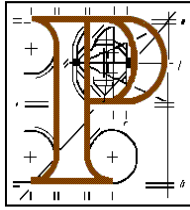


## An Bord Pleanála



## Inspector's Report

**Appeal Reference No:** PL29S.246086

**Development:** Demolish single storey addition to rear of property, construct new two storey extension to side and rear and single two storey extension to rear. Attic conversion, solar panel and construct single storey studio.

**Location:** 10 Greenfield Park, Donnybrook, Dublin 4

### Planning Application

Planning Authority: Dublin City Council  
Planning Authority Reg. Ref.: 3988/15  
Applicant: Mark Kenny and Nathalie Desbiens  
Planning Authority Decision: Grant Permission

### Planning Appeal

Appellant(s): Maurice Horgan and Gearóid Stanley  
Type of Appeal: Third Party  
Observers: None  
Date of Site Inspection: 21<sup>st</sup> of April 2016

**Inspector:** Angela Brereton

## **1.0 SITE LOCATION AND DESCRIPTION**

The site is located on the northern side of Greenfield Park, which is off the Stillorgan Road (N11) Donnybrook. U.C.D, the RTE Studios and Elm Park Golf Course are all in close proximity. The apartment block 'Greenfield Manor' is to the south west but does not adjoin the site.

There is an existing two storey 1930's semi-detached house on the site that has been previously extended with a single storey extension at the side and rear. No.8 Greenfield Park is to the north east and No.12 forms the other part of the semi-detached pair to the southwest. Both of these properties have been previously extended. The property adjoins the sizable rear garden area of 'Moyleurg', no.117 Stillorgan Park. There are high boundary hedgerows which provide screening of the rear garden area.

Vehicular access is via Greenfield Park and a single storey garage structure to the side extends to the boundary of the subject site. This is an area of paid/permit parking and on street parking is marked out. There is a variety of house types in the area.

## **2.0 PROPOSED DEVELOPMENT**

The proposed development is to consist of the following extensions and alterations to No.10 Greenfield Park:

- Demolition of existing single storey additions to the rear of the property and garage to the side;
- Construction of a new two storey extension to the side and rear of the existing semi-detached house and single storey extensions to the rear;
- Attic conversion including new dormer windows to the roof to the rear and rooflights to the roof to the front;
- Internal refurbishment and remodelling works to the existing house;
- Provision of a solar panel collector to the new roof to the rear;
- Construction of a single storey studio building to the end of the rear garden;
- Widening of existing vehicular entrance to the front of the house;
- Hard and soft landscaping to the front and rear of the house;
- Associated site works and new site drainage installations.

The application form provides that the total site area is 736sq.m, the floor area of the buildings to be retained is 171sq.m, of new build is 214sq.m i.e giving a total floor area of 385sq.m. Also that 9sq.m of the existing residential extension to be retained and 46sq.m of existing buildings to be demolished. The proposed plot ratio is given as 0.52 and proposed site coverage as 32%.

Site Layout Plans showing the existing and proposed and floor plans and elevations have been submitted. Photographs and 3D drawings have also been submitted showing the property in the context of those on either-side and the streetscape. Proposed Shadow Drawings have been included.

A letter has been submitted from NODE Urban Planning that provides details of the proposed development and has regard to planning policy and design issues.

### **3.0 PLANNING HISTORY**

There is no specific planning history relevant to the subject site.

Dublin City Council granted permission subject to conditions for the following relative to the adjoining sites:

- Reg.Ref.3921/99 – Construction of single storey extension to rear and side (38 sq.m.) of no.12 Greenfield Park, the conversion of attic to habitable room including the provision of velux rooflights to front and rear and dormer window over stairway, window ope in gable at first floor level, conversion of garage to habitable room and widening entrance gate by 450mm.
- Reg.Ref.2245/08 - Ground floor porch to front, an extension of two ground floor windows to form bay windows to the front and side and an extension of a ground and first floor window to the front to form a two storey bay window all at no.8 Greenfield Park.
- Reg.Ref.0423/02 – Ground floor rear extension to no.8 Greenfield Park.

