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Bord  
Pleanála

## Inspector's Report PL29N.247980

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<b>Development</b>	First-floor side extension to dwellinghouse
<b>Location</b>	22 Foxfield Park, Raheny, Dublin 5
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	4112/16
<b>Applicant(s)</b>	Andrew & Denise Caulfield
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First-Party
<b>Appellant(s)</b>	Andrew & Denise Caulfield
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> April 2017
<b>Inspector</b>	Colm McLoughlin

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## 1.0 Site Location and Description

- 1.1. The appeal site is located on the southern side of Foxfield Park, which forms part of an expansive residential neighbourhood in Raheny, 320m from the strand and 7km northeast of Dublin city centre.
- 1.2. It contains a 2-storey semi-detached house with a single-storey flat-roof side projection, a single-storey rear extension and rear rooflights serving the roof space.
- 1.3. The surrounding area is generally characterised by rows of semi-detached dwellings ranging in styles, fronting onto tree-lined streets. Ground levels in the immediate vicinity are relatively flat with a slight, gradual drop in levels towards the southwest.

## 2.0 Proposed Development

- 2.1. The proposed development comprises a first-floor side extension directly above the existing ground-floor side projection. The proposed first-floor extension will be constructed onto the side boundary with No. 20 Foxfield Park.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority decided to grant permission subject to 7 conditions, most of which are of a standard nature, but also including the following requirements:

- Condition No 2: The proposed first floor extension shall be set back behind the primary front building by at least 1.0m. The front roof pitch of the extension shall maintain the angle of the existing roof pitch. The proposed front eaves line shall be no higher than the existing front eaves line.
- Condition No 6: The external finish shall match the existing house in respect of materials and colour.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report of the Planning Officer reflects the decision of the Planning Authority.

### 3.2.2. Other Technical Reports

Engineering Department (Drainage Division) states no objection subject to conditions.

### 3.3. Prescribed Bodies

None.

### 3.4. Third-Party Submissions

None.

## 4.0 Planning History

### 4.1. Subject Site

There has been one recent relevant planning application associated with the subject site:

- 3099/15 - Permission **granted** for first-floor extension to the side of the house (over the garage) with a pitched roof over.

### 4.2. Surrounding Sites

There have been numerous planning applications approved by the Planning Authority for residential extensions on neighbouring sites, including permissions for first-floor side extensions. There have been no recent appeals before the Board for the same matter in the immediate vicinity.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The appeal site has a zoning objective 'Z1' 'Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022 with a stated objective "to protect, provide and improve residential amenities".

5.1.2. Under Section 16.10.12 of Volume 1 to the Development Plan it is stated that applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal will:

- Not have an adverse impact on the scale and character of the dwelling;
- Have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight;
- Achieve a High Quality of Design.

5.1.3. Appendix 17 (Volume 2) of the Development Plan provides guidance on residential extensions.

5.1.4. Under Policy QH1 of the Development Plan, the City Council will have regard to the Ministerial Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

A first-party appeal has been lodged only against Condition 2 attached to the Planning Authority decision. The grounds of appeal are as follows:

- Established precedent;
- Visual amenity of the area;
- Compliance with Development Plan standards.

Plans submitted by the appellants with their appeal (Drawing No. 11235/011 dated 13 Feb '15) differ slightly from those received from the Planning Authority (11235/12 dated 25 June '15). Consideration of revised proposals was not specifically requested within the appeal submitted. It is noted that the detail of the proposals on both sets of drawings does not differ substantially.

### **6.2. Planning Authority Response**

None.

### 6.3. **Observations**

None.

## 7.0 **Assessment**

### 7.1. **Introduction**

- 7.1.1. This is a first-party appeal only against Condition 2 attached to the Planning Authority's decision to grant permission. Condition 2 requires the first-floor extension to be set-back 1m from the front building line of the existing house, the front roof pitch of the extension to match the angle of the existing roof pitch and the front eaves line to be no higher than the existing front eaves line. The same condition had been applied by the Council under a previous planning permission on this site (DCC Ref. 3099/15).
- 7.1.2. Having regard to the nature and scale of the proposed development and the nature of condition number 2, it is considered that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted, and therefore the Board should determine the matters raised in the appeal only in accordance with Section 139 of the Planning & Development Act, 2000 (as amended).
- 7.1.3. It is reasonable to concur with the Planning Authority assessment that the proposed development will not have a detrimental impact on the residential amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.

