



An  
Bord  
Pleanála

## Inspector's Report PL29S.248499

---

<b>Development</b>	Construct 2-storey rear extension.
<b>Location</b>	71 Terenure Road North, Terenure, Dublin 6
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2381/17
<b>Applicant(s)</b>	Shane Moroney & Aine Heffernan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Michael Teahan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	14 <sup>th</sup> August 2017
<b>Inspector</b>	Karla Mc Bride

## 1.0 Site Location and Description

The appeal site is located in Terenure on the south side of Dublin and the surrounding residential area is characterised by a mix of single and 2-storey terraced houses with long rear gardens. The appeal premises comprises a two storey end of terrace house which has a part single storey and part 2-storey rear return. Several other houses in the vicinity have been extended to the rear by the addition of single and 2-storey extensions.

Photographs and maps in Appendix 1 describe this relationship in more detail.

## 2.0 Proposed Development

2.1. Planning permission is being sought to construct a 2-storey extension to the rear of an existing 2-storey house.

- The existing house is c.168sq.m and the extension would be c.70sq.m.
- The extension would be c.4.5m to 6.5m deep, 7m to 9m wide & 6m high.
- The extension would be set at an angle to the existing house and it would incorporate the existing single and 2-storey rear return.
- The structure would have a contemporary design with a flat roof.

## 3.0 Planning Authority Decision

### 3.1. Decision

The PA decided to grant planning permission subject to 7 standard conditions.

Condition no. 3 required the use of obscure glazing in the first floor landing window and the omission and relocation of the first floor corner window to bedroom no.4

### 3.2. Planning Authority Reports

Drainage Division: No objection subject to conditions.

### 3.3. **Third Party Observations**

One submission from a neighbouring resident who raised concerns in relation to adverse impacts on residential & visual amenities and inaccuracies in the plans.

### 3.4. **Planning History**

**Reg. Ref. 3078/08:** permission granted for the amalgamation of nos. 71 & 73 into one single family dwelling and the construction of single and 2-storey extensions to the rear of both houses. Condition no.2 the retention of the front door of no.71.

## 4.0 **Policy Context**

### 4.1. **Development Plan**

The proposed development would be located within an area covered by the Z1 zoning objective in the Dublin City Council Development Plan 2016 to 2022 which seeks to “To protect, provide and improve residential amenities”.

#### **Extensions and Alterations to Dwellings (Section 16.10.12):**

The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy and the development should integrate with the existing building.

#### **Guidelines for Residential Extensions (Appendix 17):**

Guidance is provided in relation to residential amenity, privacy, the relationship between the dwellings and extensions, daylight and sunlight, appearance, subordinate approach, materials, contemporary extensions, roof extension, sustainable design and solar panels. The extension should not dominate the existing building and the materials used should ideally be the same as those used on the existing building and it should not be larger or higher than the existing dwelling.

## 4.2. Natural Heritage Designations

The following NPWS designated areas are located within a 5km radius of the site:

- South Dublin Bay SAC (Site code: 000210)
- South Dublin Bay & River Tolka Estuary SPA (Site code: 004024)
- South Dublin Bay pNHA (Site code: 000210)

## 5.0 The Appeal

### 5.1. Grounds of Third Party Appeal

- Height, scale of the overall size of the top parapet and the c.1m distance between the proposed wall and the velux windows at no.69 would have an adverse impact on residential amenity as the structure would overshadow the neighbouring single storey rear extension.
- Inaccuracies in drawings, the Side Elevation shows 2 windows which are not included in the First Floor Plan, and the adjacent single storey extension has not been shown on the site layout map.
- No separation distance measurements with adjacent site, with possible construction impacts on the boundary wall and adjacent foundations.
- No provisions to secure the site on the N side and the adjacent back door and side passage is only 1m from the side of the proposed development.