### **4.0 TECHNICAL REPORTS**

#### **Engineering Department Drainage Division**

They have no objection to the proposed development subject to compliance with Drainage Standards including incorporation of SUDS and they recommend a number of conditions.

#### **Submissions**

These have been received from local residents on either side (the subsequent appellants) of the property and include the following concerns:

- Excessive height and width impacting adversely on adjoining properties.
- Nuisance from chimney stack, proximate to bedroom windows.
- Intrusive garden pavilion.
- Streetscape degradation.
- Excessive overshadowing of no.8 Greenfield Park.
- Excessive overshadowing/overbearing of no.12 Greenfield Park.

A separate submission was received from no.117 Stillorgan Road which is adjoins to the rear of the property is concerned about overlooking from the proposed dormer windows, the proposed height of the rear garden pavilion.

Letters of support have also been received from some other residents in Greenfield Park.

#### **Planner's Report**

The Planner had regard to the locational context of the proposed development, planning policy and to the submissions made. They considered that in the context of

the site and the orientation of the building and neighbouring buildings, that the proposed works would not have an adverse impact on the scale and character of the building or result in any unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight. They recommended that permission be granted subject to conditions.

## **5.0 PLANNING AUTHORITY DECISION**

On the 13<sup>th</sup> of January 2016, Dublin City Council granted permission for the proposed development subject to 10no. conditions. These included the following:

- Condition no.2 – Development Conditions
- Condition no.3 – Restriction to non-habitable use of the studio room at the rear.
- Condition no.4 – External finishes to match those of the existing dwelling.
- Condition nos.5 – 8 – Concerning construction and demolition works.
- Condition no.9 – Drainage Works to comply with Standards and incorporation of SUDS.
- Condition no.10 – Obscure glazing of the rear dormer windows.

## **6.0 GROUNDS OF APPEAL**

A Third Party Appeal on behalf of the neighbours on either side i.e. Maurice Horgan no.8 and Gearóid Stanley no. 12 Greenfield Park, has been submitted by Dr Diarmuid Ó Gráda, Planning Consultant. This refers to the site context and to planning policy as per the Dublin City Development Plan 2011-2017. The grounds of appeal include the following:

- It is now proposed to make very substantial additions/alterations to this semi-detached house. There is concern over the scale, height, position and orientation of the several additions now proposed.
- These are 1930's houses and benefit from a modest density with front and rear gardens on this road enhanced by tree planting.
- They include photographs showing the relevant details from nos. 8 and 12 Greenfield Park, which relate especially to the sides and rear of the property.
- There are concerns about overdevelopment of the site, overlooking issues and causing a reduction of residential amenity to both these properties.
- This proposal is excessive and would constitute unsuitable new development. It would be contrary to Development Plan policy relative to extensions not detracting from the amenities of existing residential areas and goes beyond what could be tolerated within the Z1 zone.
- They consider that the Council's decision to grant permission included standard rather than specific conditions. They invite the Board to give adequate consideration to the case.
- This proposal would turn this house into a three storey building. The proposed windows would cause overlooking and loss of privacy for nos. 8 and 10 Greenfield Park.
- They consider that the wording of Condition no.10 does not adequately meet the demands of privacy especially of no.12 Greenfield Park and note a side facing window first floor window causes overlooking of this property.