### 7.2. **Existing Pattern of Development**

- 7.2.1. The rationale for the Planning Authority attaching the condition relates to their concerns that the proposed extension if repeated on the adjacent property could cause a terracing effect, which is likely to harm the character of the street. The appellants assert that setting back the extension by 1.0m would be at variance with the established character of the area and references are made within their

submission to various neighbouring examples of extensions that they consider to set precedent in this regard.

- 7.2.2. While, it is acknowledged that there are extensive numbers of first-floor side extensions to neighbouring dwellings that do not include a set back from the front building line in the immediate and wider area, no reference to these extensions being subject of a decision from the Board has been provided by the appellants. Many of the referenced precedent cases occupy end-of-street locations or are built off their respective side boundaries, thereby reducing the potential for terracing to occur. There are examples of terracing occurring in the vicinity and there are also examples of set backs incorporated into first-floor level extensions. The vast majority of extensions are not of recent construction and would have been considered under the terms of previous statutory Plans for the area.

### 7.3. Visual Impact

- 7.3.1. The subject site is set slightly above the neighbouring property to the west, No. 20 Foxfield Park, and on a similar building line. No. 20 includes a single-storey side projection built onto the boundary with the subject site. Consequently, should both adjoining properties comprise a first-floor extension built up to the side boundaries and without a set back from the primary front building line, this would invariably create a **terracing effect** between the properties and would be likely to harm the character of the street and the visual amenities of the area. It is considered appropriate in this case to set back the extension from the primary front building line by 1m and to match the roof pitch and eaves line of the main dwelling. Accordingly, to maintain the established rhythm of semi-detached properties along the streetscape, the subject condition should continue to be attached.
- 7.3.2. The Development Plan requires a residential extension to be 'subordinate' to the original dwelling. The appellants assert that their proposals are 'compliant' with the '**subordinate approach**' given that the extension will be no larger or higher than the existing house. The illustrations accompanying the Council's Plan (Appendix 17) serve as a guide in developing residential extensions and these reveal that the roof ridge in side extensions should ideally be set below the main house roof ridge. Consequently, reducing the roof ridge would also require the building line to be set back to match the pitch on the main roof, as required under the subject condition.

7.3.3. With respect to the implications of the condition, relative to **internal layouts and living standards** for the dwelling, it is noted that the proposed development will result in a fourth bedroom for the dwelling based on the plans, which the appellants refer to on their drawings as the 'master bedroom'. As outlined within 'Quality Housing for Sustainable Communities: Guidelines for Planning Authorities', this bedroom should have a minimum room width of 2.8m and an internal area of 13sq.m. The 'as proposed' bedroom will meet the standards, while the 'as conditioned' bedroom would fall short of the minimum internal floor area by 1.4sq.m. The bedroom has sufficient space to accommodate furniture given its proportions and as it also includes an en-suite washroom and walk-in wardrobe. Amending the condition by reducing the depth of the set back to address the shortfall in bedroom space would not be warranted, as a reasonable physical separation between the proposed and existing roof structures, including fascia and soffit, is required.

## 8.0 **Appropriate Assessment**

Having regard to the minor nature of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 9.0 **Recommendation**

It is recommended that the Planning Authority be directed to ATTACH condition number 2 for the reasons and considerations hereunder.

## 10.0 **Reasons and Considerations**

Having regard to the nature and scale of the proposed development and the pattern of development in the area, it is considered that condition number 2 is appropriate to ensure that the proposed extension is visually subordinate to the existing dwellinghouse, to ensure the proposed development would not lead to a future terracing effect between properties and to ensure that the development would not seriously injure the amenities of the area. It is, therefore, considered that the



attachment of condition number 2 would be in accordance with the proper planning and sustainable development of the area.

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Colm McLoughlin  
Planning Inspector

2<sup>nd</sup> May 2017