



An
Bord
Pleanála

Inspector's Report PL 06D.248686

Development	Demolition of side extension to house and construction of single-storey pitched roof rear extension
Location	'Leysin', Crosthwaite Park East, Dún Laoghaire, County Dublin
Planning Authority	Dún Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D17A/0289
Applicant(s)	Carlo Crighton & Frances Duff
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	David & Toni McDonald
Observer(s)	None
Date of Site Inspection	7 th September, 2017
Inspector	Kevin Moore

1.0 Site Location and Description

- 1.1. The site of the proposed development is located along a private laneway off Crosthwaite Park East. 'Leysin' is an existing two-storey Edwardian terraced dwelling on the site, which forms one of six similar dwellings along the laneway. This house was previously extended to the side.
- 1.2. The house is attached to 'Verdemy', an Edwardian house to the south and to the north it adjoins No. 32 Crosthwaite Park East, a Victorian two-storey over basement protected structure.

2.0 Proposed Development

- 2.1. The proposed development comprises the demolition of a single-storey side extension to an existing house and the construction of a single-storey extension to the rear of the house to accommodate a family room. The side extension proposed to be demolished has a stated floor area of 23 square metres and the proposed rear extension has a stated floor area of 16 square metres.
- 2.2. A covering letter with the application stated that the works to reposition a side extension to the rear are to accommodate a proposed new house in the side garden (refer to Appeal Ref. PL 06D.248742). A photographic survey report was also attached with the application.

3.0 Planning Authority Decision

3.1. Decision

On 19th May, 2017, Dún Laoghaire-Rathdown County Council decided to grant permission for the development subject to 5 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner noted the zoning provisions for the site, third party submissions made, the site's planning history, and departmental reports received. The demolition of the

existing side extension was considered acceptable. The proposed rear extension was seen to be minor in scale and it was considered that it would not impact on the residential amenity of the adjoining dwellings. It was submitted that the issues raised in the third party observations do not appear to relate to the proposed development but rather to the proposed dwelling the subject of a separate application. A grant of permission was recommended subject to conditions.

3.2.2. Other Technical Reports

The Conservation Officer noted the site is located within the Crosthwaite Park Architectural Conservation Area (ACA). There were no concerns regarding the demolition of the existing extension and the proposed rear extension was considered acceptable.

The Transportation Planning Engineer had no objection subject to conditions.

3.3. **Third Party Observations**

Objections to the proposal were received from David and Toni McDonald, Roland Monsegu, and Nicole O' Sullivan and others, raising concerns relating to the adverse impact of the proposed house on the site the subject of a separate application, traffic and access impacts, and conservation impacts.

4.0 **Planning History**

P.A. Ref. D96B/0787

Permission was granted by the planning authority in 1997 for the demolition of a single storey side extension and the construction of a new two-storey extension with a single storey return, replacement of windows and alterations to the rear elevation.

5.0 **Policy Context**

5.1. **Dún Laoghaire-Rathdown County Development Plan**

Zoning

The site is zoned 'A' with the objective "To protect and/or improve residential amenity".

Conservation

The site is located within the Crosthwaite Park Architectural Conservation Area.

6.0 The Appeal

6.1. Grounds of Appeal

The appellants of No. 32 Crosthwaite Park East consider the subdivision of the plot would destroy the sylvan landscaped setting of the house, the characteristics of the ACA, and the grain of the Edwardian houses. The Board is asked that, in order to maintain the landscaped setting of the Edwardian terrace and Crosthwaite Park East, it conditions the permission so that the side garden of 'Leysin' cannot be subdivided.

6.2. Applicant Response

The applicant requests the Board to dismiss the appeal because the appeal does not raise any grounds in respect of what the permission allows. It is further submitted that the reference to the subdivision of the appeal site is not relevant to the proposed development.

6.3. Planning Authority Response

The planning authority submitted that the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

7.0 Assessment

7.1. The proposed new extension constitutes a replacement extension. This new extension is intended to replace that proposed to be demolished because the location in which the existing extension is sited is to be used as part of a site

proposed to accommodate a new house (see Appeal Ref. PL 06D.248742). The applicant states in a covering letter with the application:

“The works proposed to this property are to reposition existing side extension to the rear to accommodate a proposed new house in the side garden which an application has been lodged for simultaneously.”

- 7.2. Having regard to the purpose of the proposed development, the issues raised in the third party appeal are clearly pertinent to the overall development proposed at ‘Leysin’. One cannot separate the proposed demolition and replacement extension from the proposed development of a new house to the side of ‘Leysin’. To accede to the applicants’ request to dismiss the appeal is unwarranted as the proposed demolition and new extension is inherently related to the development of a new house in the side garden, which cannot be accommodated without the proposed demolition in the first place.
- 7.3 The Board will note my report and recommendation made in relation to Planning Appeal Ref. PL. 06D.248742. It is my submission that the proposed demolition of the side extension and the development of a new house in the side garden of ‘Leysin’ is not appropriate at this location, having regard to the importance of this space separating the Victorian and Edwardian residential blocks within the designated Crosthwaite Park Architectural Conservation Area, the adverse impact of the development on No. 32 Crosthwaite Park East, a protected structure, and the adverse impacts on residential amenity.
- 7.4 Further to the above, it is my submission that the demolition of a sound, habitable side extension could only reasonably be determined to be acceptable, reasonable and sustainable in this context if it is so determined that the development of the proposed dwelling in the side garden of this house is itself acceptable, reasonable and sustainable. In the event that it is determined that the proposed new house is not acceptable, then it follows that the demolition of the existing side extension would not be acceptable on sustainability grounds. I, thus, conclude that the proposed demolition and replacement extension constitute unsustainable development.

8.0 Recommendation

- 8.1. I recommend that permission is refused in accordance with the following reasons and considerations.

9.0 Reasons and Considerations

1. The proposed development is inherently linked with the proposed development of a dwelling in the side garden of the existing dwelling 'Leysin'. Having regard to the unacceptability of the development of a new dwelling in the side garden for reasons relating to the necessity to retain the private open space separating the Victorian and Edwardian residential blocks at this location within the designated Crosthwaite Park Architectural Conservation Area, the adverse impact of the development on No. 32 Crosthwaite Park East, a protected structure, and the adverse impacts on residential amenity, it is considered that the demolition of the existing side extension, constituting a structurally sound, viable and satisfactorily integrated component of 'Leysin', would be unwarranted, would constitute an unsustainable form of development, and would otherwise be contrary to the proper planning and sustainable development of the area.

Kevin Moore
Senior Planning Inspector

7th September, 2017