



An  
Bord  
Pleanála

## Inspector's Report PL.06D.248032

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<b>Development</b>	Two storey extension to the rear of house.
<b>Location</b>	15 Ridge Hill, Glenageary, Ballybrack, Co. Dublin.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council.
<b>Planning Authority Reg. Ref.</b>	D16B/0478.
<b>Applicants</b>	Damien Tierney & Carol Wallace.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	First Party v. Condition No. 2(b) & 2(c).
<b>Appellants</b>	Damien Tierney & Carol Wallace.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	4 <sup>th</sup> May 2017.
<b>Inspector</b>	Dáire McDevitt.

## 1.0 **Site Location and Description**

- 1.1. The application site is located along the northern side of Ridge Hill, off Sheelin Avenue, west of Shanganagh Road in Ballybrack Co. Dublin. Ridge Hill, built in the late 1970s by South Dublin Housing Cooperative, consists of 22 houses in two sections. 10 houses are accessed off Maple Avenue and the other 12 off Sheelin Avenue. There is a communal open space area located between the two sections of the scheme. The houses are laid out in terraces of four with pedestrian alleys separating each block. No. 15 is part of block 15-16-17-18. The overall area is characterised by two storey houses of various designs and finishes.
- 1.2 The site, with a stated area of c. 158sq.m, is an end of terrace house with a pedestrian alley running along the western side separating no. 15 from no. 14. To the east is no. 16. To the rear (north) is Ridge Hall a 3 storey apartment development. The site levels fall from north (rear) to south (front).
- 1.3 Maps, photographs and aerial images in file pouch.

## 2.0 **Proposed Development**

- 2.1. Permission is being sought for a c. 29 sq.m 2 storey extension to the rear of an existing c. 85.8 sq.m house. The proposal has an apex style roof with finishes to match the existing dwelling.
- 2.2. The extension is 3.1m deep at ground floor level and first floor level with a pitched roof design. At ground floor the extension projects c. 0.7m beyond the existing western side elevation to extend across the whole width of the garden (6m).
- 2.3. The existing ridge height is c.6.5m with an eaves height on the west facing elevation of c. 4.6m. On the east facing elevation a parapet is proposed which would bring the overall height to c. 4.8m which would be above the eaves level of the existing house.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission granted subject to 6 conditions. These included condition No. 2:  
*Prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority, revised plans indicating the following amendments:*

- a) A reduction in the height of the east facing side elevation to the extension to just below the eaves level of the main dwelling.*
- b) A revised roof design to include a hipped roof to the rear.*
- c) A reduction in the size of the rear first floor bedroom window.*

*Reason: In the order to safeguard visual and residential amenities.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports (11<sup>th</sup> January 2017).

This forms the basis of the Planning Authority's decision and the main points referred to relate to design and residential amenity.

#### 3.2.2. Other Technical Reports

**Drainage Section.** No objection subject to conditions.

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

None.

## 4.0 Planning History

None as per planning register.

## 5.0 Policy Context

### 5.1. Dun Laoghaire-Rathdown County Development Plan 2016-2022.

**Land Use Zoning Objective 'A'** *To protect or improve residential amenity.*

**Section 8.2.3.4 (i)** refers to Extensions to Dwellings. Such proposals shall be considered in relation to a range of criteria including having regard to length, height, proximity to boundaries and quantum of usable rear private open space remaining. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations.

**Section 8.2.8.4 (i)** sets out the private open space requirements for private houses. A figure of 48 sq.m is required for a 2 bed house and 60sq.m for a 3 bed house.

**Section 8.2.8.4 (ii)** refers to standards for minimum separation distances between first floor opposing windows and garden depths

### 5.2. Natural Heritage Designations

None.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are in relation to condition no. 2 (b) and (c).

- The use of an apex roof with an apex style glass window is an architectural design detail implemented for aesthetic and practical

reasons. The bedroom is north facing and the window is to let light into the room. The shape of the roof facilitates rooflights.

