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Bord  
Pleanála

## Inspector's Report PL29S.246715

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<b>Development</b>	Demolition of rear extension and construct new rear extension and alterations to dwelling, new gates and parking at 162 Corrib Road, Terenure, Dublin 6W
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2539/16
<b>Applicant(s)</b>	Caitríona Caulfield and Stephen Cox
<b>Type of Appeal</b>	Third party against decision
<b>Planning Authority Decision</b>	Grant subject to six conditions.
<b>Appellant(s)</b>	1. Andrea Smith
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	30/09/16.
<b>Inspector</b>	John Desmond

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## 1.0 **Site Location and Description**

- 1.1. The site is located in southwest Dublin City, c.1.8km south of the Grand Canal and c.500m northwest of the Terenure centre. The application relates to a 2-storey mid-terrace dwelling, with extensive rear garden. The dwelling forms part of a significant area of similar such properties.
- 1.2. The site area is stated as 350-sq.m, measuring c.62m front to rear and c. 6.5m in width. The property is oriented on an east-northeast to west-southwest axis. The dwelling has been extended to the rear at ground floor level, as have most similar properties in the vicinity. A limited number of similar properties in this neighbourhood have been extended by two-storeys to the rear.
- 1.3. The property has no vehicle access (pedestrian gate only) or car parking on site.

## 2.0 **Proposed Development**

- 2.1. The development comprises:
  - Demolition of existing rear single-storey extension, internal partitions and stairs;
  - Construction of two-storey rear extension, internal alteration to dwelling and insertion of roof-lights to front and rear of existing pitched roof, and new vehicular entrance to proposed off-street parking.

## 3.0 **Planning Authority Decision**

### 3.1. **Decision**

GRANT permission subject to 6no.standard type conditions.

### 3.2. **Planning Authority Reports**

The report of the area planner (not dated or signed) is consistent with the decision of the planning authority and did not raise any particular concerns.

### 3.3. Other Technical Reports

- 3.3.1. Engineering Department (26/04/16) – No objections subject to standard conditions.
- 3.3.2. Roads & Traffic Planning Division (10/05/16) – No objection subject to standard conditions.

### 3.4. Third Party Observations

A single letter of observation was submitted by Andrea Smith of no.164 Corrib Road (20/04/16). The main points of the observation are repeated in the third party appeal and are summarised in the appropriate section below.

## 4.0 Planning History

### 4.1. In vicinity

**Reg.Ref.5359/05:** Permission **GRANTED** by Dublin City Council (27/01/06) for construction of a two storey extension and single storey sunroom to the rear of the existing dwelling, with new internal alterations to the existing dwelling and associated site works at No. 132, Corrib Road, Terenure, Dublin 6W.

**Reg.ref.3446/16.** Permission **GRANTED** by Dublin City Council (12/09/16) is sought for the demolition of the existing boiler house and the remodelling of existing house consisting of: Partly single and partly double storey extension to the rear, bay window at first floor level, new dormer window to the rear, velux window to the front, enlarging of the existing porch to the front, widening of the site gate and ancillary works. **WITHIN 4 WEEK APPEAL PERIOD** at time of writing.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2011-2017

Map G – Zone Z1 ‘To protect provide and improve residential amenities’.

Appendix 25 Guidelines for Residential Extensions

## 6.0 **Natural Heritage Designations**

South Dublin Bay and River Tolka SPA (site ref.004024) c.5.5km to east.

South Dublin Bay SAC (site ref.000210) c.5.5km to east.

## 7.0 **The Appeal**

### 7.1. **Third Party Grounds of Appeal**

The grounds of third party appeal submitted by Andrea Smith (09/06/16) can be summarised as follows:

- Two-storey extension is out of character in size and shape.
- Impact on party wall with neighbouring extension and shed. The wall is shown as retained and incorporated into proposed extension without demonstrating how this can be done, or if it is structurally feasible.
- Loss of sunlight and daylight to kitchen windows in appellant's property.
- Visual impact on appellant's property.
- Velux roof light to front roof is totally out of character and would be the only ones out of 18no. blocks of 6-terraced dwellings.
- It is not the case that overshadowing would be mitigated by the angling of the extension as proposed.
- Impact on amenities and value of the appellant's property.

### 7.2. **Planning Authority Response**

None.

### 7.3. Other Party Responses

#### 7.3.1. Applicant, First party

The main points of the response from Caitríona Caulfield and Stephen Cox (13/07/16) may be summarised as follows:

- Ground floor extension would be within exempted development limits.
- Extension is angled to minimise impact to light.
- No substantial interference to 45-degree rule in comparison to existing structure (see Appendix A, 'Shadow Survey, to submission).
- Lower proposed floor level, at increased cost to build, with retaining walls, to minimise height impact on neighbours.
- First floor extension set back from boundaries to minimise impact.
- Area Planner's report rebutted observations raised.
- Two-storey extensions exist at nos.131, 132, 133, 134, 141, 161, 190, 198 and 202.
- Proposed length and proportions in keeping with existing nearby extensions and is not the longest ground floor extension (see Appendices C and D for comparisons).
- The proposed roof-light is similar to others in the vicinity.