## 5.2. Applicant's response

- No impacts on visual amenity as the extension would not exceed the existing ridge height and because of the size & location of the windows, it would be subordinate to the main house, with no public views.
- The existing house is not a PS although it is c.100 years old and the contemporary design complements the older structure.
- The 2-storey extension would be set back c.0.5m and c.2.5m from the shared boundary with no.69 and no. 73 at its furthest point; it would extend 4.6m and 7m from the existing rear wall along the N and S elevations.
- The existing house has a 2-storey extension and no.69 has a single storey extension, and the proposal would extend an additional 2m beyond the existing 2-storey extension.
- The single storey extension to the rear of no.69 has patio doors, windows and roof lights, the proposal would not extend significantly further than the existing 2-storey rear extension with no significant overshadowing.
- Accept Condition no.3 which requires obscure glazing & relocated window.
- There are no windows proposed for the N/side elevations and the confusion probably arose because of the difficulties associated with illustrating the staggered building line.
- Permission to remove or carry out works to the boundary wall is a civil matter however construction will occur entirely within the appeal site.

### 5.3. **Third Party response**

The response to the Third Party appellant to the Applicant's response submission did not raise any new issues.

### 5.4. **Observations**

None received

### 5.5. **Planning Authority Response**

No response.

## 6.0 Assessment

The main issues arising in this case are:

- Principle of development
- Visual amenity
- Residential amenity
- Other issues

### 6.1. Principle of development

The appeal site is located within an area covered by the “Z1” zoning objectives in the current Dublin City Council Development Plan which seeks to “To protect, provide and improve residential amenities.” The proposed development would be compatible with this objective subject compliance with the criteria set out in Appendix 17 of the Development Plan in relation to Residential Extensions.

### 6.2. Visual amenity

The appeal site is located in the Terenure area of Dublin and the surrounding area comprises a mix of two-storey terraced and detached houses. The appeal premises and the neighbouring houses have long rear gardens and several of the properties have single and two storey extensions to the rear. The site is not covered by any sensitive heritage designations and there are no Protected Structure in the vicinity, however the terrace is around 100 years old.

The existing 2-storey end of terrace house contains an existing part single and part 2-storey rear return which would be incorporated into the proposed 2-storey rear extension. The existing rear return is approximately 3.5m deep and 10m wide. The single storey element is approximately 3.5m deep, 10m wide and 3.0m high whilst the 2-storey element is approximately 2.5m deep, 3.5m wide and 5.5m high.

The proposed 2-storey extension would be c.70sq.m. and it would be stepped down to take account of a slight change in level within the site and it would have an angled layout. The proposed 2-storey extension would be between c.4.5m deep along the N boundary and c.10m deep along the S site boundary, 7m-10m wide and 6m high. The entire structure (existing and proposed) would be approximately 8m deep along the N site boundary and 10m deep along the S site boundary, 7m- 9.5m wide and 6m high with a flat roof. It would be set back between c.0.5m and c.2.5m from the site boundaries to the N and S respectively. The proposed extension would be located entirely to the rear of the existing house, it would not exceed the ridge height of the existing house, it would be subordinate in scale and design, and it would not be visible from the public domain.

Having regard to all of the foregoing, I am satisfied that the development proposed would not have an adverse impact on visual amenities of the area.

### 6.3. Residential amenity

#### **Existing house:**

The proposed development would provide for an acceptable level of residential amenity in line with Development Plan requirements in relation to floor area, room size, sunlight and daylight. The long rear garden would continue to provide for an acceptable level of private amenity space in excess of Development Plan standards.

#### **Relationship with no. 69:**

The entire 2-storey structure (existing and proposed) would extend c.8m parallel to the N site boundary with the detached 2-storey house at no.69 which has a single storey rear extension. The proposed 2-storey extension would extend c.4.5m along this boundary with a c.0.5m set back from the boundary wall with no.69.

