



An  
Bord  
Pleanála

## Inspector's Report PL29N.248723

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<b>Development</b>	Demolition of single-storey rear extensions and erect a single and two-storey rear extension.
<b>Location</b>	62 Carlingford Road, Drumcondra, Dublin 9
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1187/17
<b>Applicant(s)</b>	Róisín McNeela
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third-Party
<b>Appellant(s)</b>	1.) Kenneth Fitzpatrick 2.) Marcella McCormack
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> September 2017
<b>Inspector</b>	Colm McLoughlin

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## **1.0 Site Location and Description**

- 1.1.** The appeal site is located on the northside of Carlingford Road, which is accessed off the Drumcondra Road Lower in Drumcondra, approximately 2km north of Dublin city centre.
- 1.2.** It contains a two-storey one-bedroom mid-terrace dwelling, with single-storey rear extensions under a part-pitched and part-flat roof. The architecture of the dwelling includes features typical of the Victorian style, featuring red brick to the front elevation, arched opes, sash windows, decorative brick cornice and slate roof. To the front of the dwelling is a small garden enclosed by a cast-iron rail, and to the rear there is a yard backing onto a narrow laneway.
- 1.3.** The immediate area is generally characterised by rows of terraced Victorian-style dwellings fronting onto shallow gardens and streets with on-street parking. Ground levels in the vicinity generally drop gradually to the east towards Drumcondra Road Lower.

## **2.0 Proposed Development**

- 2.1.** The proposed development comprises:
  - Demolition of single-storey rear extensions;
  - Construction of a rear extension including two-storey flat-roof element and single-storey, part mono-pitch part flat-roof element, extending across the width of the site;
  - Internal alterations providing for an additional bedroom (three bedrooms in total).

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1.** The Planning Authority decided to grant permission subject to seven conditions, generally of a standard nature, but also including the following requirement:

**C.2** First-floor extension shall not extend more than 4.8m from the rear wall.

### **3.2. Planning Authority Reports**

#### 3.2.1. Planning Reports

The report of the Planning Officer reflects the decision of the Planning Authority.

The Planning Officer notes the following in their report:

- Many neighbouring houses include rendered two-storey flat-roof rear extensions. The depth of these extensions vary considerably;
- Considering the context, precedent and tight urban grain, it is reasonable to restrict the depth of the rear extension at first-floor level by condition;
- No objection to the ground-floor element of the extension.

#### 3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection subject to conditions.

### **3.3. Prescribed Bodies**

#### 3.3.1. None.

### **3.4. Third-Party Submissions**

#### 3.4.1. Two submissions were received during consideration of the application from each of the adjoining residents, largely raising similar issues to those referred to in the grounds of appeal below.

## **4.0 Planning History**

### **4.1. Subject Site**

#### 4.1.1. None.

## 4.2. Surrounding Sites

- 4.2.1. Reflective of this inner-urban location, there have been numerous recent planning applications for rear extensions to neighbouring dwellings, including the following:
- 60 Carlingford Road – Ref. 3710/13 – Permission **granted** (March 2014) for part-single, part-two storey rear extension;
  - 68 Carlingford Road – Ref. 3821/09 – Permission **granted** (December 2009) for part-single, part-two storey rear extension.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The appeal site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022 with a stated objective "to protect, provide and improve residential amenities".
- 5.1.2. Under Section 16.10.12 of Volume 1 to the Development Plan it is stated that applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal will:
- Not have an adverse impact on the scale and character of the dwelling;
  - Have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.
- 5.1.3. Appendix 17 (Volume 2) of the Development Plan provides guidance specifically relating to residential extension developments.
- 5.1.4. Under Policy QH1 of the Development Plan, the City Council will have regard to the Ministerial Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).
- 5.1.5. BRE Site Layout Planning for Sunlight & Daylight (revised 2011) is relevant in assessing impacts of a development on light to neighbouring properties.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. The principal grounds of appeal to the proposed development can be summarised as follows:

Kenneth Fitzpatrick, No. 60 Carlingford Road

- Extension would have an overbearing impact when viewed from the appellant's property;
- Proposals would result in devaluation of the appellant's property;
- The depth of the first-floor element of the extension should be restricted to 3.048m, as this would allow a bedroom and the bathroom could be positioned to the rear at ground level;
- Extension should be finished in white cement to reflect light.

Marcella McCormack, No. 64 Carlingford Road

- Proposed extension would restrict light to a sitting room and rear bedroom in the appellant's property.

### 6.2. Applicant's Response

A response was received on behalf of the first party, which may be summarised as follows:

- The permission allows for a development in keeping with extensions on neighbouring properties;
- Any further reduction in the size of the extension would restrict potential to provide a bedroom and bathroom at first-floor;
- Proposals would enhance the value of neighbouring properties by bringing a vacant, neglected property into use;
- Orientation of properties with rear gardens to the north is the primary inhibitor of natural light into the rear of the properties along this stretch of the street;
- Applicant would be happy to paint the extension white to reflect light.

### **6.3. Planning Authority Response**

6.3.1. The Planning Authority has no further comment on the grounds of appeal.

### **6.4. Observations**

6.4.1. None.

## **7.0 Assessment**

### **7.1. Introduction**

7.1.1. The Development Plan sets out general principles for consideration in extending dwellings, such as residential amenity issues, privacy, relationship between dwellings and extensions, daylight and sunlight, appearance, the subordinate approach and materials. For the city to achieve compact, quality, accessible and affordable residential neighbourhoods, the Plan sets out, amongst other criteria, that dwellings should be adaptable and flexible to cater for changing needs over time.

