject to compliance with Council requirements.

Traffic and access: The proposed development would have no impact on exiting arrangements.

Appropriate assessment: The proposed development would not have an adverse effect on any European Sites.

5.0 RECOMMENDATION

Arising from my assessment of the appeal case I recommend that planning permission should be granted for the proposed development for the reasons and considerations set down below and subject to compliance with the attached conditions.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the current Development Plan and to the nature and scale of the proposed development and to the pattern of development in the area, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity or give rise to a traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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.
2. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.
Reason: In the interest of public health and to ensure a proper standard of development.
3. 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.
Reason: To protect the residential amenities of property in the vicinity.

4. The site works and building works required to implement the development shall only be carried out between 7.00 hours and 18.00 hours, Monday to Friday and between 08.00hours and 14.00 hours on Saturdays and not at all on Sundays or Bank Holidays.

Reason: To safeguard the residential amenities of adjacent dwellings.

Karla Mc Bride
Senior Inspector
07th January 2016