



An
Bord
Pleanála

Inspector's Report PL29N. 247253

Development	Construction of first floor extension over part of existing extension to side of house and associated site works.
Location	103B Kilbarron Road, Dublin 5.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3232/16
Applicant(s)	Guillermo Beiro
Type of Application	Application for permission
Planning Authority Decision	Grant permission
Type of Appeal	First Party v conditions
Appellant(s)	Guillermo Beiro
Observer(s)	None
Date of Site Inspection	13 th December 2016
Inspector	Karla Mc Bride

1.0 Site Location and Description

- 1.1. The appeal site is located in Coolock on the north side of Dublin and the surrounding area is mainly characterised by 2-storey terraced housing. The appeal premises is located on the corner of Kilbarron Road and Trim Road and it comprises one half of a pair of 2-storey semi-detached houses with a single storey side extension.

2.0 Proposed Development

- 2.1. Planning permission is being sought for:
- A new hipped roofed 1st floor extension over part of the existing single storey side extension and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant planning permission subject to 9 conditions.

- Condition no.2 required that the development comply with the terms and conditions of Reg. Ref. 1004/07 as amended by Reg. Ref.1504/08.
- Condition no.3 required the omission of the rear dormer roof plane.
- Condition no. 4 required that the roof of the extension match the roof of the main house and that the extension be set back 500mm from the existing front and rear first floor elevations.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planning officer recommended a grant of planning permission.

3.2.2. Other Technical Reports

Drainage Division: No objections subject to conditions.

3.3. **Prescribed Bodies**

Not circulated.

3.4. **Third Party Observations**

None received.

4.0 **Planning History**

Reg. Ref.1004/07: Permission granted for 3 houses to the side of no.16 Trim Road comprising the construction of an end of terrace 2-storey house, with vehicular access on to Trim Road; and a pair of 2-storey semi-detached houses to the side of 103 Kilbarron Road and the widening of the existing entrance.

- Condition no.5 required that the external finishes should match the existing house in respect of materials and colour.

Reg. Ref. 1504/08: Permission granted for the construction of a single storey extension to the side and front of the subject house (as previously permitted under Reg. Ref.1004/07 above).

5.0 **Policy Context**

5.1. **Development Plan**

The site is located within an area covered by the Z1 zoning objective in the Dublin City Development Plan 2016 to 2022 which seek “to protect, provide and improve residential amenities.” The proposed development is permissible within this zone.

5.2. **Natural Heritage Designations**

None.

6.0 The Appeal

6.1. Grounds of Appeal

This is a First Party appeal against Condition no.3 of the planning authority's decision to grant permission which required the omission of the rear dormer roof plane. However, it is quite clear from the appeal submission that the applicant is in fact appealing Condition no.4 of this decision which requires a gable roof and a 500mm set back from the existing first floor front and rear elevations.

- Proposed first floor extension is required to meet the accommodation needs of a growing family, the external appearance is in keeping with the area and the works comply with the Z1 zoning objective and guidelines.
- The design evolved following discussions with the planning officer which centre on the need for the extension to be subordinate to the existing houses.
- This gave rise to a 500mm set back from the existing front first floor building line which resulted in a 23% (6sq.m.) reduction in floor area with a redesign of the extension roof to help reduce the visual impact.
- No recesses were proposed for the rear building line to reflect the status quo to the rear of existing semi-detached and terraced houses.
- The alterations ensured that the planning officer's concerns were addressed whilst also maintaining the functionality of the extension.
- Condition no.3 (4) required that the first floor side extension shall be fitted with a gabled roof to match the existing roof pitch and shall be set back 500mm from both the existing front and rear first floor building lines, and no reason has been stated for this condition.
- In the absence of a reason it has been deduced that the reason relates to the original concerns of the planning officer in relation subordination.
- To change the proposed hipped roof to a gable end roof will increase the scale, bulk and massing of the extension which result in the extension dominating the existing house (refer to Drawing No. ABP-103B-100).

