



An  
Bord  
Pleanála

## Inspector's Report PL06D.247559.

---

<b>Development</b>	Extend existing house, convert attic space and all site works. Retain covered entrance porch and bay window. 58 Taney Road, Goatstown Dublin 14.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D16B/0365
<b>Applicant</b>	Patrick and Gail Farrell
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Appellant</b>	Patrick and Gail Farrell
<b>Observer</b>	None
<b>Date of Site Inspection</b>	7 <sup>th</sup> February 2017
<b>Inspector</b>	Mairead Kenny

## 1.0 Site Location and Description

The site in the inner suburban location of Taney Road, Goatstown contains a two storey over basement semi-detached dwellinghouse. This is a busy arterial road which is lined on both sides with mid twentieth century housing.

The site on the northern side of the road is one of a number of similar properties which have undergone a range of modifications and upgrades. The hipped roofs finished with brown tiles are a dominant feature. These houses are unusual in that they are built over a semi-basement, which is at the rear. At no. 50 nearby development of a side extension has taken place and this is shown in the attached photographs.

## 2.0 Proposed Development

Permission is sought for development including

- Retain front porch and bay window
- Develop first floor front extension and attic, involving alterations to the hipped roof
- Dormer window at rear at attic level
- Other works at basement, ground and first floor involving significant modifications to fenestration and a relatively small extension.

## 3.0 Planning History

An application under D16B/0236 for permission to extend the basement and undertake other development including alterations to the main roof profile was withdrawn.

## 4.0 Planning Authority Decision

### Planning and Technical Reports

The planner's report notes:

- There are a number of dwellings in the immediate area with extensions at first floor level to the side most notably no. 50 (reg. reg. D10B/0259)
- It is considered reasonable to request that the side extension is pulled back off the common boundary and set well within the subject site – this can be addressed by condition
- The side extension is in line with the existing house yet the rear elevation appears to show a parapet above the eaves level – it is unclear from the drawings why this first floor extension is not under the new roof
- Subject to the set back from the common boundary and the eaves level being in line with the existing house the extension will not have a negative impact on the area.

**Surface Water Drainage** report recommends conditions.

A **third party observation** (no. 56) submitted referred to the plan of works and noise associated with the building works.

A **letter of support** is submitted from the owner / occupier of no. 60.

### Decision

The planning authority decided to grant permission subject to conditions including:

- Proposed side extension to be set back by 70cm off the boundary with the neighbouring property and under the proposed new roof, in line with the existing roof and omitting any parapet to the side or rear (condition 2)
- Reduction in scale of dormer window

- Hours of construction.

The applicant was also advised of the legal position in relation to property rights.

## 5.0 Grounds of Appeal / Observations

### Grounds of Appeal

The appeal against condition 2 makes the following points :

- There is precedent at no. 50 for the same type of development and in the same context – D10B/0259 refers
- There are no similar conditions attached in that case
- The parapet prevents oversailing
- There are similar extensions at no. 80 and 98 none of which attracted similar restrictions – planning history outlined
- No. 48 is similar also
- The neighbour supported the development and has legal consent in relation to details and in relation to free use of the boundary wall for the purposes of building a side extension at some point.

### Observations

None.

## 6.0 Responses

### Planning Authority response

There is no change in attitude to the proposed development.

## 7.0 Policy Context

The Under the provisions of the **Dun Laoghaire County Development Plan 2016-2022** the site is zoned objective 'A' (residential).

Guidance for extensions to dwellings is under section 8.2.3.4(i), a copy of which is attached to this report.

## 8.0 Assessment

I have examined the documents and inspected the house from the front and rear and the interior ground floor level. I am satisfied that *de novo* consideration of the case is not warranted and I recommend that the Board restrict its deliberations to the condition subject of the appeal.

I have provided a detailed summary above of the planner's report. While it acknowledges the presence of a similar form of development the objection to the current proposal is not clearly stated. The response to the appeal does not provide any additional information.

As such I consider that the Board should rely primarily on the provisions of the development plan in considering this case.

I consider that the requirement to achieve visual harmony with the existing building, the adjacent buildings and the overall streetscape is met. The hipped form of the roofs is a defining feature and this will be replicated in the development.

I do not consider that the minor feature of a parapet type structure at roof level is of significance in the absence of any conservation policies for this area.

I do not consider that the development adversely affects residential amenity and I note that the consent of the adjacent neighbour and a legal agreement are in place.

The general policy statement in the plan is that first floor side extensions built over existing structures will generally be acceptable.

There is a requirement that in certain cases a set-back of an extension's front façade and roof profile and ridge may be sought to protect amenities, integrate into the streetscape and avoid a 'terracing effect'.

I do not consider that any such requirement arises in this case. In my opinion the condition attached is not necessary or reasonable.

## 9.0 Recommendation

I recommend a draft order as follows.

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 number 2 and the reason therefor.

### Reasons and Considerations

Having regard to the design of the extension which retains a hipped roof profile, it is considered that the development would not be visually obtrusive or otherwise impact on the amenities of the area and is in accordance with the provisions of section 8.2.3.4(i) of the Dun Laoghaire Rathdown County Development Plan 2016-2022.

---

Mairead Kenny  
Senior Planning Inspector

9<sup>th</sup> February 2017