- Encroachment of the large extension on the boundary of no.8 Greenfield Park is not acceptable.
- They have queries regarding indemnity and fire escape from top floor windows.
- They have included photographs to illustrate their concerns.
- They are concerned that the proposed chimney stack will impact adversely on adjoining bedroom windows of no.12 and that this will give rise to nuisance and health and safety issues.
- They consider that the proposed garden pavilion would be excessive in size and intrusive – photo nos. 5 and 6 refer. They are concerned about anti-social behaviour, loss of privacy and undesirable precedent.
- The proposal would alter the streetscape i.e. the site entrance would be widened, the lateral spacing between the houses concerned would be materially altered and the front garden area would be covered in parking.
- These alterations would remove many of the distinguishing features of the Garden City layout which contributes so much to the mature character of Greenfield Park.
- The proximity of the proposed excessive extension would cause loss of sunlight and daylight to family rooms in Nos.8 and 12 Greenfield Park. They refer to drawings and photos in this regard.
- The proposal would cause excessive overshadowing and be overbearing for no.12 Greenfield Park. The rear pavilion would also adversely impact this property.
- There will be an excessive departure from the established form of development in the area and they refer to photos in this regard.
- The excessive height of the proposed extension would protrude further into the rear garden area. They consider that the application contains erroneous details, especially concerning the impact of the rear extension on Nos. 8 and 12 Greenfield Park.
- Far reaching alterations and amendments would be required to allow the proposal to fit into the Z1 zone and these would extend beyond the scope of conditions. They consider that the proposal would have a material impact on the Z1 zoning.
- They have no objection in principle to a balanced extension that would have due regard to the amenities including the need for privacy and daylighting of the adjoining properties.

## 7.0 RESPONSES

7.1 **Dublin City Council** has responded that the reasons for granting permission are clearly set out in the Planner's Report for the application. They do not intend to respond in detail to the grounds of appeal as the Planning Authority considers that the comprehensive planning report deals fully with all the issues raised and justifies its decision.

## 7.2 First Party response

Node Urban Planning has submitted a First Party response on behalf of the applicants. They provide details of the site location and context of the proposed development and their response includes the following:

- The proposal is to refurbish and extend the existing semi-detached house such that it is suitable for modern living requirements and can accommodate the needs of a young family.
- The existing site is substantial and can easily accommodate the additional space proposed.
- The profile and massing of the new work has been designed such that its impact on the adjacent structures is minimal and there is little change in the overall footprint or height of the building.
- The new works have been designed in an environmentally friendly and sustainable manner.
- The proposal is sympathetic and in compliance with planning policy in this residential area and is designed in a manner to enhance the streetscape.
- Both of the properties on either side have had significant extensions and additions in the past 20 years. It could be argued that the works which have been done to these properties are considerably more incongruous than those proposed to no.10.
- This proposal fully embraces the Garden City model while carefully incorporating modern living requirements into the scheme.
- The artists' impression provided in the appeal are inaccurate and have not been done professionally. They provide details relative to the accuracy of the computer modelling of their scheme.
- They consider that this proposal complies with Policy Section 17.9.8 and Appendix 25 of the DCDP 2011-2017 relative to the design of extensions.
- They provide that the amenities of the adjoining properties have been fully taken into account and that the proposal will not adversely impact on the character of the area.
- They note that a full shadow analysis has been prepared and submitted with the planning application and this provides that the loss of daylight and sunlight to adjoining properties is minimal.
- The form of the existing building has been followed so that the development integrates with this.
- An attic conversion is relatively commonplace in these areas and they note that no.12 has one with a dormer to the side facing no.14.
- They do not consider that there is a loss of privacy or overlooking and respectively ask the Board to remove Condition no.10 relative to the rear attic windows. They would not have an issue with the first floor side window being obscure glazed.
- They provide that their drawings are accurate and note that there is not an issue of encroachment of No.8. and that access to this property will not be required during construction.
- The proposed development will be fully compliant relative to health and safety issues and indemnity insurance will be put in place.

