



An
Bord
Pleanála

Inspector's Report PL06D.248207

Development	Extensions to dwelling.
Location	82 Grange Wood, Rathfarnham, Dublin 16.
Planning Authority	Dún Laoghaire-Rathdown Co. Council
Planning Authority Reg. Ref.	D16B/0542
Applicants	Brendan & Boh Lee Mahady
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellants	Ciaran Butler & Others
Observers	none
Date of Site Inspection	7 th of June 2017
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.0557 hectares is located at no. 82 Grange Wood, Rathfarnham in south County Dublin. The site is located at the north-eastern end of a cul-de-sac. The subject site contains a single storey detached dwelling with an area of 91 square metres. The surrounding area is primarily residential in character. The house types in the vicinity are predominantly two-storey detached and semi-detached properties.
- 1.2. Elm Park House a Protected Structure is located within the housing estate it is situated 43m to the south of the appeal site on the same side of the road. The property is in residential use and has been sub-divided providing a number of apartments.
- 1.3. The Llewellyn Lawn housing estate is situated immediately to the north of the appeal site. The site boundary adjoins the rear gardens of six dwellings within Llewellyn Lawn. The boundary is formed by a block wall and mature tree planting. The adjacent dwelling to the south no. 83 Grange Wood is a two-storey semi-detached property. The finished floor level of that dwelling is circa 1100mm higher than the subject single storey dwelling.

2.0 Proposed Development

- 2.1. Single storey extension to side of existing house. New first floor dormer type extension over entire ground floor (including new extension) with two dormer windows to front elevation and one partial gable end to rear. New porch extension and extension to lounge to front of house.
- 2.2. Floor area of proposed extensions – 86sq m

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 11 no. conditions.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The proposed development is considered acceptable in terms of the design and is consistent with the provisions of Section 8.2.3.4(i) of the Development Plan which refers to extensions to dwellings.

3.2.2. Other Technical Reports

3.2.3. Drainage Planning – no objections subject conditions

3.2.4. Transport Planning – no objections subject conditions

3.3. **Third Party Observations**

- ### 3.3.1.
- The Planning Authority received three submissions in relation to the planning application. The issues raised are similar to those set out in the appeal and the observation to the appeal.

4.0 **Planning History**

No recent planning history on site

5.0 **Policy Context**

5.1. **Development Plan**

The site is governed by the provisions of the Dún Laoghaire – Rathdown County Development Plan 2016-2022.

The site at no. 82 Grange Wood, Rathfarnham, Dublin 16 is located on Map 5 of the Dún Laoghaire Rathdown Development Plan and is identified as being Zoned Objective A ‘to protect and/or improve residential amenity’.

- Chapter 8 – Principles of Development
- Section 8.2.3.4(i) refers Extensions to Dwellings

5.2. Natural Heritage Designations

- 5.2.1. Wicklow Mountains SAC Site Code (002122) is located 4.6km from the site.
- 5.2.2. Wicklow Mountains SPA Site Code (004040) is located 5.3km from the site.
- 5.2.3. Glenasmole Valley Sac Site Code (001209) is located 7km from the site
- 5.2.4. The site is located approximately 6.4km from the South Dublin Bay and River Tolka Estuary SPA Site Code (004024).
- 5.2.5. The site is located approximately 6.4km from South Dublin Bay SAC Site Code (000210).

6.0 The Appeal

6.1. Grounds of Appeal

A third party appeal was submitted by Ciaran Butler and Others on the 21st of March 2017. The main issues raised are as follows;

- Llewellyn Lawn housing estate was built in the 1970's and the lands in Grange Wood to the south of the appellant's properties were developed in the 1990's.
- The ground levels in the area rise from north to south. Due to the topography of the area the house at the end of Grange Wood, no. 82 was constructed as a single storey dwelling.
- The subject property no 82 is due south of the appellant's properties and the single storey design was provided to mitigate impact upon the amenity of the neighbouring houses in Llewellyn Lawn.
- Details of the original planning history referring to the site have been provided. Under Reg. Ref. 93A/0927 the developer was requested to revise the proposed design from dormer bungalow to single storey dwelling on the site in order to address the proximity of the dwellings in Llewellyn Lawn.
- A previous application for a two-storey extension to the property was made under Reg. Ref. D16B/0018. This included a daylight study. The application

was withdrawn. It is noted that the daylight study was submitted with the current application.