- The 500mm setback from the rear elevation will further reduce the floor area which will result in an over loss of 30% over the original pre-panning design
- This setback will create an unnecessary step to the established flat rear building line with the adjacent houses when viewed from Trim Road, whilst the retained elevation would reciprocate the design of the original terrace.
- Similarly, if the first floor building line was maintained the extended pair of semi-detached houses would reciprocate the original terrace better than introducing a setback along the front elevation.
- Drawing no. ABP-103B-200 shows the existing front and rear first floor building lines maintained and the use of a gable ended roof.
- There is little difference between this arrangement and that shown on Drawing no. ABP-1103B-100 (to comply with Condition no.3 (4)) in relation to scale, bulk and massing.
- There are many examples of infill housing and extensions in the area which maintain and/or break the front and rear building lines.
- Request the Board to omit Condition no. 3 (4) or amend it to allow for the front and rear building lines to be maintained and to allow the roof profile to be continued from that of the existing pair of semi-detached houses as per drawing No. ABP-103B-200.

6.2. **Planning Authority Response**

- No response received.

6.3. **Observations**

None received.

6.4. **Further Responses**

None received.

7.0 Assessment

7.1. The proposed development would comply with the Z1 zoning objective for the area, it would not have an adverse impact on residential amenity, give rise to a traffic hazard or endanger the safety of other road users, and none of the neighbours objected to the proposed works. It is therefore proposed to deal with the issues arising from the imposition of Condition no.4 of the planning authority's decision to grant planning permission and in so doing I am entirely satisfied that the applicant intended to appeal Condition no.4 and not Condition no.3.

7.2. Condition no. 4, which was not supported by a Reason, required that:

The first floor side extension shall be fitted with a gabled roof to match the existing roof pitch and that it be set in 500mm from both the existing front and rear first floor building lines.

7.3. The appeal premises is located within an long established north Dublin suburb that is mainly characterised by small 2-storey terraced houses, and the corner sites at the junction of the estate roads are defined by large side gardens. Planning permission was previously granted under Reg. Ref. 1004/07 for one of these large side garden site to construct a 2-storey end of terrace house that would front onto Trim Road and a pair of 2-storey semi-detached houses that would front on to Kilbarron Road. These houses have been constructed. The pair of semi-detached houses are aligned with, and are similar in scale, height and design to the existing adjacent terrace of 2-storey houses, with the exception of the porch design and the single storey extension to the side of the appeal premises at no.103B which extends beyond the front building line.

7.4. The Agent for the applicant has raised concerns about the impact of the alterations required under Condition no.4 of the planning authority's decision to grant planning permission in terms visual amenity, streetscape and functionality. The Agent has requested the Board to omit this condition or amend it to allow for the front and rear building lines to be maintained and to allow the roof profile to be continued from that of the existing pair of semi-detached houses as per Drawing No. ABP-103B-200.

7.5. Having inspected the appeal site and the surrounding area and having regard to the prevailing character and pattern of residential development in the area, I would concur with the concerns raised by the Agent for the applicant. The modifications required under Condition no.4 would give rise to an overly complicated arrangement which would be out of character with the terraced housing that defines the neighbourhood, particularly when the existing projecting ground level side and front extension is included in the mix. I am satisfied that the layout and elevations proposed under Drawing No. ABP-103B-200 for the proposed first floor side extension would be more in keeping with the terraced character of the surrounding area. However, the first floor rear window should be relocated to the side elevation to ensure that the neighbouring house to the south at Trim Road is not overlooked.

8.0 **Recommendation**

Omit Condition no.4 and replace it with a new condition 4 (a) and (b).

9.0 **Reasons and Considerations**

Having regard to the provisions of the Dublin City Development Plan 2016-2022, 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. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

4. The proposed development shall be amended as follows:
 - (a) The proposed first floor side extension shall be completed in accordance with Drawing No. ABP-103B-200 which was received by the Board on the 14th day of September 2016. For the avoidance of doubt, the front and rear building lines shall align with the 2-storey front and rear elevations of the existing house at no.103B Kilbarron Road and the roof profile shall match that of, and be continued from the existing pair of semi-detached houses.
 - (b) The proposed first floor rear bedroom window shall be omitted and relocated to the first floor side elevation with Trim Road.

Reason: In the interest of visual and residential amenity.

Karla Mc Bride
Senior Planning Inspector
13th December 2016