- They include Image nos.1 and 2 showing an actual view of completed development based on computer modelling.
- They provide details relative to the chimney stack and do not consider it to be a nuisance.
- They provide that the garden pavilion will not impact on privacy and that careful consideration has been given to the design of the structure.
- The proposal will improve and rejuvenate a house that has been progressively falling into disrepair and has never been substantially extended.
- It will not detract from the character of the streetscape.
- The widening of the gates will be in character with the pattern of development in the area.
- The amenities of the neighbours have been fully taken into consideration in the design of the new works. The proposal will not detract from the residential amenities of either no.8 or no.12.
- The results of the shadow analysis show that there will be minimal overshadowing to nos.8 or 12 imposed by the proposed works to no.10 – Appendix B refers. They provide a detailed description of this relative to both properties.
- They note that the bay window in no.8 was constructed in the last 7 years and was not part of the original property.
- The lateral spacing between the houses and inclusion of primary glazing on the side elevations referred to is not an established feature of these houses. They refer to Appendix A which includes a photographic analysis.
- They submit that the PA reached the correct decision following a thorough assessment of the material submitted and a careful examination of site conditions and request the Board to uphold the Council’s decision.

## 8.0 POLICY CONTEXT

### Dublin City Development Plan 2011-2017

Section 15.1 refers to the ‘Zoning Principles’ - Section 15.10.1 provides the land use zoning objectives – ‘ Z1’ (residential) refers to this site.

Chapter 17 provides the ‘Development Standards’ in particular Section 17.9.8 refers to *Extensions and Alterations to Dwellings*. This notes *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.*

Appendix 25 provides detailed Guidelines for Residential Extensions.

Copies of the relevant policies are included in the Appendix to this Report.

## 9.0 ASSESSMENT

Having had regard to the details and documentation on file, the observations made and having visited the site, I would consider the following to be the most pertinent issues relative to the proposed development.

### 9.1 Principle of Development and Planning Policy

The site is located in the 'Z1' land use zoning where the objective is: *To protect, provide and improve residential amenities.* Section 17.9 of the Dublin City Development Plan 2011-2017 provides 'Standards for Residential Accommodation' and S.17.9.1 refers to the 'Residential Quality Standards' and Section 17.9.8 to 'Extensions and Alterations' to dwellings. This provides that well designed extensions will normally be granted provided that they have regard to the amenities of adjoining properties and that the design integrates with the existing building. Appendix 25 provides 'Guidelines for Residential Extensions' and the general principles include that the proposed extension should not have an adverse impact on the scale and character of the dwelling, or on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight and that a high quality of design is achieved.

The impact on adjoining properties needs to be considered. The First Party submits that the proposed development represents a complimentary extension and refurbishment of this 1930's dwelling which seeks to improve the standard of accommodation while also respecting the character, appearance and residential amenity of the area. Concerns from the Third Party Appellants on either side of the property include that the proposed development is excessive and due to its mass, height and visual impact would not accord with the objectives of the Development Plan and if permitted would cause overshadowing, loss of privacy and be overbearing for the existing dwellings and would result in a negative impact on their properties.

Whereas a well-designed extension is normally permissible in this residential land use zoning in accordance with the criteria of Section 17.9.8, and Appendix 25 the issue in this case is whether the proposed extensions and alterations would integrate well or have an adverse impact on the character and amenities of the adjoining dwellings, and on the character of the area. These issues are discussed further in the context of this assessment below.

### 9.2 Design and Layout

The existing property is a 1930's semi-detached four bedroomed 2 storey property. There is a single storey garage extension at the side which is proposed for demolition. Substantial extensions and alterations are proposed and the floor area is to be considerably increased with 171sq.m to be retained and a proposed new floor area of 214sq.m to give a total floor area of 385sq.m. This is a rectangular site with a long rear garden. The total site area is given as 736sq.m, the proposed plot ratio is 0.52 and site coverage is 32%. It is noted that the site being within the 'Z1' residential zoning has indicative site coverage of 45-60% (Section 17.5 of the DCDP 2011-2017 refers). It does however fall within the indicative Plot Ratio for 'Z1' as



referred to in Section 17.4 i.e. 0.5 -2.0. Therefore the proposed extended property would comply with these criteria and have adequate open space provision.

