



An
Bord
Pleanála

Inspector's Report PL06.246768

Development

Removal of existing bay window,
replacement with bay window with tiled
roof over,

Planning Authority

South Dublin Co. Co.

Planning Authority Reg. Ref.

SD16B/0093

Applicant(s)

Philip and Monica Hicks

Type of Application

Permission

Planning Authority Decision

Grant with Conditions

Appellant(s)

1. John & Paula Donnelly & Others

Observer(s)

None

Date of Site Inspection

5th of September 2016

Inspector

Caryn Coogan

1.0 Site Location and Description

The subject site is an end of cul de sac residential curtilage. Woodstown Park includes a row of semi-detached units flanked by two detached units on a larger curtilages. The subject site at No. 1 has a large, front, side and rear curtilage, alongside the cul de sac hammerhead. The dwelling has a northern orientation.

2.0 Proposed Development

Removal of existing bay window, replacement with bay window with tiled over roof, conversion of garage to study extension to side and rear, rooflights, site works at 1 Woodstown Park.

3.0 Planning Authority Decision

3.1. Decision

3.2. Permission was granted for 7No. standard conditions for house extensions and a development contribution payable of €1,105.78

3.3. Planning Authority Reports

3.4. The development proposal is acceptable in principle under the zoning objective A 'to protect and/or improve residential amenity'. The development consists of a two storey extension to the side of the dwelling with a new bay window and hipped roof on the front elevation. The proposed extension is 53sq.m.

3.5. Other Technical Reports

3.6. No objections form Drainage Department.

3.7. Third Party Observations

3.8. The neighbouring houses stated the proposal would have a negative impact due to overshadowing and overbearing, and be out of character with area.

4.0 **Planning History**

No relevant planning history.

5.0 **Policy Context**

6.0 **Development Plan**

7.0 **South County Dublin Development Plan 2010-2016**

The subject site is zoned A – To protect and/ or improve Residential amenity.

1.2.28.i Policy 16 Extensions to Dwelling Houses

It is the policy of the Council to support the extension of existing dwelling houses in principle subject to safeguards contained within this plan and within the House extension design Guide documents contained in appendix 5.

1.2.27 Extensions to Dwellings

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 House Extension Design Guide documents contained as Appendix 5 and safeguards set out in the plan include the following:

- Contemporary design is promoted with a building language that is varied and forward looking rather than repetitive and retrospective;
- The house and the 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 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 there off.
- In all cases a minimum private rear garden area must be retained.

Appendix 5 – Design Guide for House Extensions

8.0 The Appeal

8.1. Grounds of Appeal

8.2. John and Paula Donnelly, Joan and Kevin MacFarlane and Joe McConville from 4,6 and 8 Woodstown Meadow have taken this third party appeal. A summary of the issues raised is as follows:

8.3. There will be serious implications for the properties to the side and rear of 1 Woodstown park. Due to the size of the proposed extension, it will be out of character with the existing properties and will in some cases overshadow properties in close proximity, thus reducing the residential amenities of those properties.

8.4. No.s 2-8 Woodstown meadows back onto the proposed development and were not considered by the planning authority in its decision.

8.5. The development will intrude on privacy of 6 and 8 Woodstown Meadow. The first floor windows will look into their rear gardens.

8.6. A bland gable wall will be their direct line of vision from their kitchens ruining the sense of spatial awareness currently enjoyed by many.

8.7. There will be overshadowing of rear gardens. Their rear gardens are west facing and the proposed development will stand in direct line of the sunlight in the summer evening and winter months.

8.8. Reference is made to SD07/0082 whereby a similar development was refused and this current proposal is almost a mirror image.

8.9. Planning Authority Response

There was nothing further to add to the planning report on file.

9.0 Assessment

9.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The site is an end of cul de sac location. No. 1 Woodstown Park is a large curtilage compared to the adjoining curtilages within a substantial suburban estate. There is a detached two storey dwelling on the site with a northern orientation. The proposed development involves alterations to the front of the dwelling, and a two storey extension to the side and rear of the dwelling, incorporating a garage conversion on the ground floor, and extended kitchen/ dining/ family area on the ground floor and a new master bedroom with ensuite and dressing room on the first floor. The house will remain a four bedroom unit following completion of the 46sq.m. extension. The existing dwelling has floor area of 149sq.m., therefore the proposed side and rear extension of 46sq.m. is modest in scale in the context of the existing footprint of the dwelling and site layout.

9.2 The third party appellants reside perpendicular to the subject site and dwelling, along the eastern site boundary, namely the residents 4,6 and 8 Woodstown Meadow. These properties back onto the subject site along its eastern site boundary. They consider the extension to be obtrusive and oppressive when viewed from inside their kitchen areas to the rear and their rear gardens. It is also considered the gable extension will overshadow their gardens and result in a serious disamenity to their property. It is also submitted on appeal the proposed extension is contrary to the provisions of the development plan, in particular their residential amenities will be seriously impacted upon.

9.3 The grounds of appeal presented by the third party appellants are technically unsubstantiated. Following completion of the development, the two storey gable along the eastern façade will be a minimum 15metres from the adjoining properties to the east. There are no windows directly overlooking the properties along Woodstown Meadow, only obtuse overlooking, which is expected within built up areas. There will remain a 5metre separation distance between the side building line

and the eastern site boundary, limiting significantly the potential of overshadowing rear gardens to the east.

9.4 Having inspected the proposed development from the neighbouring properties, I noted 1.8metres boundary walls and mature planting which in one instance obscures views from the subject dwelling given the scale and scale of the proposed development, I do not consider the proposed side two storey extension will be obtrusive or oppressive when viewed from the adjoining properties.

9.10 In terms of the development plan requirements for House Extensions I consider the proposed development meets with the following criteria:

- *Contemporary design*
- *The house and the extension will be a single dwelling unit*
- *The design and scale of domestic extensions has regard to adjoining properties;*
- *The extension will integrate fully with the existing building. External finishes will harmonise in colour, texture and materials with existing building;*
- *The minimum private rear garden area will be retained.*

10.0 **Recommendation**

11.0 Permission be granted subject to the following reasons and considerations.

12.0 Reasons and Considerations/ Reasons

Having regard to the scale and proportions of the proposed extension relative to the existing dwelling on site, the area of the site and the established character and pattern of development in the vicinity of the site, including the separation distance from adjoining dwellings and the existing boundary treatment between these dwellings, it is considered that the proposed extension would not seriously injure the amenities of the neighbouring dwellings by reason of overshadowing or overlooking or the visual amenities 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 carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

3. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay rubble or other debris on adjoining roads during the course of the works.

Reason: In the interest of residential amenity.

4. The developer shall pay to 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, as amended. The contribution shall be paid prior to 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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Caryn Coogan
Planning Inspector

5th October 2016