



An
Bord
Pleanála

Inspector's Report PL29S.247819

Development	Two Storey Extension to the side of the house.
Location	41 O'Donovan Road, Dublin 8
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB1417/16
Applicant(s)	Sarah O'Boyle and Fintan O'Brien
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Nuala Grealy
Observer(s)	None
Date of Site Inspection	24 th of March 2017
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1.1. This is a corner site at no. 41 O'Donovan Road located on the south side of the junction of this road and Sandford Gardens. It is a two storey semi-detached house, with a hipped roof profile and rear and side garden areas. It is sited at an angle with the main garden area located to the side of the property. The adjoining property no. 40 O'Donovan Road is to the north of the site. This is a residential area and No.1 Sandford Gardens and no.1 Sandford Park adjoin the site is to the south and south east. There are separate vehicular and pedestrian entrances to the site from Sandford Gardens. There is a roadside tree proximate to the latter. There is also resident's permit parking/pay and display parking marked out alongside this property on the Sandford Gardens side of the site.

2.0 Proposed Development

- 2.1.1. It is proposed to construct a new two storey extension to the side of the existing dwelling, new canopy over existing doorway, demolition of existing garden wall and rear store and all associated site internal and landscaping works.
- 2.1.2. A Site Layout Plan, Floor Plans, Sections and Elevations have been submitted showing the proposed development in the context of the existing dwelling house. A drawing showing proposed 3D Views has also been submitted. It is noted that the drawings show that it is also proposed to construct a part single storey extension at the rear.
- 2.1.3. A letter has been submitted by Bright Design Architects, on behalf of the applicants, providing a rationale for the proposed extension.

3.0 Planning Authority Decision

3.1. Decision

On the 1st of December 2016, Dublin City Council granted planning permission for the proposed development subject to 9no. conditions. Some of these relate to infrastructural and construction issues. The following are of note:

- Condition no.2 provides for development contributions

- Condition no.3 provides that the first floor window to the en-suite shall be permanently obscure glazed.
- Condition no.4 provides that external finishes match the existing house.
- Condition no.7 provides a restriction on exemption.

3.2. **Planning Authority Reports**

3.2.1. Planner's Report

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made. They noted that the extension would be located in an area with a fine urban grain, in an inner suburban location. Also that the substantial quantum in located in the side garden area and that it maintains the building line front and rear. They did not consider that the scale of the proposal would be excessive or detract from residential amenities in the area. They considered that the proposal would be in keeping with the principles of the development plan and would fit in with the established pattern of development in the area. It was recommended that permission be granted subject to conditions.

3.3. **Other Technical Reports**

The Engineering Department Drainage Division does not object to the proposal subject to compliance with relevant standards.

3.4. **Third Party Observations**

3.4.1. A number of Submissions have been received from local residents whose concerns include the following:

- The scale and style of the extension does not fit in with the surrounding area.
- It will cause overlooking, loss of sunlight and overshadowing to neighbouring properties.
- Issues relevant to the display and the description of the development on the Public Notices.

- It will disrupt the pattern of development in the area, other corner sites are relatively intact. Photographs and drawings have been included.
- It will lead to devaluation of property in the area.

4.0 Planning History

4.1.1. The Planner's Report notes that there is no relevant history for the subject site. The following are of note relevant to houses in the vicinity:

- Reg.Ref.1623/07 – Permission granted subject to conditions for a single storey and part two storey extension to the side at no.2 Sandford Gardens. This is a corner end of terrace property.
- Reg.Ref.3326/13 – Permission granted subject to conditions for the construction of new partial two storey, partial single storey extension to the rear and rear side and proposed new wall to the side and rear boundary and associated internal modifications at no.3 Sandford Gardens.

