

An Bord Pleanála



Inspector's Report

Appeal Reference No:	PL06D.246532
Development:	Retention of extension to front and permission for new entrance and dormer window to the rear and rooflight to the front.
Location:	Lismore, No. 4 Wynnsward Drive, Clonskeagh, Dublin 14.
Planning Application	
Planning Authority:	Dún Laoghaire-Rathdown County Council
Planning Authority	Reg. Ref.: D16A/0079
Applicant:	Teresa Le Gear Keane
Planning Authority Decision:	Grant permission
Planning Appeal	
Appellant:	Barry & Marie Dillion and Others
Type of Appeal:	Third party
Date of Site Inspection:	6/7/16
Inspector:	Siobhan Carroll

1.0 SITE LOCATION AND DESCRIPTION

- 1.0.1 The appeal site is situated in the established residential area of Clonskeagh, Dublin 14. Wynnsward Drive is the western entrance to the Belfield UDC campus. It contains a mix of two-storey residential properties.
- 1.0.2 The property on site is a two-storey dwelling. It previously formed part of a semi-detached dwelling. Permission was granted for the subdivision of the house into two self-contained units. The property shares a vehicular entrance with the adjoining dwelling no. 4a Wynnsward Drive. It has frontage of 5.8m onto Wynnsward Drive.
- 1.0.3 The property originally featured the first floor overhanging the ground floor which provided a covered porch. At ground floor the room to the front which is in use as a bedroom has been extended out by 1.1m and the porch has been reduced to a recessed area of 1.5sq m.
- 1.0.4 The dwelling is served by a relatively large rear garden with a depth of 27m. There is a flat roofed first floor extension to the rear of the dwelling which projects out 4m from the rear building line. The rear of the site addresses an access road into the UCD campus.

2.0 PROPOSED DEVELOPMENT

Permission is sought for the retention of an extension to front and permission for a new entrance and gates, dormer window to the rear and rooflights to the front. Features of scheme include;

- Site area – 0.0303 hectares.
- Area of proposed dormer attic store – 6.57sq m.
- Floor area of extension to be retained to the front – 4sq m.

3.0 PLANNING HISTORY

Reg. Ref. D16B/0166 & PL06D.246882: Concurrent application and appeal for the retention of first floor extension to rear of dwelling.

Reg. Ref. D09A/0475: Permission was granted for the retention of the subdivision of the house into two self-contained units for multiple occupancy.

Adjoining Site

Reg. Ref. D16B/0074 & PL06D.246661: Concurrent application and appeal for the construction of a single and two-storey extension to the rear of an existing house with associated site works at no.4A Wynnsward Drive, Clonskeagh.

4.0 PLANNING AUTHORITY DECISION

4.1 Planning Authority Decision

The Planning Authority granted permission subject to 10 no. conditions.

4.2 Planning and technical reports

Internal Reports:

Transportation Section: No objections subject to conditions.

Water Services, Drainage Planning: No objections subject to conditions.

Submissions

The Planning Authority received eight submissions in relation to the planning application. The main issues raised are similar to those set out in the appeal.

5.0 GROUNDS OF APPEAL

A third party appeal was submitted by BPS Planning Consultants on behalf of Barry & Marie Dillion and Others on the 3rd of May 2016. The content of the appeal submission can be summarised as follows;

- The appellants have raised the matter of unauthorised development and enforcement proceedings relating to the site. It is considered that granting permission would result in the consolidation of unauthorised development.

- The proposed retention of the ground floor extension to the front should be assessed in light of the excessive quantum of bedrooms and bed space provided in the property.
- The subject extension has not been built to improve the dwellings living space but to increase the rental yield of the ground floor bedroom with en-suite.
- The appellants consider the proposed dormer window would facilitate the use of the attic store as an additional bedroom.
- The proposed rear dormer would impact negatively on the character and form of the existing dwelling and the privacy of the appellant's property.
- The dormer is considered visually dominant and incongruous.
- It is proposed to build part of the dormer extension onto the first floor rear extension which is an unauthorised
- The proposed new vehicular entrance would result in an unacceptable proliferation of vehicular entrances. The sub-division of the front garden is considered out of character and inconsistent with the pattern of development in the area.
- The new vehicular access could be used to provide a drive-through where vehicles enter one entrance and exit at the other.
- Concerns are raised regarding the issue of car parking.
- The proposed development would set a precedent for further development.
- The proposed development would impact significantly on the value of the appellant's property.
- It is requested that should the Board decide to grant permission that a condition be attached removing exempted development rights, as it would address the issue of unauthorised development on the site.
- The appellants request that the Board refuse permission for the proposed development.

6.0 RESPONSES/OBSERVATIONS TO GROUNDS OF APPEAL

6.1 First Party response

A response to the third party appeal has been submitted by the applicant Teresa Le Gear Keane on the 1st of June 2016. The main issues raised concern the following;

- The applicant Teresa Le Gear Keane clarifies that she bought the property Lismore, 4 Wynnsward Drive as an investment property in 2005 and it was let to students up to June 2015.
- The applicant has stated that she has transferred the two properties no. 4 & no. 4a Wynnsward Drive to her two sons for them to occupy as family homes.
- The applicant requests that the Board uphold the decision of the Planning Authority and grant permission for the proposed development.