- To the rear is an apartment development with roof terraces, balconies and multiple styles and sizes of glazing which currently overlook the houses at Ridge Hill.
- Request that condition no. 2 (b) and (c) be omitted and that the original proposal with a reduced east facing side elevation (parapet) in accordance with condition no. 2 (a) be granted.

## **6.2. Planning Authority Response**

None.

## **6.3. Observations**

None

## **7.0 Assessment**

Having regard to the nature and scale of the development and the specific issue arising, that being a first party appeal against Condition number 2 (b) and 2(c) of the planning authority decision, I am of the opinion that the determination of the application as if it had been made to the Board in the first instance is not warranted. In that regard I note the provisions of section 139 of the Planning & Development Act 2000 (as amended). This assessment will therefore be confined to the specific appeal of Condition number 2 of the planning authority decision. The issue of appropriate assessment screening also needs to be addressed.

The issues can be dealt with under the following headings:

- Design.
- Residential Amenity.

- Appropriate Assessment.

## **7.1 Design**

7.1.1 Section 8.2.3.4 (i) of the County Development Plan refers to the criteria set out for domestic extensions. The Planning Authority raised concerns that the height of the design of the roof would form an overbearing feature and have a detrimental impact on the rear amenity space of the house to the east and attached condition no. 2 (b) *A revised roof design to include a hipped roof to the rear.*

7.1.2 The proposal is for a two storey rear extension (29 sq.m) which includes a large window at first floor level facing the rear garden. The proposed two storey extension to the rear projects c. 3.1m beyond the existing building line of No. 15 and No.16 located to the east. Having regard to the levels on site and the scale of the projection. In my view, the overall scale and bulk of the alterations and extensions are not considered overbearing. The roof and height is considered acceptable as it integrates with the existing structure and would not be visually obtrusive. I am satisfied that the proposal complies with Section 8.2.3.4 (i) of the County Development Plan and condition No. 2(b) is not required to safeguard visual and residential amenities.

## **7.2 Residential Amenity**

7.2.1 Section 8.2.8.4 (ii) of the County Development Plan refers to the usual requirements for a minimum separation distances of 22 metres between opposing rear first floor windows. It also refers to the acceptance of rear garden depth of 7 metres where sufficient open space is provided and the protection of existing residential amenities is ensured.

7.2.2 The Planning Authority have attached condition no. 2 (c) *A reduction in the size of the rear first floor bedroom window to safeguard residential amenities.* This window faces the rear garden of No. 15 and the Ridge Hall apartments to the rear. There is a pedestrian alley running along the northern boundary of the

site. The proposal results in a rear garden depth of 6.49m which is marginally below the minimum set out in the Development Plan. There is c.24 metres between the proposed window and apartment block to the rear which has windows directly facing the site. There are also balconies but these are not directly opposing the first floor bedroom window. It is my considered opinion that the size of this window is not an issue as the required separation distances as set out in the Development Plan are adhered to. I am satisfied that overlooking of the properties to the north is not a material consideration. Overlooking of the rear gardens of adjoining properties is not considered material. I, therefore, do not consider that a condition restricting the size and type of glazing is required. I am satisfied that the proposal complies with Section 8.2.3.4 (ii) of the County Development Plan and condition No. 2(c) is not required to safeguard visual and residential amenities.

### **7.3 Appropriate Assessment**

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

### **8.0 Recommendation**

I recommend that the Board consider the appeal in the context of section 139 of the Planning & Development Act 2000 (as amended). I further recommend that the Board direct the planning authority to remove Condition No. 2 (b) and 2(c).

### **9.0 Reasons and Considerations**

Having regard to the design and nature of the extension proposed and also having regard to the residential amenity being provided for by the proposed development, it is considered that the proposed first floor window and roof profile will not adversely impact on the visual and residential amenities of the

area, would not set an undesirable precedent and would be in accordance with the proper planning and sustainable development of the area.

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Dáire McDevitt  
Planning Inspector

8<sup>th</sup> May 2017