



An  
Bord  
Pleanála

## Inspector's Report PL06S.248127

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<b>Development</b>	Single storey and first floor extension at rear of house.
<b>Location</b>	231 Templeogue Road, Dublin 6W.
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD16B/0401
<b>Applicant(s)</b>	Brendan and Tish O'Sullivan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission subject to Conditions.
<b>Type of Appeal</b>	First Party vs. Condition
<b>Appellant(s)</b>	Brendan and Tish O'Sullivan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	28 <sup>th</sup> April 2017
<b>Inspector</b>	Ciara Kellett

## 1.0 Site Location and Description

- 1.1. The appeal site is located on the northern side of the Templeogue Road opposite Our Lady's Secondary School. It is midway between the junctions of Templeogue Road with Springfield Avenue and Fortfield Road. It is c.250m south-west of Bushy Park and c.250m north of the Dodder River which runs to the rear of the school.
- 1.2. Templeogue Road, at this section, is single carriageway with a bus lane on both sides of the road. The houses are a mix of mature semi-detached and detached dwellings set back from the road with well-established gardens.
- 1.3. The appeal site is stated as being 0.0571Ha. It currently comprises a two storey two-bay detached dwelling with a pitched roof. The site is not overlooked to the rear – Hyde Park road runs to the rear of the dwelling. The dwellings either side of the subject site are both detached dwellings.
- 1.4. Appendix A includes maps and photos.

## 2.0 Proposed Development

Permission is sought for a single storey extension at ground floor to provide an open plan kitchen, dining and living area. An extension at first floor level is proposed to enlarge the bathroom. It is stated that the overall increase in floor area is 30.58sq.m. The proposed single storey extension to the rear will be flat roofed with a maximum height of 3.19m and extends beyond the existing back wall by 5.9m nearest the dwelling to the west. The first floor bathroom is proposed to extend by 1.5m and will be in line with the rear first floor wall of the adjacent dwelling. The proposed changes will not be visible from the front of the property.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority decided to grant permission subject to 7 conditions. Condition 2 which is the subject of the appeal, states the following:

*The proposed extension shall be amended as follows:*

*(a) The part of the extension relating to 'proposed dining area' shall be reduced by 2 metres in depth from the rear building line of existing dwelling.*

**Reason:** *In the interest of protecting existing residential amenity.*

## 3.2. Planning Authority Reports

### 3.2.1. Planner's Report

The Planner's Report is the basis for the Planning Authority decision. It includes:

- Area is zoned RES 'To protect and/or improve residential amenity'. Considers the extension is acceptable in principle.
- Notes that the extension is to be attached to the portion of the dwelling that is currently stepped back. Considers that the depth of the extension at this location is excessive and would have an impact on the neighbouring property and considers that the part of the extension relating to the 'proposed dining area' should be reduced by 2m by condition.
- Notes the first floor extension area is 3.75sq.m and that the applicant intends to change the existing flat roof to a pitched roof. Considers this extension minor and that it will not impact on the adjacent property as their two storey extension is stepped forward and this proposal will sit in-line.
- Recommends a grant of permission subject to conditions.

The decision was in accordance with the Planner's recommendation.

### 3.2.2. Other Technical Reports

- **Water Services** – No objections subject to conditions.

## 3.3. Prescribed Bodies

- **Irish Water** – No objections subject to conditions.

### 3.4. Third Party Observations

- None received

## 4.0 Planning History

There are no relevant applications associated with the subject site. There have been a number of planning applications for development in neighbouring dwellings.

- **SDCC Reg. Ref. S00B/0056:** Permission granted in May 2000 for a conservatory extension to the rear of the existing dwelling at no.233 Templeogue Road to the immediate west of the subject site.
- **SDCC Reg. Ref. SD03B/0170:** Permission granted in July 2003 to construct an extension at first floor level and to extend the existing lounge to the front and relocate entrance to front elevation in no.233 Templeogue Road to the immediate west of the subject site.
- **SDCC Reg. Ref. SD05B/0136:** Permission granted in April 2005 for the demolition of the existing two storey extension to the side and rebuilding it with new roof and demolition and rebuild of single storey extension to the rear and construction of new pedestrian gate in rear boundary to Hyde Park in no.227 Templeogue Road to the east of the subject site.

## 5.0 Policy Context

### 5.1. Development Plan

Under the County Development Plan 2016 – 2022, the site is zoned '**RES: To protect and/or improve residential amenity**'.

Chapter 2 refers to housing and Chapter 11 refers to Implementation. The Council has also produced guidance in the form of 'House Extension Design Guide'.

Section 2.4.1 of Chapter 2 considers residential extensions.