The proposed works involve the demolition of a garage to the side and a single storey rear extension. In their place it is proposed to construct a two storey extension to the side of the house and a single and two storey extensions to the rear. It is also proposed to convert the extended attic area to habitable accommodation, to provide velux roof lights to the front, a small triangular window to the side and two dormers to the rear. The Third Parties are concerned that this proposal effectively provides for a three storey dwelling. However it is noted that no.12 Greenfield Park also has converted attic space and it is not proposed to increase the overall roof height of the semi-detached property.

At ground floor level the extension to the side is to accommodate extended kitchen and living area. A side passage is to be left at ground floor level to facilitate access to the rear and it is proposed to extend further towards the northern boundary with no.8 at first floor level. 4no. bedrooms are to be provided at first floor level with a stairs to the second floor an additional bedroom in the attic conversion to be lit by two dormer windows. It is proposed to form a square bay to the front elevation, which will be in contrast to the existing round bay. It is considered that this would be visually at variance with the existing and it is recommended that if the Board decide to permit that it be conditioned that the proposed new bay match that of the existing house.

### **9.3 Impact on the amenities of adjoining properties**

Section 17.9.8 of the DCDP 2011-2017 provides: *The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy.* The Third Parties are concerned that the proposed development will cause overshadowing and impact on sunlight and daylight and cause overshadowing to their properties. The First Party have submitted Proposed Shadow Diagrams which show the existing and proposed shadowing relative to the properties on either side. These show that there will be some increase in overshadowing at 12.00 and 15.00 in March and September from the proposed two storey side extension to the side of no.8. There is also a marginal increase in overshadowing to the rear garden of no.12 at 9.00 in March and September.

In this regard Section 6 of Appendix 25 provides: *Large single or two storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. Furthermore, depending on orientation, such extensions can have a serious impact on the amount of sunlight received by adjoining properties.* This also provides: *Consideration should be given to the proportion of extensions, height and design of roofs as well as taking account of the position of windows including rooms they serve to adjacent or adjoining dwellings.*

At present the first floor element of the existing house is set c.3m off the boundary with no.8 Greenfield Park. It is proposed to extend to the boundary. However while

encroachment has been raised as an issue by the Third Parties, the First Party response provides that the drawings show that it will not occur. It is noted that no.8 has a number of windows at ground and first floor that face the side of no.10 so there will be some impact on loss of outlook for this property. It is recommended that if the Board decide to permit that it be conditioned that the proposed first floor side extension be set back in line with the ground floor extension i.e. 1674mm off this boundary. This would also allow for a better achievement of lateral spacing between the houses as has been raised in the Third Party appeal. It is considered that these modifications would reduce overshadowing and loss of outlook in particular for no.8 which would be impacted by the first floor extension. It is also recommended that the proposed en-suite windows facing that property be obscure glazed.

The proposed single storey extension to the rear of the property is c.5.6m in length. This is considered to be acceptable, and it is recommended that if the Board decides to permit that it be conditioned that there be no encroachment of the boundary with no.12. The proposed conservatory type dining area is set back from the boundaries and would extend further out in a circular form towards the rear garden and is considered to be acceptable. The proposed first floor rear element is also set back off the boundaries and is shown to extend out further i.e.c.6.4m. in length. There is concern about the depth, height and massing of this extension. It is recommended that if the Board decide to permit that this be pushed back so that it does not extend further than 5.6m to match that of the proposed single storey rear extension.

In order to prevent overlooking to no.12 it is recommended that the proposed first floor side window facing that property be obscure glazed. It is also noted that no.12 is concerned about the low chimney stack from the single storey side extension adjacent to their side boundary. This is shown more clearly on View no.4 of the 3D drawings. The First Party has responded that this is to serve a gas fire and will not cause nuisance. However it is considered that such a feature is not suitable on the boundary and it is recommended that if the Board decide to permit that it be conditioned that it be omitted.