6.2 Planning Authority response

A response to the third party appeal has been submitted by the Planning Authority on the 12th of May 2016. The main issues raised concern the following;

- The Planning Authority can only assess what is applied for and as noted in the planner's report the enforcement issues on site are a separate issue and process.
- The proposed dormer will be set back from all roof edges and is of an acceptable scale. Accordingly, it will not detract from the visual or residential amenity of the area.
- The proposed dormer will be at attic level and will be accessed from a new internal staircase. This is separate from the two-storey rear extension. This is evident from the submitted drawings PL-04, PL-10 and PL-11. The Planning Authority attached a condition stating that the dormer window shall not encroach on the two-storey extension to the rear.

7.0 POLICY CONTEXT

7.1 Dún Laoghaire - Rathdown County Development Plan 2016 – 2022

The subject site is zoned objective 'A' 'To protect and/or improve residential amenity.

- Chapter 8 refers to Principle of Development
- Section 8.2.3.4(i) refers Extensions to Dwellings

8.0 ASSESSMENT

8.0.1 The appeal site is located in an area zoned Objective 'A', which aims to protect and/or improve residential amenity'. In this zone residential extensions and alterations to an existing dwelling for residential purposes are considered an acceptable development in principle. Section 8.2.3.4(i) of the Dún Laoghaire Rathdown Development Plan 2016-2022 refers to extensions to dwellings. It is Council policy that the design of extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy and that the design should integrate well with the overall character of the dwelling. Accordingly, while residential extensions are accepted in principle I shall examine the three elements of the proposed scheme having regard to its compliance with Section 8.2.3.4 of the Development Plan. The appellants have raised the issue of authorised development, in relation to this I note that it is a matter for the Planning Authority to address through the enforcement process and is outside the remit of the Board.

8.0.2 The proposed development has three elements;

- (i) Retention of the ground floor extension to the front
- (ii) Construction of a dormer to the rear and a rooflight to the front
- (iii) Construction of a vehicular entrance onto Wynnsward Drive

Retention of the ground floor extension to the front

- 8.0.3 It is proposed to retain the 4sq m ground floor extension to a bedroom which has been built to the front of the dwelling. The subject extension projects out 1.1m from the original ground floor building line. The extension is contained within a portion of the area of the original open porch and therefore it does not project out beyond the front building line of the property.
- 8.0.4 The property originally featured the first floor overhanging the ground floor which provided a covered porch. At ground floor the room to the front which is in use as a bedroom has been extended out by 1.1m and the porch has been reduced to a recessed area of 1.5sq m. I note that the adjoining dwelling no. 3 Wynnsward Drive features a similar ground floor extension to the front. Having regard to the very limited nature of the subject extension, the fact that it does not encroach beyond the front building line of the property and the fact that the adjoining dwelling has been similarly extended, I consider that extension proposed to be retained is visually acceptable.

Construction of a dormer to the rear and a rooflight to the front

- 8.0.5 It is proposed to install a (1000mm x 800mm) rooflight to the front roof plane. I note that the adjoining dwelling to the west contains a rooflight to the front of similar scale. Having regard to the size of the proposed rooflight relative to the overall front roof plane and also the location of a similar rooflight within the surrounding streetscape, I consider the proposed front rooflight would be visually acceptable.
- 8.0.6 Section 8.2.3.4(i) of the Development Plan refers to dormer extensions to roofs and states that they will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. It is also required that dormer extensions be set back from the eaves, gables and/or party boundaries.
- 8.0.7 In relation to the design of the proposed dormer, the apex of the roof of the dormer would be below the ridgeline of the main roof and side of the dormer would be inset by 1m from the party boundaries within the overall rear roofplane. The two window opens match the window's in the main dwelling. I note that there are examples of rear dormer developments in the immediate area where it is evident that a precedent for residential extensions of varying scale and design has already been established in the area. In relation to the matter of overlooking, I do not consider that it would give rise to any significant new overlooking given that the surrounding properties are all two-storey and there is existing overlooking of rear gardens. Accordingly, I

consider that the proposed dormer would not detract from the character and visual amenity of this residential area or of property in the vicinity.

Construction of a vehicular entrance onto Wynnsward Drive

8.0.8 It is proposed to construct a new vehicular entrance onto Wynnsward Drive. This would provide a separate vehicular entrance to serve the property as it currently shares access with no. 4a. The proposed vehicular entrance has a width of 3m. The Planning Authority in the grant of permission attached a condition which required that the entrance have a width of 3.5m to allow space for vehicles to manoeuvre in and out of the site safely and provide for 2no. on-site car parking spaces. Should the Board decide to grant permission, I would recommend the attachment of a similarly worded condition. Accordingly, I consider the proposal will improve the vehicular access arrangements for both properties and also provide a satisfactory level off-street car parking.

Appropriate Assessment

8.0.9 In relation to the matter of appropriate assessment, I consider that having regard to the nature of the proposal, extensions to a dwelling and the nature of the receiving environment, namely a suburban and fully serviced location that no appropriate assessment issues arise.

9.0 CONCLUSIONS AND RECOMMENDATION

9.0.1 I have read the submissions on file and visited the site. Having due regard to the provisions of the Development Plan, together with all other issues arising, I recommended that permission be granted for the following reasons and considerations.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, specifically Section 8.2.3.4(i) which provides guidance in relation to proposals for extensions, the pattern of existing development in the area and the design and scale of the proposed extensions, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be retained, 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. Prior to the commencement of development the developer shall agree in writing with the Planning Authority detailed arrangements for the new vehicular entrance to be located in the centre of the front boundary with a width of 3.5m and provision for 2 no. off-street car parking spaces.

Reason: In the interests of visual amenity and traffic safety.

3. The external finishes shall harmonise in colour and texture with the existing finishes on the house.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall be in accordance with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

Siobhan Carroll,
Inspectorate
16th of August 2016