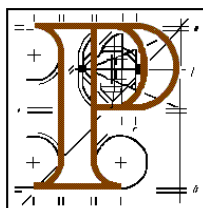


## An Bord Pleanála



29N.245964

### Inspectors Report

**Development:** Demolish single storey part of house, construct 2-storey side extension, demolish external wall to rear of house, construct new relocated wall, single storey extension to rear, 32 Killester Park, Killester, Dublin 5

### Planning Application

Planning Authority: Dublin City Council  
Planning Authority Reg. Ref. 1325/15  
Applicant: Michael Durajczyk + Laoise Moore-Durajczyk  
Type of Application: Permission  
Planning Authority Decision: Grant Permission

### Planning Appeal

Appellant(s): Michael Durajczyk + Laoise Moore-Durajczyk  
Observers: None  
Type of Appeal: First Party  
  
**Inspector:** Suzanne Kehely  
**Date of Site Inspection:** 30/03/16

## **1.0.0 SITE LOCATION AND DESCRIPTION**

1.0.1 The subject site is located on the south side of Killester Park - an established low density housing development in Killester approx. 4.5km north of Dublin city.

1.0.2 The housing in the area is predominantly terraced on relatively narrow deep plots. There are however a variety of architectural styles. The subject site is an end of terrace house at a point where the Road bends resulting in a significantly wider plot which also widens to the rear of the house. The frontage is 7.5m as measured along the front boundary wall and this widens to about 12.m at the rear boundary. It has a stated area of 500sq.m.

1.0.3 The existing house on site has a garage to the side which extends to the boundary over the depth of the house. The upper gable of the house is set back at an angle from the boundary ranging from about 2.6m to just over 4m. The roof is hipped over the house and is flat over the garage but concealed by the stepped parapet. The house and garage have a combined floor area of almost 110 sq.m. 66 at ground level and 43 sq.m. at first floor level.

1.0.4 Photographs in the pouch to the front of file serve to describe the site and location in further detail.

## **2.0.0 PROPOSED DEVELOPMENT**

2.0.1 Permission is sought for to construct a two storey extension which incorporates the following elements:

- Single storey extension to rear which involves demolition of less than 10 sq.m. of the existing ground floor.
- Remodelling of ground floor garage to the side to provide utility and habitable space with independent access in the front elevation.
- Construction of first floor over existing garage area i.e. up to the boundary and over the depth of the house thereby repeating the irregular angled footprint. This amounts to approx. 28 sq.m. in floor area.
- The roof will be slightly stepped from the ridge and front building line while retaining the slope. A parapet wall is proposed at the

boundary and this up to a height of 5.5m to conceal the eaves and gutter.

- The overall proposed floor area is stated to be 187sq.m. This constitutes site coverage of 26% and plot ratio of .38.

### **3.0.0 PLANNING HISTORY**

3.0.1 None

### **4.0.0 PLANNING AUTHORITY DECISION**

#### **4.1.0 Planning and Technical Reports**

4.1.1 **Drainage Division Engineering Dept:** No objection subject to developer complying with standard conditions

4.1.2 **City Archaeologist:** The site is within a zone of Archaeological constraint for the Recorded Monuments DU019-01001 (Church) and DU019-01002 (Graveyard). There is no objection subject to standard conditions regarding mitigation and notification.

4.1.3 **Planning Report:** The planning report refers to the Development Plan and development control considerations for extensions and in this context notes the potential terracing affect due to the existing and proposed development up to the party boundary wall. It is considered that there should be a step back and that there should be a replication of eaves and overhang. In the interests of design continuity it recommended that the side extension gable is instead aligned with the gable of house in a parallel alignment rather than with the boundary.

#### **4.2.0 Planning Authority Decision**

4.2.1 By order dated 11/12/2015 a notification of intent to GRANT permission was issued. This decision is has 10 conditions attached and condition 4 requires modification to the following effect:

The development hereby approved shall incorporate the following amendments-

- a) The side extension at least at 1<sup>st</sup> floor level shall be aligned in parallel with the existing gable of the main house block and shall not be aligned with the site boundary.
- b) The proposed side extension element shall be developed with at least a vestigial version of the existing primary roof overhang which shall be recessed inside the site boundary.
- c) The side extension may as a result of the above alterations be amended to match the height of the existing ridgeline and front building line of the existing dwelling
- d) The proposed second front entrance to the dwelling shall be replaced by a window matching the cill and head heights of the existing front ground floor window.

Reason: In the interest of visual amenity and orderly development

## **5.0.0 GROUNDS OF APPEAL**

5.0.1 This is a first party appeal against condition 4a which requires a setting back of the first floor extension to the side form the party wall on the basis that:

- The first floor extension to the side will be too narrow at 2.2m to serve as double bedroom
- The proposed to build over the ground level to the side follows the irregular footprint and bend in the road.
- There is only limited visibility of the first floor level from the street
- The overall refurbishment will enhance visual amenities along the road

## **6.0.0 RESPONSES**

### **6.1.0 Planning Authority Response**

6.1.1 No comment received from the City Planner on the grounds of appeal.

## 6.2.0 Observations

6.2.1 None

## 7.0.0 POLICY CONTEXT

### 7.1.0 DUBLIN CITY DEVELOPMENT PLAN 2011 - 2017

7.1.1 The subject site is zoned “Z1” in the Dublin city development plan, with the stated objective “to protect, provide for and improve residential amenities” (‘Z1’ – Sustainable Neighbourhood Residential Zoning).