It is noted that the First Party are concerned about the need for the Council's condition no.10 i.e: *The two dormer windows on the rear pitch of the roof shall be permanently glazed with obscure glass to a height of 1.8m above the finished floor level.* These rear dormer windows are to provide light to the proposed bedroom in the attic space. It is noted that no.12 has velux roof lights in the rear attic space. Also a submission to this application from 'Moilurg' No.117 the large property to the rear was concerned about these dormer windows causing overlooking as is the adjoining property no.12. It is considered that in view of the length of the rear garden that these dormers would not cause overlooking to the property to the rear, however as shown on the 3D drawings the proposed second dormer is close to the boundary with no.12. It is recommended that if the Board decide to permit that it be conditioned that revised plans be submitted to show only one more centrally located dormer provided to light bedroom no. 4 in the attic space.

#### **9.4 Impact of the Studio Room**

It is proposed to construct a studio room referred to as a garden pavilion by the Third Parties at the end of the rear garden area. The details submitted with the application provide that this is to compensate for the loss of the existing garage and to provide storage and gym facilities. It is noted that the Council's condition no. 3 provided that this structure not be used for human habitation or any use other than the incidental enjoyment of the dwelling house. The Third Parties are concerned about the design, height, mass and use of this building and consider it intrusive. The First Party provide that it will appear as a lightweight timber structure and external shutters will be provided to prevent light spillage. The drawings show that it is to be c.5m in height, 10.5m in width and 4.5m in width. It is to be sited in excess of 1m off the side and rear boundaries. On site I noted that there is an attractive tree close to the north western side boundary of the site and it is considered that this and other boundary planting which provides screening along the rear and side boundaries should be retained. If the Board decide to permit it is recommended that it be conditioned that revised drawings be submitted showing this structure set a minimum of 1.5m off the site boundaries to allow for the boundary screen planting and also that it be set back to allow for the retention of this tree.

#### **9.5 Widening of Vehicular entrance**

This proposal includes the widening of the vehicular entrance at the front of the house. The existing entrance is c.2.7m in width. It is proposed to widen this to 3.6m in width and provide additional off street parking. The Third Party is concerned that this would alter the streetscape. It is noted that on-street parking is marked out and this is an area of paid/permit parking.

Appendix 8 of the DCDP 2011-2017 provides the Road Standards for various Classes of Development which includes Section 1 which refers to Residential Development. This includes: *Where driveways are provided, they shall be at least 2.5m or, at most, 3.6m in width, and shall not have outward opening gates. The design standards set out in the planning authority's leaflet 'Parking Cars in Front Gardens' shall also apply.*

It is provided that the gate posts and gates will match the existing street pattern and the garden will be landscaped to provide off street parking. In this case it is noted that there are road side trees on either side of the entrance which add to the character of the streetscape and it is recommended that if the Board decides to permit that it be conditioned that revised plans be submitted to show the widening of the entrance shall not interfere with the roadside trees.

#### **9.6 Impact on the Character of the Area**

Greenfield Park is a residential estate laid out in the Garden City Model. It is a mature tree lined cul-de-sac road, which provides a contrast to its junction with the busy Stillorgan Road (N11) to the north east. While there is some mix of house types in the area, including some more modern houses, in general these houses, including the subject property were constructed in the mid-1930's. They are on larger plot sizes with front and generous rear garden areas. The First Party considers that the

design of the proposed new works, is complimentary to the style and form of existing dwellings in the locality and will be consistent with the general form and character of the area. The Third Party is concerned about the impact on the character of the area and the erosion of the lateral space between properties and it is noted that while this has been the case this spacing is more relative to these older 1930's house types.

While it is noted that this is not a conservation area and that these are not Protected Structures, it is considered that the proposed development particularly the alterations to the fenestration and width of the house and insertion of velux roof lights to the front elevation will have some impact on the streetscape. However it is considered that subject to the modifications recommended above that the proposal will not have an adverse impact on the streetscape, or the character of this residential 'Z1' zoning.