5.0 Policy Context

5.1. Dublin City Development Plan

This is the pertinent plan. As shown on Map E the site is within the Z1 Residential Land Use Zoning where the Objective is: *To protect, provide and improve residential amenities.*

It is of note that the development on the opposite side of Sandford Gardens is within the Z2 Residential/Conservation zoning where the objective is: *To protect and/or improve the amenities of residential conservation areas.*

Section 2.3.3 refers to 'Promoting Quality Homes' and includes: *The provision of quality housing that is suitable for citizens throughout their lives and adaptable to people's changing circumstances is fundamental to creating a compact city with sustainable neighbourhoods.*

Paragraph 16.2.2.3 refers to Alterations and Extensions and provides that: *Works of alteration and extension should be integrated with the surrounding area, ensuring that the quality of the townscape character of buildings and areas is retained and*

enhanced and environmental performance and accessibility of the existing building stock should also be enhanced. The criteria for extensions includes that they should be confined to the rear in most cases, be clearly subordinate to the existing building in scale and design and be sustainable.

Section 16.10.12 provides that the design of extensions shall not have an adverse impact on the scale and character of the dwelling, or the amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

Appendix 17 (Guidelines for Residential Extensions) sets out the more detailed criteria. This includes regard to residential amenity issues, privacy, sunlight and daylight, the relationship between dwellings and extensions and the subordinate approach etc.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A Third Party Appeal has been submitted from Nuala Grealy of the adjoining property at no.40 O'Donovan Road. Her grounds of appeal include the following:

Impact on General Neighbourhood

- The proposed development will have a negative impact on her house and on the other houses in the immediate area.
- It will have a negative impact on the pattern of development in the area, which was mainly laid out in the 1920's.
- These corner spaces are part of the original design still intact in a number of proximate locations.
- The height and scale of the proposed extension threatens to destroy this.
- She refers to a number of attachments showing how the proposed development will impact on the area.
- The height of the proposed new development will block out afternoon sunlight and change the design of the immediate neighbourhood.

Overshadowing

- The proposed two storey extension and the overshadowing created by it will have a serious overshadowing effect on the sun patio area of no.40 O'Donovan Road. She refers to a number of attachments including a Shadow Study.
- The height of the proposed two storey extension with roof and the width of this extension means that the southerly aspect of her patio will no longer exist.

Overlooking and Loss of Privacy

- The scale and size of the proposed extension will be overbearing and cause overlooking leading to a loss of privacy. This includes the proposed extension at the rear of the house.
- She refers to attachments and photos, with views from the rear of her property at no.40 O'Donovan Road.

6.2. Applicant Response

6.2.1. Bright Design Architects response to the Third Party Appeal includes the following:

Impact on general neighbourhood

- Careful consideration has been taken in the design of the proposed extension with a priority to respect the existing streetscape and form.
- They contend that the proposed extension has been designed to maintain, where possible, the character of the area whilst also allowing their clients some much needed living space within the home.
- The proposed development is in keeping with similar developments on similar plots close by and can be seen from the aerial and street view images attached.

Overshadowing

- The proposed extension has been designed to have minimal impact on overshadowing to no.40 O'Donovan Road. They have included a Shadow Analysis to demonstrate this issue.

- They argue that the southerly aspect of the appellant's garden is hampered primarily by the positioning of their shed with minimal impact from the proposal.

Overlooking and loss of privacy

- Careful consideration has been given to the internal layout to ensure that no overlooking would occur.
- They note the Council's condition relative to obscure glazing and are of the opinion that overlooking would not occur.
- The proposed design seeks to respect and maintain the existing quality of the streetscape, both visually and in massing.

6.3. Planning Authority Response

- 6.3.1. They consider that their planning report, justifies their decision to grant. Also that the proposed development as amended by condition would be in accordance with the proper planning and sustainable development of the area and request the Board to uphold their decision to grant permission.

