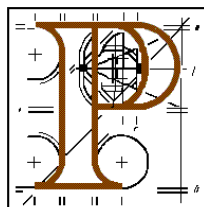


An Bord Pleanála



Inspector's Report

Demolition of Garage, and Boiler House and Construction of Dormer extension to rear and South east elevations, dormer window and two ground floor bay windows to the front at 1 Shelton Park, Kimmage, Dublin 12

Planning Application

Planning Authority: South Dublin County Council
Planning Authority Reg. SD16B/0059
Applicant: Michael Thompson
Type of Application: Permission
Planning Authority Decision: Grant with Conditions

Planning Appeal

Appellant(s): Michael Thompson
Type of Appeal: First party V Condition
Observers: None

Date of Site Inspection: 11th of August 2016

1.0 SITE LOCATION AND DESCRIPTION

- 1.1 The site is No. 1 Shelton Park, a semi-detached dormer bungalow with a large rear garden area.

2.0 PROPOSED DEVELOPMENT

- 2.1 Demolition of Garage, and Boiler House and Construction of Dormer extension to rear and South east elevations, dormer window and two ground floor bay windows to the front at 1 Shelton Park, Kimmage, Dublin 12.
- 2.2 The existing dwelling on the site is 103.9sq.m. and the proposed extension is 125sq.m.. The floor area to be retained is 94.1sq.m.

3.0 SUBMISSIONS RECIEVED

There were no objections or submissions received.

4.0 TECHNICAL REPORTS

- 4.1 The Planning Report was positively disposed towards the proposal apart from the fact it may have a significant overbearing impact on the attached dwelling at 2 Shelton Park, and the amendments prescribed in Condition No. 3 were recommended for that reason.
- 4.2 The Water Services Section requested additional information as the proposal included combined foul and surface water drainage systems which is unacceptable.

6.0 PLANNING AUTHORITY'S DECISION

South County Dublin Co. Co. granted the proposed development subject to 7No. conditions. The condition relevant to this appeal is **Condition No. 3.**

- (a) The depth of the rear extension shall be 4metres from the existing rear building line of the dwelling rather than the 5metres proposed
- (b) The proposed dormer to the west elevation shall be omitted
- (c) Gable end of rear extension shall be replaced with a hip end, the angle of the hip end to be the same as angle of roof on existing dwelling, and an inset hip to be a minimum of 1.5metres from the tip of the proposed gable end.
- (d) All external finishes shall harmonise in colour and texture with the existing dwelling on the site.

7.0 APPEAL GROUNDS

7.1 The applicant is satisfied with the grant of permission, however he is dismayed with condition No. 3 attached to the decision. The condition has three parts:

- (a) The depth of the rear extension shall be 4metres from the existing rear building line of the dwelling rather than the 5metres proposed
- (b) The proposed dormer to the west elevation shall be omitted
- (c) Gable end of rear extension shall be replaced with a hip end, the angle of the hip end shall be the same as angle of roof on existing dwelling.

7.2 The condition will deem the extension completely different to what was applied for. If the planning authority wanted to radically alter the applied for development, the applicant should have been requested further information as opposed to impose a condition, it would have given the applicant an opportunity to discuss the revisions with the planning authority.

7.3 The condition imposes changes to the first floor which deems the entire proposal meaningless. The reason provided for the condition was in the interests of visual and residential amenity. Yet the proposed development as outline din the submission documents is not detrimental or injurious to the amenity of the area of the neighbouring properties. The adjoining property has been extensively extended. The rear garden area is large and it can accommodate the proposed rear extension.

7.4 The proposed extension has been carefully designed to transform a small house into a family home. There is nothing excessive about the proposal. The positioning of windows has been carefully considered at design stage to avoid undue overlooking.

8.0 RESPONSES

8.1 The planning authority confirms its decision.

9.0 PLANNING HISTORY

9.1 Adjacent site to the South

SD10B/0356

Demolition of Garage, and Boiler House and Construction of single storey extension to rear and a two storey side extension, at 2 Shelton Park, Kimmage, Dublin 12. Granted permission and completed.

10.0 DEVELOPMENT PLAN

South Dublin County Development Plan

The subject site is zoned **A** *to protect and or improve Residential Amenity*.

Policy H16: Extensions to Dwellings Houses in particular Section 1.2.27 Extensions to Dwelling Houses

1.2.27 Extensions to Dwelling Houses

Domestic extensions are an effective way for homeowners to provide extra space without having to move house when their accommodation needs change. A well-designed extension can personalise and enhance the appearance of the house.

Proposals for domestic extensions should have regard to the House Extension Design Guide contained in Appendix 5 and safeguards set out in the Plan including the following:

- Contemporary design is promoted with a building language that is varied and forward-looking rather than repetitive and retrospective;
- The house and its extension should be used as a single dwelling unit;
- In all instances the design and scale of domestic extensions should have regard to adjoining properties;
- The extension should integrate fully with the existing building. External finishes should harmonise in colour, texture and materials with the existing building;

In general, dormer extensions should not be such as to obscure the main features of the existing roof, i.e. should not break the ridge or eaves line of the roof. Dormer windows should be set back at least three tile courses from the eaves line and should be clad in a material matching the existing roof;

- The front extension should not protrude more than 1.5 metres forward of the existing building line unless it can be demonstrated that it will not have a negative impact on the visual amenity of the streetscape or on the residential amenity of an adjoining property due to overshadowing;
- Single storey rear extensions are generally acceptable provided they do not impact on the residential amenity of adjoining properties and
- In all cases a minimum private rear garden area must be retained.

11.0 ASSESSMENT

- 11.1 The appeal is pursuant of section 127 of the *Planning and Development Act 2000* against Condition 3 of the permission. I believe the principle of a side and rear extension to the existing semi-detached dormer bungalow is acceptable at this location, and consistent with previous planning authority decisions and the pattern of development in the area. The Board can consider the merits of this appeal pursuant of Section 127 of the Planning Acts.
- 11.2 Condition No. 3 of the decision effectively redesigns the entire extension as it reduces the depth of the rear extension from 5metres to 4metres, and revises the angle of the side hipped roof. The revisions were imposed as the reporting officer considered the proposed development to be overbearing.
- 11.3 The subject site is an end dwelling. It has a large rear garden orientated south west. There is a number of properties perpendicular to the subject dwelling namely 14-22 Shelton Grove. I noted from my inspection No. 14 Shelton Grove has a considerable rear extension with a minimum depth of circa 5metres, which is clearly visible from the subject site and the public road. This precedent was not taken into consideration when assessing the current application. Furthermore the proposed extension is not legible from the public road. There were no third party submissions regarding the proposed development. The proposed development will not be overbearing when viewed from the properties along Shelton Grove, therefore I considered the revisions to the roof imposed by the subject condition, to be unnecessary.
- 11.4 In terms of the contiguous dwelling to the west, No. 2 Shelton Park, there is a first floor window that will be impacted upon. However reducing the depth of the extension from 5 to 4 metres will not materially alter any impacts that may occur to the subject window as there is a setback from the communal boundary of No. 2 Shelton Park at first floor level proposed. Having regard to the southern orientation of the rear garden areas, the proposed development will not unduly reduce the amount of light in to the bedroom area of the neighbouring property.
- 11.5 The side windows are Opaque Glass or velux roof lights, the will not result in undue loss of privacy associated with the proposed development.

12.0 RECOMMENDATION

I recommend condition No. 3 be removed from the schedule of conditions.

Caryn Coogan

Planning Inspector

12/08/2016