### **9.7 Drainage**

Details of foul and storm drainage have been submitted with the application. This includes a drawing showing the separate systems. There will be an increase of roof area for the proposed development, but it is provided that this will be offset by the provision of impermeable finishes to the development to be achieved by the use of Sustainable Urban Drainage Systems (SUDS). The Council's Environment Drainage Division does not object to the proposed development and recommends standard conditions. It is recommended that if the Board decides to permit that a drainage condition be included.

### **9.8 Appropriate Assessment**

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

### **9.9 Development Contributions**

It is noted that the Council has included a development contribution condition. Having regard to the scale of extensions proposed and to the Dublin City Council Development Contributions Scheme 2016-2020, it is therefore considered that if the Board decide to permit that a development contribution condition should be included.

## **10.0 CONCLUSIONS AND RECOMMENDATION**

Having regard to all of the information submitted and to the Assessment above, to relevant planning policy, the Third Party grounds of appeal and the First Party response and having visited the site, I would consider that it is important to note that each case needs to be considered on its merits. In this case while the principle of an extension is acceptable some modifications to the proposed extensions are required relative to the impact on the amenities of the adjoining properties and the residential character of the area. It is recommended that if the Board decides to permit that it be conditioned that the proposed development be modified as discussed in the relevant sections above.

It is therefore recommended that permission be granted subject to the conditions below.

## 11.0 REASONS AND CONSIDERATIONS

Having regard to the residential land use zoning of the site, and to the character of the area it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of surrounding dwellings or the visual amenities of the area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

## 12.0 CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and by the further plans and particulars received by An Bord Pleanála on the 29th day of February 2016, 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. The proposed development shall be amended as follows:
  - (a) The proposed first floor side extension shall be reduced in width so that it is in line with the single storey side extension i.e. set back 1674mm from the boundary with no.8 Greenfield Park.
  - (b) The depth of the first floor rear extension shall be reduced to 5.6m to match that of the proposed single storey rear extension.
  - (c) The proposed two storey bay windows in the front elevation shall not be square and shall be designed to appear round similar to the existing bay windows.
  - (d) The proposed first floor side windows in the south west and north east elevations shall be obscure glazed.
  - (e) The proposed attic bedroom shall be lit by one centrally located dormer window of similar design to that proposed.
  - (f) The proposed low level chimney stack in the south western elevation shall be omitted.
  - (g) The proposed extension including any roofing/guttering shall not overhang and be constructed within the application site boundaries.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of visual and residential amenity.

3. The external finishes of the proposed extensions to the dwelling house including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

4. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Class 1 or Class 3 of Schedule 2, Part 1 of those Regulations shall take place within the curtilage of the house, or shall be erected on the site/within the rear garden area, without a prior grant of planning permission.

**Reason:** In in the interest of the residential amenities of the area.

5. The proposed studio building shall be amended as follows:

- (a) The overall ridge height of the building shall not exceed 5 metres.
- (b) The building shall be reduced in floor area so that it is set a minimum of 1.5metres off the rear and side boundaries.
- (c) The building shall be designed so as to retain the trees close to the rear boundary.
- (d) It shall not be used for human habitation or for any use other than a use incidental to the enjoyment of the dwelling house.

Revised drawings showing compliance with these requirements and materials to be used shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of retaining boundary screening, visual and residential amenity.

6. The design of the proposed vehicular access shall be amended as follows:
  - (a) The driveway entrance shall be at least 2.5 metres and at most 3.6 metres in width and shall not have outward opening gates.
  - (b) The footpath and kerb shall be dished at the access and the new entrance provided in accordance with the requirements of the planning authority.
  - (c) There shall be no damage or encroachment to existing roadside trees caused by the widening of the entrance.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of pedestrian safety and residential amenity.

7. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interests of public health.

8. 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 interests of public safety and residential amenity.

9. Site development and building works shall be carried only out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

10. The developer shall pay the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act, 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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Angela Brereton,  
Planning Inspector  
Date: 25<sup>th</sup> of April 2016