- The appellants note that there are a number of errors in the drawings. The daylight study should be correctly based on no. 59 Llewellyn Lawn and not no. 65 Llewellyn Lawn.
- It is stated in the daylight study and also in the application that the proposed development will be 2.5m from the site boundary. The separation distance is indicated as 2m on the drawing titled 'Proposed Site Plan'.
- No. 67 Llewellyn Lawn is the closest dwelling to the north of the development and is likely to be the most impacted in terms of overshadowing.
- The subject dwelling no. 82 Grange Wood is between 1.6m – 1.7m higher than the floor levels of the dwellings in Llewellyn Lawn to the north. The proposed development will raise the roof height by 1.4m and the eaves height by 1.3m.
- The proposed development will cause overlooking and visual intrusion due to the proximity to the appellants' properties.
- The appellants have expressed their dissatisfaction with the Dún Laoghaire – Rathdown Co. Council Planner's report and the decision to grant permission.
- It is noted that the dwelling to the east no. 10 Elm Way is also a detached single storey property. The appellants consider that the bungalows at the end of the cul-de-sacs provide a transition in scale and height to the lower lying Llewellyn Lawn houses.
- The height and design of the proposed extension is considered out of character with the surrounding development.

6.2. Applicant Response

A response to the third party appeal was submitted by Dixon Mc Donnell Partnership on behalf of the applicants Brendan & Boh Lee Mahady on the 18th of April 2017.

The main issues raised are as follows;

- The housing estate was constructed in the 1990's. The applicant purchased no. 82 as a newly constructed dwelling. Trees had previously been planted along the boundary between the site and properties in Llewellyn Lawn.
- It is noted that the ridge height of the opposite dwelling is 88.1 and that it is a gable roof and not hipped.
- In relation to the matter of anomalies on drawings the level of no. 65 Llewellyn Lawn was indicated incorrectly as 200mm higher than is the case.
- The distance between the side wall of the proposed development to the boundary at rear of no's 65/66 Llewellyn Lawn is 2.5m.
- The elevation titles were incorrectly labelled. The elevation facing Llewellyn Lawn should read northern elevation and not west as stated.
- In relation to sun light studies these were previously prepared for the application made under Reg. Ref. D16B/0018 which was withdrawn. Changes were made to the proposed design and the current application included light studies. It is noted that on the Winter Solstice with the current dwelling at no. 82 Grange Wood there was no sunlight to the rear of no's 65/66 Llewellyn Lawn. It is also noted that the proposed development would not result in any deprivation of sunlight to the properties.
- Regarding the matter of overshadowing from trees, it is noted that the trees along the northern boundary of the site are a mixed of evergreen and deciduous. Therefore, in summer there can be far more overshadowing. In order to improve the situation for the neighbouring properties the applicants propose to remove all the trees along this boundary and replace them with a griselinia hedge to be kept to a height no more than 2m to provide privacy between the dwellings.

6.3. Planning Authority Response

- The Planning Authority submitted a response to the Board on the 31st of May 2017 and advised that the grounds of appeal do not raise any new matters which would justify a change of attitude to the proposed development.

- The Board were advised to refer to planning officer's report.

6.4. Further Responses

A further response was received from the appellants on the 30th of May 2017.

- The appellants provide further details in relation to the history of Grange Wood and the original planning history pertaining to the appeal site.
- Further details of the floor levels of the dwellings along the northern site boundary within Llewellyn Lawn are provided.
- The appellants query the revised shadow diagram submitted with the appeal response.
- The appellants welcome the applicants statement that the existing mature trees along the northern boundary will be removed.

7.0 Assessment

- 7.1. Section 8.2.3.4(i) of the Dun Laoghaire Rathdown Development Plan 2016-2022 refers to extensions to dwellings. The factors which are taken into consideration in determining proposals for first floor extensions include, overshadowing, overbearing, overlooking, proximity, height and length along mutual boundaries. In relation to roof alterations/expansions to main roof profiles consideration and special regard is given to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- 7.2. In relation to the design of the proposed extension, it is proposed to raise the roof apex by 1.4m and the eaves by 1.3m. The existing roof design is a hipped. The proposed roof design is similarly a hipped, however the pitch of the roof is shallower due the proposed increase in the width of the dwelling. The existing width of the dwelling is 8.5m and with the proposed extension the dwelling would have a width of 11m.