Policy **H18 Objective 1** states: *To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in*

*the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

Section 11.3.1(iv) of Chapter 11 provides information in relation to private open space standards and states that open space should be located behind the front building line of the house. Table 11.20 notes that minimum open space of 70sq.m is required for four bedroomed houses. Section 11.3.3 considers Additional Accommodation. Section 11.3.3(i) states with respect to Extensions: *The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

The House Extension Design Guide produced by the Council provides advice on different types of extensions. Chapter 4 is entitled *Elements of Good Extension Design*. Of relevance to the subject application is the advice provided for rear extensions. It states that rear extensions should match or complement the style, material and details of the main house unless there are good architectural reasons for doing otherwise. They should match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area and enough rear garden should be retained.

There is also general advice provided with respect to overlooking, overshadowing and overbearing impact.

## **5.2. Natural Heritage Designations**

There are no designated areas in the vicinity. The Glenasmole Valley SAC (Site Code 001209) is c.6.25km to the south-west. The Dodder river runs to the rear of the school which enters the South Dublin Bay SAC (Site Code 000210) and the South Dublin Bay and River Tolka SPA (Site Code 004024).

## **6.0 The Appeal**

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

A first party appeal against condition no.2 has been lodged. In summary, it states:

- The floor area of the proposed extension combined with the existing extension is approximately 51.62sq.m which is only 11.62sq.m in excess of the 40sq.m exemption.
- The site is quite large at 570.91sq.m. The area of the rear garden is 291.19sq.m. Taking the combined floor area of the existing and proposed extension the site coverage of the rear garden is only 17.73%. The site is well capable of accommodating the proposed extension.
- A Block Plan is enclosed indicating the proposed extension alongside the single storey conservatory to the rear of the neighbour's property in no.233 Templeogue Road. The conservatory is built off the boundary wall which is 2.4m high.
- Proposed extension will be erected 550mm inside the boundary wall and will extend beyond the line of the adjoining conservatory by only 1.8m and will have a flat roof.
- Reference is made in Planner's Report to the planning applications for no.233 but there is no mention of no.227 extension which was for an extension with a pitched roof. There was no mention that this extension would have a negative impact on residential amenity. That extension is 11.8m out from the back of the house. It would appear that a different rationale was used.
- Due to the orientation of the garden there will be no loss of light or overshadowing.
- The adjoining property owner has no objection to the development.

## 6.2. Planning Authority Response

The planning authority confirmed its decision and considered that the issues raised by the appellant have been considered in the Planner's Report.

## 7.0 Assessment

- 7.1. The first party has appealed Condition no.2 only. Having regard to the facts that extensions are permitted in principle in this location, there were no third party

observations, and the remaining private open space is significantly in excess of the requirements of the Development Plan, I am satisfied that the consideration of the proposed development 'de novo' by An Bord Pleanála would not be warranted in this case. Accordingly, I recommend the Board should use its discretionary powers under Section 139 of the Planning and Development Act 2000 (as amended), and issue the Planning Authority directions to retain, remove or amend the Condition no.2.

## 7.2. **Condition no.2**

The Planner considered that the depth of the single storey extension at this location is excessive and would have an impact on neighbouring property, and hence, included a condition to reduce the depth of the proposed extension of 5.9m by 2m.

I would consider that the extension could be perceived as excessive if it was overbearing or caused significant overshadowing on the adjacent properties in no.231 or no.229.

As part of the appeal, the applicant submitted a drawing including the neighbouring property's conservatory in no.233 Templeogue Road which was granted permission in May 2000. The drawing indicates that the conservatory is 4.1m in depth from the rear wall of that property, which is in-line with the subject property's rear wall. The proposed extension will be 1.86m longer than the conservatory. The proposed extension is flat roofed. I am of the opinion that it will not have an overbearing impact on the conservatory.

The back gardens are north-west facing. The addition of the extension in this location will have no overshadowing impact on no.233. A shed already exists in the proposed location of the extension. I am of the opinion that there will not be an unacceptable impact on the neighbouring property at no.233.

I note that the neighbour on the other side of the dwelling, no.229, also has an extension and a shed. Given the north-west orientation of the rear gardens, it may be possible that at the height of the summer there may be a slight increase in overshadowing very late in the evening, however with the existence of the shed and mature trees and shrubbery in both gardens this is unlikely to have an impact on the neighbour's dwelling itself.

In summary, therefore, I do not consider the extension as proposed to be excessive or to cause an injurious impact on residential amenities to the neighbouring properties, and I consider that the extension as proposed is in accordance with the proper planning of the area.

### 7.3. **Appropriate Assessment**

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, 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**

- 8.1. Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, 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 directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 as amended, to **REMOVE** condition number 2.

## 9.0 **Reasons and Considerations**

Having regard to:

- (a) the provisions of the South Dublin County Development Plan 2016-2022,
- (b) the nature, scale and orientation of the development proposed, and
- (c) the pattern of development in the area,

the Board did not consider that particular circumstances arose that would necessitate the reduction in the depth of the extension.



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**Ciara Kellett  
Inspectorate**

4<sup>th</sup> May 2017