7.1.2 Section **17.9.8 Extensions and Alterations to Dwellings**. 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.
- Has no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.

7.1.3 **Appendix 25** of the development plan outlines the Council's policies on Residential Extensions. **Section 11** refers to roof extensions, stating: The roofline of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of a roof is carefully considered.

7.1.4 **Separation between Dwellings:** A distance of at least 1.5 m shall be provided between dwellings for the full length of the flanks in all developments of detached, semi-detached and end-of-terrace houses. In general, this distance should be equally divided between dwellings so separated to allow for a usable side entrance. Where garages are provided at the side of semi-

detached dwellings and end-of-terrace houses, they may substitute for this requirement, provided they incorporate a direct through access from the front to the rear of the premises.

## **8.0.0 ASSESSMENT**

### **8.1.1 Scope of Issues**

8.1.0 Having regard to the nature of the condition under appeal, I consider that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted. More precisely, having regard to the contents of the file and nature of the proposed development, I consider the issues can be confined to the matters arising in condition 4(a) which requires the narrowing of the proposed first floor extension. Accordingly the scope of the appeal can be determined in accordance with section 139 of the Planning and Development Act. The issue in this instance is one of visual impact and orderly development. There is also the matter of Appropriate Assessment.

### **8.2.1 Visual Impact and Orderly Development**

8.2.1 The subject dwelling lies at the eastern end of a terrace of four similar dwellings. At the western end of the terrace the existing roof profile is retained. To the immediate east of the subject site there is a pair of similarly designed semi-detached dwellings. The garage has been replaced with a shed to the side which is set back from the boundary. The ground level also slightly rises above the subject site to the east. Further east there is another terrace of four dwellings and the eastern end house has constructed a first floor extension over the retained garage and this I note has been constructed up to the boundary with a bungalow and enclosed by a parapet wall similar to that proposed. On the other side of the road there are similar terraces of four and six houses and none of these have built over the side garage.

8.2.2 There are a number of considerations in determining an appropriate treatment of the roof. I note Appendix 25 of the Development Plan sets out principles that should be followed for new extensions. In general, extensions should not have an adverse impact on the scale and character of the dwelling. It is advised that the extension should not dominate the existing dwelling and should harmonise with the existing house. The

extension should therefore play a supporting role to the main dwelling and contemporary solutions should not detract from its character.

- 8.2.3 The planning authority is concerned about the disorderly impact arising from constructing up to the boundary which is at angles to the property. It is also concerned about the altered roof profile. However I consider the stepping of the roof and building line facilitates the retention of articulation of the original terrace and to be sufficient to maintain the orderliness and character of the area. I also consider that the alignment of the road, separation between nos. 32 and 34 at the front building line and the stepping in ground levels restricts the visual prominence of the eastern elevation. Furthermore I do not consider the layout and pattern of development to be of such an ordered design or architectural quality as to warrant strict adherence to roof detailing. I also note the use of a parapet boundary treatment in a similar house in an adjacent terrace and in these circumstances do not consider the proposed first floor extension to be unduly incongruous.
- 8.2.4 If the Board were to consider a setback I do note that in the case of new dwellings a minimum separation distance of 1.5m is required and if this were applied a 750m would be required from the boundary at first floor level. I would however draw attention to the preference of extending to the side rather than to the rear in terms of impact on amenities on neighbours to the east. By extending to the side the potential for overlooking and overshadowing is minimised. The southerly and westerly aspect of No 34 is protected. Accordingly I see little benefit in setting back from the boundary.
- 8.2.5 On balance I consider the construction of the first floor extension up to the boundary to be acceptable in terms of visual amenity and orderly development and to be in accordance with the proper planning and sustainable development of the area. I therefore consider it appropriate to remove condition 4a.
- 8.2.6 As condition 4b and 4c relate to roof detailing as a consequence of the redesign required in 4a, condition 4 should be amended to omit these subsections also. 4d should be retained.

### **8.3.0 Appropriate Assessment**

8.3.1 Having regard to the nature and scale of the proposed development and / or the nature of the receiving environment, and / or proximity to the nearest European site, no appropriate assessment issues arise and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

### **9.0.0 RECOMMENDATION**

I have read the submissions on file, visited the site, and have had due regard to the provisions of the Dublin City Development Plan 2011 – 2017 and accordingly I recommend that condition 4 (a) be removed and a decision be made to the following effect.

### **DECISION**

**Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to OMIT condition number 4(a) and to AMEND condition number 4 so that it shall be as follows for the reason set out.**

- 4 The proposed second front entrance to the dwelling shall be replaced by a window matching the cill and head heights of the existing front ground floor window.

Reason: In the interest of visual amenity and orderly development

### **REASONS AND CONSIDERATIONS**

Having regard to the pattern of development of the area and the nature and scale of the proposed development it is considered that the proposed first floor extension to the side would be acceptable in terms



of visual amenities and orderly development of the area. The proposed development would therefore be consistent with the proper planning and sustainable development of the area.

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**Suzanne Kehely**  
**Senior Planning Inspector**  
**5<sup>th</sup> April 2016**