7.0 Assessment

7.1. Principle of Development and Planning Policy

- 7.1.1. As shown on Land Use Zoning Map E of the of the Dublin City Development Plan 2016 – 2022 the site is located with the Z1 residential zoning where the Objective is: *To protect, provide and improve residential amenities.* The housing on the opposite side of the road is within the Z2 zoning where the Objective is: *To protect and/or improve the amenities of residential conservation areas.* Section 16.2.2 provides the Design Standards for Residential Accommodation and Section 16.2.2.3 refers specifically to 'Alterations and Extensions' to dwellings. This includes that sensitively designed extensions will normally be granted provided that they have regard to the amenities of adjoining properties and that the design integrates with the existing building. Appendix 17 provides 'Guidelines for Residential Extensions' and the general principles include that the proposed extension should not have an adverse

impact on the scale and character of the dwelling, or on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight and achieve a high quality of design.

7.1.2. Therefore, the impact on adjoining properties and on the character of the area needs to be considered. The Third Party is concerned that in view of the restricted nature of this corner site that the design and bulk of the proposed extension will have an adverse impact on the character of the area and on their residential amenities, particularly having regard to the scale and massing leading to overshadowing, overlooking and loss of privacy.

7.1.3. The First Party provide that this is a well-designed extension and that the additional space is needed to improve the accommodation for family living. They note that this proposal respects existing building lines and the surrounding urban grain. Also they contend that consideration has been taken towards neighbours to limit overlooking, and maintaining a side passage for clear access to the rear. They consider that the design has been developed to ensure that it complies with all the relevant requirements of the current development plan.

7.1.4. Whereas a well-designed extension is normally permissible in this residential land use zoning in accordance with the criteria of Section 16.2.2.3, and Appendix 17 of the DCDP 2016-2022, the issue in this case is whether the proposed extension would integrate well or have an adverse impact taking into account the locational context of the dwelling, the restricted nature of the site and the amenities of the adjoining dwellings and on the character of the streetscape. These issues are discussed further in the context of this assessment below.

7.2. Design and Layout

7.2.1. The proposed works can be summarised as follows:

- Two storey side extension to provide additional living space on ground floor level and third (master) bedroom, ensuite and family wc on first floor level.
- Ground floor single storey rear extension to provide additional living space.
- Internal alterations.

- 7.2.2. It is provided on the application form that the total site area of this corner site is 200sq.m. The floor area of the buildings to be retained on site is 81sq.m i.e the existing two storey, 2 bedroomed semi-detached house. The floor area of the proposed extensions is 53sq.m. giving a total floor area for the extended property of 134sq.m. As shown on the floor plans this would result in the provision of an additional bedroom at first floor and extended living space at ground floor level. It is provided that the resultant plot ratio is 2.77.1 and the proposed site coverage is 35.50%. This is within the indicative Plot Ratio and Site Coverage standards as provided in the current DCDP (Sections.16.5 and 16.6 refer).
- 7.2.3. This is a corner site and in view of the orientation of the existing house the bulk of the proposed extension i.e the two storey element is proposed in the existing side garden area. This is to be set back from the front building line and in line with the rear building line of the semi-detached no. 1 Sandford Gardens to the south. It is proposed to provide a single storey element at the rear to be set back marginally from the single storey rear extension of the adjoining semi-detached property to the north no.40 O'Donovan Road. It is proposed that the existing shed be removed to facilitate the works and there is no objection to this.

7.3. Access and Parking

- 7.3.1. It is noted that this is a pay/display and resident permit parking area with spaces marked out. There is an existing pedestrian and vehicular entrance to the site. This proposal will mean that the length of the onsite parking space will be reduced to c. 4m as shown on the plans. Appendix 5 of the DCDP 2016-2022 refers to Roads Standards and to the design standards as set out in the planning authority's leaflet 'Parking Cars in Front Gardens' which includes: *The basic dimensions to accommodate the footprint of a car within a front garden are 3 metres by 5 metres. It is essential that there is also adequate space to allow for manoeuvring and circulation between the front boundary (be it a wall, railing or otherwise) and the front of the building. A proposal will not be considered acceptable where there is insufficient area to accommodate the car safely within the garden, and to provide safe access and egress from the proposed parking space.*
- 7.3.2. It is of note that there are 3no. side windows facing in no.1 Sandford Gardens to the south, these appear to be two small kitchen/storage windows on ground floor and a

landing window on the first floor. A side passage to the rear is to be retained. It would be considered beneficial in the interests of this property and also to provide an adequate set back to allow for the retention of the existing onsite carparking space that the proposed two storey side extension be further set back so that a 5m forecourt length can be retained. It is recommended that if the Board decide to permit that this be conditioned.