- 7.3. The existing roof contains two roof lights to the north facing side elevation which serve the attic store. The proposed roof design features two dormer windows to the front and two rear first floor windows. The appellants consider the proposed design is out of character with the surrounding development and noted that a dormer bungalow was not previously considered appropriate on the site when permission was originally sought for a dwelling on site in 1993. I note this reference to original planning history, however, the proposal should be assessed having regard to provisions of the current development plan.
- 7.4. The proposed design increases the height of the dwelling by less than 1.5m and the width of the dwelling would be increased by 2.5m. The height of the eaves would be raised by 1.3m and a porch and two new dormer windows would be constructed to the front elevation. The existing bungalow is of a different design character to the surrounding two-storey detached and semi-detached dwellings along the cul-de-sac, and also Elm Park House to the south of the site which is a three-storey Georgian design property. Having regard to the location of the dwelling at the end of the cul-de-sac and the fact that there are no other similar properties within the cul-de-sac, I consider that the proposed elevational changes would be acceptable within the existing streetscape.
- 7.5. In relation to the issue of outlook, I note that the proposed extension would result in the dwelling being located a minimum of 2m from the northern side boundary. This would provide a separation distance of over 13m from the rear of the closest dwellings nos 65 and 67 in Llewellyn Lawn. Having regard to the separation distance provided I am satisfied that the proposed development would not have an undue overbearing impact upon the closest dwellings to the north.
- 7.6. The appellants have raised the issue of overlooking. The appellants' properties are located in Llewellyn Lawn which lies to the north. Having regard to the fact that no first floor windows are proposed to the north facing side elevation there would be no overlooking from directly opposing first floor windows. The first floor window to the front would be located a minimum of circa 15m from the rear wall of the closest dwelling to the north no. 63 Llewellyn Lawn. In relation to the proposed rear elevation, I note that it is not proposed to extend the length of the dwelling. The rear garden depth is 10.7m and there are no directly opposing first floor windows. A separation distance of 20m is provided from the first floor rear window to the closest

dwelling to the north-east no. 71 Llewellyn Lawn. Having regard to the separation distance provided I am satisfied that the proposed first floor windows to the front and rear of the dwelling will not result in any undue increases level of overlooking of neighbouring properties. I note that there are mature coniferous and deciduous trees along the northern site boundary. As stated in the appeal response the applicants propose to remove these trees and replace them with a griselinia hedge to be kept to a height no more than 2m. The removal of the existing trees which have a height of 6-7m and their replacement with a lower hedge which can be more easily maintained will serve to protect and improve residential amenity.

- 7.7. In relation to the matter of overshadowing the applicant submitted shadow study drawings and the first party appeal response includes a revised raised drawing, DWN No. 16118/Pa06. The revised drawing indicates the angle of the sun at the solstices and equinoxes and the building elevations to the south of Llewellyn Lawn. Having reviewed the shadow study drawings, I am satisfied that the proposed development will not result in any significant level of undue overshadowing of the neighbouring properties to the north.
- 7.8. Regarding surface water drainage, the Planning Authority attached a condition which required that revised surface water drainage proposals in accordance with the recommendations of Sustainable Drainage Systems (SuDS) be submitted for their written agreement. The Drainage Planning Section had no objections to the proposed development subject to the proposals incorporating the direct disposal of surface water within the site. I consider this is a reasonable requirement and should the Board decide to grant permission, I would recommend the attachment of a similarly worded condition.
- 7.9. In relation to the matter of appropriate assessment, I consider that having regard to the nature of the proposal an extension to a dwelling and the nature of the receiving environment, namely a suburban and fully serviced location that no appropriate assessment issues arise.

8.0 Recommendation

- 8.1. I have read the submissions on file and visited the site. Having due regard to the provisions of the Development Plan, together with all other issues arising, I

recommended that permission be granted for the following reasons and considerations.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the current Development Plan for the area, and having regard to the pattern of existing development in the area and the design and scale of the proposed extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, and would comply with the provisions of the Development Plan. The proposed development would, therefore, 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, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

3. The drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Prior to commencement of development, the developer shall submit revised surface water drainage proposals in accordance with the

recommendations of Sustainable Drainage Systems (SuDS) for the written agreement of the planning authority.

Reason: In the interest of public health and to ensure a proper standard of development.

4. 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.

Siobhan Carroll
Planning Inspector

12th of June 2017