The submitted plans do not include the single storey extension to the rear of no.69 so it is not possible to provide a measured separation distance between the proposed and existing extensions. However, based on an examination of the site



location map, satellite imagery and my site inspection, the rear elevation of the neighbouring house at no.69 is approximately level with the existing rear elevation of no.71, and the single storey rear extension is approximately 4.0m deep with a c.1.0m set back from the boundary wall with no.71.

The proposed 2-storey, c.4.5m deep extension would extend marginally beyond the rear elevation of the neighbouring single storey rear extension and it would not give rise to any significant overshadowing of the adjoining site. Although the proposed extension would cast a shadow over 2 of the 4 velux roof lights in the late afternoon, the impacts on residential amenity would not be significant as the neighbouring extension would continue to be well lit by two roof lights in the N facing roof plane and by the patio doors and windows in the E facing elevation.

The neighbouring single storey extension at no.69 does not contain any windows in the S elevation and the proposed 2-storey N elevation would not contain any windows at ground or first floor levels. Therefore, the proposed 2-storey extension would give rise to any overlooking or loss of privacy at the neighbouring site to the N.

**Relationship with no.73:**

The entire 2-storey structure would extend c.10m parallel to the S site boundary with the adjoining 2-storey house at no.73 which has a part single storey and part 2-storey rear return. The proposed 2-storey extension would extend c.6.5m along this boundary with a 0.5m to 2.5m set back from the site boundary with no.73.

Having regard to the orientation of the proposed 2-storey extension to the N of the neighbouring house at no.73, the proposed extension would not overshadow the neighbouring site and it would not be overbearing because of the staggered layout which includes a small single storey section.

The S elevation of the proposed extension would contain 2 windows at first floor level including a large c.2m high landing window and a corner window to bedroom no.4 which would both overlook the neighbouring site at no.73. However, this concern could be addressed by way of a condition which would require the permanent use of obscured glazing in the landing window and the relocation of the bedroom window away from the side elevation to the rear E facing elevation over the c.34m long rear garden. Following these amendments, the proposed 2-storey extension would not give rise to any overlooking or loss of privacy at the neighbouring site to the S at no.73.

#### 6.4. **Other issues**

**Appropriate assessment:** The proposed development would be located within an established built up which does not have a direct connection to any European sites.

**Boundaries & construction:** The proposed development would be located within the appeal site boundaries and any boundary related issues are civil in nature.

**Environmental services:** The arrangements are considered acceptable subject to compliance with the requirements of Irish Water and the planning authority.

**Financial contributions:** Standard conditions apply.

**Flooding:** The site is not located within a flood risk zone and the proposal would not give rise to a flood risk within the site or the surrounding area.

## 7.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016-2022, and to the nature and scale of the proposed development and to the pattern of development in the area, it is considered that subject to compliance with the following conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 8.0 Conditions

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application, as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:
  - (a) The proposed first floor landing window in the southern elevation shall be permanently fitted with obscure glazing.
  - (b) The proposed corner window to bedroom no.4 shall be omitted and relocated to the eastern elevation where it should be set in by a minimum of 0.5m from the southern elevation of the extension.

Revised plans, which incorporate these amendments, shall be submitted to the planning authority for written agreement before development commences.

**Reason:** To protect the residential amenities of neighbouring properties.

3. Water supply and drainage arrangements, including the disposal of surface water and internal basement drainage, shall comply with the requirements of Irish Water and the planning authority for such works and services as appropriate.

**Reason:** In the interest of public health.

4. The site works and building works required to implement the development shall only be carried out between 7.00 hours and 18.00 hours, Monday to Friday and between 08.00 hours and 14.00 hours on Saturdays and not at all on Sundays or Public Holidays.

**Reason:** To safeguard the residential amenities of adjacent dwellings.

5. The developer shall pay to the planning authority a financial contribution of two thousand, five hundred and seventy-four euros and seventy-two cents (€2,574.72) 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. The application of any indexation required by this condition 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.

**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.

---

Karla Mc Bride  
Senior Planning Inspector  
15<sup>th</sup> August 2017