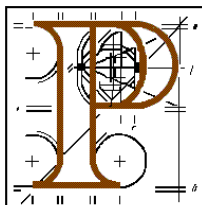


An Bord Pleanála



Inspector's Report

Development: Extension, open porch, wheelchair ramp and ancillary site works at 8 Seskin View Avenue, Dublin 24.

Planning Application

Planning Authority:	South Dublin County Council
Planning Authority Reg.	SD15B/0299
Applicant:	Tony and Elizabeth Cleary
Type of Application:	Permission
Planning Authority Decision:	Grant with Permission

Planning Appeal

Appellant(s):	Tony and Elizabeth Cleary
Type of Appeal:	1 st Party- V- Condition
Observers:	None

Date of Site Inspection: 23/02/2016

Inspector: Caryn Coogan

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 8 Seskin View Avenue is a two storey semidetached dwelling within a large residential estate in Tallaght

2.0 PROPOSED DEVELOPMENT

The proposal is a single storey extension to the front of the dwelling house to include an open porch and a wheelchair ramp. The existing dwelling on the site is 90sq.m. and the proposed extension is 7sq.m.

3.0 SUBMISSIONS RECEIVED

There were no submissions.

4.0 TECHNICAL REPORTS

Planner's Report

The Planner's report generally reflects the decision of the Planning Authority.

There was no objection to the proposal from Water Services.

5.0 PLANNING AUTHORITY'S DECISION

Permission **GRANTED** planning permission subject to 4No. standard planning conditions.

The condition relevant to this appeal is:

2. The proposed front extension shall be reduced in depth to project a maximum of 1.5metres from the front building line of the dwelling and the pedestrian access ramp shall be modified accordingly and link in with the reduced front extension:

Reason: To protect residential and visual amenity.

6.0 APPEAL GROUNDS

The following is a summary of the grounds of appeal relating to Condition No. 2 of the decision to grant:

- One of the applicants Mr. Cleary has been diagnosed with pulmonary fibrosis, which is a progressive lung condition.. He has concurrent condition of enduring cellulitis affecting his lower legs, and requires regular washing a nurse assistance.

- The proposed works will provide Mr Cleary with a wheelchair accessible bathroom and bedroom with a hospital bed and a ramp to the front of the house.
- A reduction in the size of the bedroom by way of Condition no. 2 will compromise the functioning of the room. He has basic furniture to be fitted into the space which includes the hospital bed, commode, rollator, oxygen machine and a hoist in the future. The space is very important in the bedroom to enable the nurse to assist Mr. Cleary.
- The Board should note a 2metre deep front extension to a dwelling on the opposite side of the road to Seskin Avenue

8.0 RESPONSES

8.1 The planning authority has no further comment.

9.0 PLANNING HISTORY

9.1 There is no relevant planning history.

10.0 DEVELOPMENT PLAN

South Dublin County Development Plan 2010-2016

The subject site is **zoned A** – *To protect and/or improve Residential Amenity.*

Appendix 5 Extensions to Dwellings

11.0 ASSESSMENT

11.1 This appeal relates to Condition No. 2 only of the decision to grant, whereby the front building line of the proposed single storey extension has been reduced to a maximum depth of **1.5metres** in line with Council Policy. According to the reason for the condition, it was imposed in the interests of visual and residential amenity. The Board should note Seskin View Avenue where the dwelling is a mid-terrace house, is a standard residential estate constructed in the 1960s and 1970s. The estate holds little or no architectural value. The houses are standard two storey semi-detached and terraced units with minimal architectural features.

11.2 As the appeal indicated and the supporting letter from the HSE detailed, the applicant Mr. Cleary is 81 years old and has been diagnosed with a number of conditions which have dramatically reduced his mobility and require him to use a hospital bed with ongoing homecare, and he also requires a disabled toilet and a ramp to access his downstairs bedroom because of his illness.

During my inspection, Mr Cleary was in hospital however I did visit his existing bedroom in the ground floor which is to be extended under this planning application, and I considered it to be cramped with no shower or toilet facilities and it has no ramp or wheelchair access.

- 11.3 The planning authority imposed the condition because it considered the depth of the single storey extension to the front of the dwelling at 2.6metres across full width of the dwelling, 6.4metres, would have a negative overbearing impact on the dwelling and the adjoining dwellings.
- 11.4 There were no objections from either contiguous neighbours. There is a sizable single storey extension on the opposite side of the road to the subject site, which is a minimum 2metres projection in redbrick. I believe the condition imposed by the planning authority in this instance is unwarranted. The extension at 2.6metres will not impact negatively on the adjoining neighbours given the orientation of the dwelling and the low height of the structure. I believe the Board has a moral obligation to remove this condition to enable the house to be modified for the two elderly residents who have lived in the dwelling since its construction, and can no longer be accommodated on health grounds in their own home. The reduction of the depth of the front extension by 1.1metre for its entire length will have little or no impact on the visual amenities of the area, but will have a detrimental impact on the residential amenities of the applicants and occupants which would be contrary to the zoning objective outlined in the development plan governing this area.

12.0 RECOMMENDATION

I recommend Condition no. 2 be removed.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the South Dublin County Development Plan 2010-2016, to the nature, form, scale and design of the development relative to the existing dwelling and to the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not conflict with the provisions of the development plan for the area, would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board directs the planning authority to removed Condition No. 2

Caryn Coogan

Planning Inspector

4th of March 2016