7.1.2. From the outset it should be noted that the appeal property and No. 64 Carlingford Road interlock occupying the same building. This provides a different context for the proposed rear extension, when compared with the generally uniform terrace of adjacent properties, including those referenced by the applicant and within the Planning Officer's report.

7.1.3. I consider the main issues arising in the grounds of appeal are as follows:

- Impact on Residential Amenities;
- Other Matters.

### **7.2. Impact on Residential Amenities**

7.2.1. The drawings submitted with the application do not accurately portray the situation on the ground, with the existing contiguous rear elevation drawing (No. 09) illustrating windows in incorrect positions on the main façade. Finished-floor levels are omitted and the first-floor windows serving the adjacent properties are not shown on the existing and proposed floor plans, but these windows are shown on the elevation drawings. While it would be preferable to have floor plan drawings showing the context of the proposed extension relative to neighbouring windows,

having visited the site and reviewed the precise locations of windows, I am satisfied that the first-floor element of the extension would not block the window to the adjoining property, No. 64. Should the Board decide to grant permission, a condition can be attached to further address this and ensure the extension would be set away from the window of the adjacent property.

- 7.2.2. The appellants' properties and the appeal property share the same rear building line and are built on similar levels. The adjacent property, No. 60, has been extended to the rear, at ground and first floor, under DCC Planning Ref. 3710/13. No. 64 includes a single-storey, part pitched and part flat-roof rear extension, built along the boundary with the appeal site and served only by a rear-facing door and windows, and a rooflight. The appeal property comprises an existing single-storey rear extension of similar depth (6.6m) to the adjoining properties built along the eastern boundary, and it is proposed to construct the proposed extension at ground floor with a reduced depth (5.8m) but extending across the full width of the site. Considering this context and the fact that there are no side-facing windows on the rear extension to No. 64, I am satisfied that the ground-floor element of the proposed extension would not have significant impact on the amenities of adjacent properties.
- 7.2.3. To address the impact of the development, the Planning Authority conditioned that the proposed extension at first-floor level should be reduced in depth by 1m. While I am not convinced that this restriction would have significant benefit in reducing the impact of the development and the condition could have practical implications for construction, I note that the applicant has not appealed this condition. Therefore, I recommend that this planning condition should remain.
- 7.2.4. The grounds of appeal assert that the proposed development would have an overbearing impact on the adjoining property at No. 60. The first-floor element of the extension would be approximately 1.5m from the nearest window to No. 60, extending from the boundary with No. 60 almost to the nearest window to No. 64. The proposed extension would have a flat roof and would be constructed almost 0.8m below the roof eaves level; a height similar to the top of the adjacent neighbouring windows. While I note the proximity of the extension to the neighbouring windows, in particular No. 64, the flat-roof and overall height of the extension would be no higher than the neighbouring windows and this would reduce the impact of the development when viewed from first-floor of the neighbouring



properties. The recently built ground-floor extension to No. 60 includes windows and doors set-off and facing onto the boundary with the appeal site. In view of the existing extensions and boundaries, the proposed extension would not have significant impact from these side-facing windows and doors and the relationship between the properties is quite typical in terms of modern urban development. Accordingly, I do not consider that the proposed development would have an overbearing impact on neighbouring properties.

- 7.2.5. The grounds of appeal raise concerns regarding the potential for loss of sunlight and daylight and potential overshadowing arising from the proposed development. The application includes a series of 'Shadow Study' visuals and the applicant asserts that these visuals reveal that the proposals would have minimal effect in terms of restriction of light to neighbouring properties. The proposed extension would be on the northside of the existing two-storey house and would be constructed below the roof eaves level. The extension to No. 64 is only served by an east-facing rooflight and a small rear gable window. Considering the positioning, orientation size, design and height of the proposed two-storey extension and the existing provision of windows to the rear of No. 64, potential for the proposed development to excessively restrict sunlight and daylight to this property is limited. While recognising that the proposed extension would to some degree overshadow adjoining areas, I do not believe that a significant impact from overshadowing would arise, given the small size of rear gardens, the existing boundary treatments and the positioning of the extension on the north side of the existing two-storey house. In conclusion, I consider that the proposed development would not unduly affect third-party amenities via loss of sunlight or daylight or excessive overshadowing of properties.
- 7.2.6. The proposed extension would feature a side-facing bathroom window and a rear bedroom window at first-floor. To address potential for direct overlooking of the rooflight serving the rear extension to No. 64, the bathroom window should be conditioned to only consist of obscure glazing. Subject to this condition, I consider that the proposal would not result in an unacceptable level of overlooking.
- 7.2.7. Accordingly, the development would not give rise to unacceptable impact on residential amenity and should not be refused for this reason.

### **7.3. Other Matters**

- 7.3.1. Having regard to the lack of a significant impact on the residential amenities of property in the vicinity, as discussed above, there is no evidence to support the appellant's contention or the applicant's contention that the proposal would affect property values in the area.

### **8.0 Appropriate Assessment**

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

### **9.0 Recommendation**

I recommend that planning permission should be granted, subject to conditions, as set out below.

### **10.0 Reasons and Considerations**

Having regard to the zoning, nature and scale of the proposed development, and the existing pattern of development in the vicinity, it is considered that subject to compliance with the conditions below, the proposed development would not be out of character with development within the area, would not seriously injure the residential 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.

### **11.0 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.

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 extension west side wall shall be a minimum of 200mm from the closest first-floor window serving No. 64 Carlingford Road;
  - (b) The first-floor element of the rear extension shall extend no more than 4.8m from the main rear wall of the house;
  - (c) The first-floor side elevation window serving the bathroom shall be of obscure glazing.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. The external finishes of the proposed extensions including roof tiles/slates shall harmonise with those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

development.

5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

6. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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Colm McLoughlin  
Planning Inspector

11<sup>th</sup> September 2017