7.4. Impact on the Character and Residential Amenities of the Area

- 7.4.1. The Third Party at the adjoining semi-detached property to the north, no.40 O'Donovan Road is concerned about the impact particularly to the rear of their property of the proposed extensions. They have provided photographs and a photo montage to show that the vista to their rear garden area will be altered. They are also concerned about loss of light to their patio area, overlooking and overshadowing issues. It is noted that the two storey element is to be set back at an angle off their boundary and that the Council have conditioned that the ensuite first floor window facing (condition no.3 refers) should be obscure glazed. It is recommended to prevent overlooking, that if the Board decide to permit that it be conditioned that both first floor windows facing i.e for the ensuite and family wc be obscure glazed.
- 7.4.2. The Third Party have included a Shadow Study. This shows that the proposed development will have some additional impact particularly to their rear garden patio area. In response the First Party argue that this is not the case and consider that the proposed extension will have a minimal impact on the adjoining no.40 O'Donovan Road. Having regard to these studies, it is considered that in view of the restricted nature of the site, the orientation of the extension and the small size of adjoining rear gardens that there will be some overshadowing impact to adjoining gardens but that this will be minimal. In this respect it is considered important that as shown on the plans the two storey element does not extend further forward of the rear building line of no.1 Sandford Gardens and that the single storey rear element is set back from the single storey extension to the rear of no.40 O'Donovan Road.
- 7.4.3. Regard is also had to the impact on the character of the area. The Third Party notes that the houses on O'Donovan Road, Sandford Gardens and Petrie Road were built in the 1920'S. It is noted that there these houses were designed in such a way that they are built almost in a rectangular form backing onto each other, with terraced

houses in a row and each corner having two semi-detached houses at an angle. It is provided that the space on each side of these corner houses allows maximum light and sun to reach the internal gardens of the other houses and thus creates a sense of space in this limited urban space. They consider that the scale and height of the proposed development threatens to destroy this design concept to the detriment of residential amenity of the adjoining properties. While this design concept remains on some of the adjacent corner sites, it has been eroded in others. Examples of two storey side extensions can be seen on some of these corner sites in the locality, in particular on O'Curry Road to the north east. However, while it is considered that a precedent for such development has been set, this does not necessarily make for good development and each site raises different issues and has to be considered on its merits.

7.5. Appropriate Assessment

The site is not located within or near to a Natura 2000 site. It is a fully serviced urban site. The current proposal is for an extension to the existing residential property and does not pose any appropriate assessment issues. Having regard to the nature and scale of the proposal, no appropriate assessment issues arise and it is not considered that the proposal would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. It is recommended that permission be granted for the proposed development subject to the conditions below

9.0 Reasons and Considerations

- 9.1. Having regard to the nature and scale of the proposed development and to the existing character of development in the vicinity of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of neighbouring dwellings or the amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 6th day of February, 2017, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) the proposed two storey side extension shall be set back a minimum of 5 metres from the road frontage boundary of the site with Sandford Gardens.
 - (b) it shall not project further than the rear building line of no.1 Sandford Gardens.
 - (b) the first floor rear windows to the ensuite and to the family wc shall be permanently obscure glazed.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual and residential amenity.

3. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. 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.

5. Site development and building works shall be carried out only between 0800 hours and 1800 hours Mondays to Fridays, between 0800 hours and 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 the interest of protecting the residential amenities of adjoining properties.

6. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and residential amenity.

7. 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.

Angela Brereton
Planning Inspector
29th of March 2017

