

An Bord Pleanála



Inspector's Report

PL 29S.246563

Development

Convert garage and construct extensions to the side and rear of a 2-storey house at no.7 Merton Drive, Ranelagh, Dublin 6

Planning Application

Planning Authority:	Dublin City Council
Planning Authority Ref.:	2266/16
Applicant:	Niamh & Rodney Murray
Type of Application:	Planning permission
Planning Authority Decision:	Grant permission

Planning Appeal

Appellant(s):	John Reid
Type of Appeal:	Third v grant
Observers:	None
Date of Site Inspection:	14 th July 2016

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 and the surrounding area is predominantly residential in character. The surrounding area is characterised by 2-storey semi-detached houses with front and rear gardens and the site comprises one half of a pair of semi-detached houses.

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

1.2 Proposed Development

Permission is being sought to alter an existing 2-storey house:

- Convert the existing single storey side garage into a study room with new window to replace garage doors.
- Construct a first floor extension over the garage.
- Demolish and replace the single storey rear kitchen extension.
- All associated site works.

1.3 Planning Authority's Decision

The Planning Authority decided to grant planning permission for the proposed development subject to 7 standard conditions.

- Condition no.3 required that the first floor element of the side extension be pulled in from the boundary by 300mm.

This decision reflects the report of the City Planning Officer.

The Drainage Division had no objection subject to conditions.

Public submissions:

One submission received from the owner of the neighbouring house which raised concerns about the impact of the works on the future extension of the adjacent house and inaccuracies in the plans.

1.4 Planning history

None attached

2.0 DEVELOPMENT PLAN

Zoning objective: The site is located within an area zoned with the objective “Z1” in the Dublin City Development Plan 2011-2017 which seeks “To protect, provide and improve residential amenities.”

3.0 APPEAL

3.1 Third Party appeal

John Reid who owns the neighbouring house at no.9 Merton Drive submitted a Third Party appeal:

- Condition no.3 which requires a 300mmm set back from the boundary is ambiguous, unworkable and will give rise to future construction difficulties at no.9.
- A 600mm combined separation is too narrow to create any sense of space between the properties which would appear as a terrace.
- A 750mm set back between the common boundary line and the outside face of the extension would be more acceptable and it would facilitate essential maintenance works (sketch attached).
- Written agreement of owner of no.9 required, loss of light to staircase and property devaluation.

3.2 First party response submission

- The small extension is required to meet the needs of the applicant’s family and happy to accept Condition no.3. as it is.
- Several other houses in the area have had similar extensions although none were subject to same restrictions.
- Written agreement of no.9 is not required.
- No loss of light to no.9 or property devaluation.

3.3 Planning Authority response

No response to date.

4.0 REVIEW OF ISSUES AND ASSESSMENT

The main issues arising in this case are:

1. Principle of development
2. Visual and residential amenity
3. Other issues

4.1 Principle of development

The site is located within an area zoned “Z1” in the current Development Plan for residential use and the proposed development is acceptable in principle.

4.2 Visual and residential amenity

Merton Drive is characterised by 2-storey semi-detached houses with single storey side garages and front and rear gardens. Several houses in the vicinity have been altered by the addition of single and 2-storey rear extensions, and by the construction of first floor side extensions in a variety of designs and set backs from the front building line. The applicant proposes to convert the existing single storey side garage and build a first floor extension over, and to demolish the existing single storey rear extension and replace it with a new single storey structure.

Garage conversion and side extension:

The proposed first floor extension over the converted garage would be c.8m deep and 2.5m wide and the existing roof profile would be extended over the new 2-storey side element. There would be 2 roof lights in the new side/N roof plane and the garage doors would be replaced with a window to the front. The converted garage would be used as a study/playroom. The first floor would be re-configured to provide both an extended and an additional bedroom with two ensuite bathrooms within the proposed extension.

The proposed first floor works would not extend beyond the front or rear building lines and the external finishes would match those of the existing house which is acceptable in terms of visual and residential amenity. Although the proposed first floor extension would cast a slight shadow over the first floor window in the side elevation of the neighbouring house to the N at no.9 Merton Drive, the impact would not be significant as this window provides light to the stairwell and not a habitable room.

The Planning Authority had concerns in relation to the visual impact of the proposed works on the streetscape which could give rise to the creation of a terraced effect along Merton Drive. Condition no.3 required that the first floor element of the side extension be pulled in from the boundary by 300mm, in the interest of visual and residential amenity of the neighbouring property. The Appellant also raised concerns in relation the visual impact and the impact on both maintenance works and any future plans to extend the neighbouring property at no.9. The appellant requested that the set back be increased from 300mm to 750mm.

The Dublin City Development Plan does not provide guidance in relation to acceptable separation distances between flank walls with respect to side extensions. However the standards for new residential developments contained in chapter 17 of the Plan requires the provision of a separation distance of “at least 1.5 m 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”. Such a separation would also serve to ensure that that there is sufficient space to carry out essential maintenance works at both properties, in the event that no.9 is extended to the side at some stage in the future.

Concerns have been raised in relation to the visual impact of the proposed development on the streetscape with respect to the creation of a terraced effect. Merton Drive is not located within a Residential Conservation Area or an area covered by any other sensitive built heritage designations. However it is an attractive suburban residential street which is characterised by 2-storey semi-detached houses that are separated by single storey side garages, and there is symmetry to the streetscape. Although several of the neighbouring houses have first floor extensions over their side garages, most of these structures are either well set back from the front building line or there is a noticeable separation distance between the flank walls, both of which serves to maintain the appearance of being semi-detached. However it is noted that no.88 has been extended in a similar manner to the current proposal.

Having regard to the foregoing, on balance I am satisfied that the imposition of a 0.750m set back from the common boundary would be appropriate in this case as it would not have a significant impact on the proposed internal layout at first floor level.

Single storey rear extension:

Permission is being sought to demolish the existing single storey rear extension and replace with a single storey structure that would extend to the full width of the rear garden. The proposed structure would be c.9m wide, c.3.5m to 4.5m deep and c. 3.5m high. It would not overlook or overshadow the neighbouring properties to the N and S to any significant extent having regard to the absence of windows in the side elevations and the sunken nature of the site which is at a lower level than the existing house.

4.3 Other issues

Access and car parking: No change to existing arrangements.

Environmental services: The arrangements are acceptable subject to compliance with the requirements of Irish Water and the City Council.

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

Built heritage: The proposed development would not have an adverse effect on any protected structures or heritage features.

Property devaluation: The Appellant's concerns are noted.

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, 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 completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The first floor element of the proposed side extension shall be set back 750mm from the common boundary with the neighbouring property at no.9 Merton Drive.

Reason: In the interest of residential and visual amenity and to ensure a proper standard of development.

3. The external finishes of the proposed extension (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. 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.

5. 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.

6. 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

14th July 2016