



An
Bord
Pleanála

Inspector's Report

Development

Construction of a two-storey extension to existing house at 30 Beaufield Park, Stillorgan, Co. Dublin.

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D16B/0172

Applicant

John & Justine Hurley

Type of Application

Permission

Planning Authority Decision

Grant

Appellant

John & Justine Hurley

Type of Appeal

1st Party v. Condition

Observer(s)

None

Inspector

Colin McBride

Date of Site Inspection

27th September 2016

1.0 Site Location and Description

1.1 The appeal site, which has a stated area of 0.0364 hectares, is located in the housing development of Beaufield Park to the west of Stillorgan Shopping Centre. Beaufield Park is characterised by two-storey, semi-detached dwellings. The site is occupied by no. 30, which is attached to no. 29 to the east. To west of the site is no. 31 and the site backs onto the rear boundary no. 39 to the north.

2.0 Proposed Development

2.1 Permission is sought to construct a two-storey extension to the side of an existing semi-detached, two-storey dwelling. The proposed extension has a floor area of 78.48sqm and a ridge height to match the existing dwelling.

3.0 Planning Authority Decision

3.1 Decision

3.1.1 Permission granted subject to 11 conditions. Of note is the following condition...

Condition no. 7: The centre window serving the music room to the front elevation shall be omitted and shall be finished in painted render to match the remainder of the extended dwelling.

Reason: In the interests of visual symmetry and visual amenity.

3.2 Planning Authority Reports

3.2.1

(a) Drainage Planning (26/04/16): No objection.

(b) Planning Report (14/06/16): The design and scale of the extension was considered to be satisfactory in the context of the visual amenities of the area and the amenity of adjoining properties. A grant of permission was recommended subject to the conditions outlined above.

4.0 Planning History

4.1 No planning history.

5.0 Development Plan

5.1 The relevant Development Plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022.

The site is zoned Objective A with a stated objective 'to protect and/or improve residential amenity'.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A first party appeal has been lodged by ABA Architects on behalf of the applicants, John & Justine Hurley. The grounds of appeal are as follows...

- The appeal is against the application of condition no. 7 requiring omission of a window on the front elevation.
- It is noted that the window in question gives greater benefit in regards to passive solar gain and amenity.
- It is noted that the design of windows on the front elevation has had regard to the architectural character of the existing dwelling.
- It is noted that this condition was added and was not an issue raised in the Planning report.
- It is noted that the side and rear windows are modern in design and some relaxation to front window design should be permitted.

7.0 Responses

7.1 Response by Dun Laoghaire Rathdown County Council.

- It is considered that the removal of the window in question would improve integration of the new element with the old at this location.

8.0 Assessment

8.1 At the outset, I wish to point out that following consideration of the documentation on the appeal file and the site location and context, I am satisfied consideration of the proposal on a de novo basis, (that is as if the application had been made to the Board in the first instance), is unwarranted and that it is appropriate to determine the appeal in accordance with the provisions of Section 139 of the Planning and Development Act, 2000 as

amended. Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Condition no. 7

8.2 Condition no. 7:

8.2.1 Condition no. 7 states as follows...

7. The centre window serving the music room to the front elevation shall be omitted and shall be finished in painted render to match the remainder of the extended dwelling.

Reason: In the interests of visual symmetry and visual amenity.

The reasoning for this condition appear to be to tie in with the character of the existing dwelling and adjoining dwellings, which feature windows with a more vertical emphasis than horizontal. The existing dwelling is not a protected structure or within an area designated as an Architectural Conservation Area. The proportions of the triple window on the elevation do have adequate regard to the existing character of the dwelling and adjoining dwellings in terms of its dimensions. While omission of the window would not greatly impact on the amenities of the existing dwelling (with two windows provided in the case of condition no. 7), I would consider that what is originally proposed would not be detrimental to the visual amenities of the area and the architectural character of the existing dwelling on site. In this regard I would recommend that condition no. 7 be omitted.

9.0 Recommendation

9.1 Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE Condition No 7, and the reasons therefor.

10.0 Reasons and Considerations

(a) Having regard to the design of the front elevation fenestration, which has adequate regard to the proportions and character of the existing dwelling and adjoining dwellings, and would have no adverse impact in regards to the visual amenities of the area, it is considered that the imposition of condition no. 7 is unwarranted.

Colin McBride

29th September 2016