Additional supporting points in report by Garbhan Doran Architects, attached to the response

- The extension is contemporary but is not simply minimalist but is derived from existing features and site constraints with reference to DCDP 2011-2017, Appendix 25 Guidelines for Residential Extensions (item 10);
- The rear windows to the appellant's dwelling are northeast-facing and avail only of west light obliquely and the modest ground floor windows are overshadowed by the appellant's coal shed.

- 1<sup>st</sup> floor extension is designed to respect the character of existing and is 1.45m below the ridgeline, a height that can be met in exempted development.
- Existing roof profile of terrace maintained.
- With a site area of 350-sq.m, an increase in existing footprint of 16-sq.m and increase in floor area of 27-sq.m is reasonable, resulting in 23% site coverage.

#### 7.4. Observations

None

#### 7.5. Further Responses

##### 7.5.1. Third party

The main points of the response from Andrea Smith (29/07/16) may be summarised as follows:

- No evidence that the existing two-storey extensions were built in accordance with grant of planning permission.
- Nos.154, 161, 190 and 192 are end-of-terrace properties and the only reference to a granted planning permission relates to no.194, which is not included in Appendix C.
- Building Regulations compliance is irrelevant.
- Detailed drawings of how the party boundary wall concerned would be supported should have been submitted.
- December shadow diagrams should have been included.
- The existing roof-lights referred to are at Mount Tallant Avenue properties that are not neighbouring properties. There is no evidence of planning permission for same.

## 8.0 **Assessment**

8.1. I consider the key issues in determining this appeal are as follows:

- Policy
- Overlooking
- Overshadowing
- Visual impact
- Other issues
- Appropriate Assessment

### 8.2. **Policy**

8.2.1. Residential development is permitted in principle on lands zoned Objective Z1 *'to protect, provide and improve residential amenities'*. As detailed above, there is relevant precedent in the vicinity for 2-storey rear extensions in the vicinity

### 8.3. **Overlooking**

8.3.1. I am satisfied the proposed extension will not result in excessive overlooking of neighbouring residential property.

### 8.4. **Overshadowing**

8.4.1. I am satisfied that the proposed development, including the proposed first floor element which is set back from the party boundary with the neighbouring residence to the north (no.164, third party appellant's property) would not result in excessive overshadowing.

### 8.5. **Visual impact**

8.5.1. The proposed extension is to the rear of the dwelling. It will be visible from the rear of surrounding properties, but is not likely to be visible from any of the surrounding streets. I consider the level of visual impact on neighbouring properties to be



acceptable in the site context. I do not consider the addition of roof lights to be unduly discordant or obtrusive.

## **8.6. Other issues**

- 8.6.1. The appellant is concerned that the proposed demolition of the existing single-storey extension and coal shed and the erection of the proposed extension will undermine the existing rear extension and coal-shed which are attached to the aforementioned structures on the site subject of appeal.
- 8.6.2. A parapet wall runs along the party line between the neighbouring extensions. The drawings would indicate that it is not proposed to remove same, although the ground floor plan is unclear in this regard (note stepped red boundary line in this area and the proposed shelves). I note that the ground floor level of the proposed extension would be 400mm lower than existing, entailing some excavation in the vicinity of the party walls. It is reasonable to assume that this would increase the risk of undermining of same.
- 8.6.3. The applicants did not respond to this concern in their response to the appeal. I am satisfied that this can be overcome through considerate design and engineering. Also, section 34(13) of the Planning and Development Act, 2000, as amended, applies.

## **8.7. Appropriate Assessment**

Having regard to the scale and nature of the proposed development, comprising a modest extension of an existing dwelling within the built up area of Dublin, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 9.0 Recommendation

- 9.1. I recommend that planning permission should be **GRANTED** subject to conditions, as set out below.

## 10.0 Reasons and Considerations/ Reasons

Having regard to the scale, nature, design and location of the proposed 2-storey rear extension, it is considered that the proposed development would not seriously injure the amenities of surrounding residential property, would be consistent with the land use zoning objective Z1 '*to protect, provide for and improve residential amenities*' applicable to the site under the Dublin City Development Plan 2011-2017 and with the '*Guidelines for Residential Extensions*' under Appendix 25 of the development plan, and would accord with the proper planning and sustainable development of the area.

## 11.0 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 carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2.
  - a) The driveway entrance shall not exceed 3.6m and shall have inward opening gates only.
  - b) The footpath and kerb shall be dished and the new entrance provided to

the standard required by the local authority.

c) Any repairs to the public road, including pedestrian pavement, and services necessary as a result of the development shall be at the expense of the developer.

d) The development shall comply with the requirements of the Code of Practice.

**Reason:** To ensure a satisfactory standard of development in the interest of proper planning and sustainable development.

3. . 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 interest of public health.

4. The development shall be carried out in such a manner as to ensure the adjoining streets are kept clear of debris, soil and other material and, should the need arise for cleaning works to be carried out on the public road, the said cleaning works shall be carried out at the developer's expense.

**Reason:** In the interest of road safety and amenity.

5. During construction and demolition phases the proposed development shall comply with British Standard 5228 "Noise Control on Construction and Open Sites Part 1. Code of practice for basic information and procedures on noise control."

**Reason:** In order to ensure a satisfactory standard of development in the interest of residential amenity.

6. . Site development and building works shall be carried out only between the

hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours 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.

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. John Desmond  
Planning Inspector

03<sup>rd</sup> October 2016