



An
Bord
Pleanála

Inspector's Report PL06D.248822

Development	Extension to front, side and rear of existing house, widening of vehicle entrance and associated works.
Location	18 Silchester Park, Glenageary, Co Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D17A/0357
Applicant	Andrew Gargan and Amy Shortall
Type of Application	Permission
Appellant	James and Deirdre Murray
Observers	None
Dates of Site Inspection	23 rd and 26 th of October 2017
Inspector	Mairead Kenny

1.0 Site Location and Description

- 1.1. Silchester Park in Glenageary is made up of semi-detached houses on large sites and the street is relatively wide. The subject site at no. 18 is orientated north-east to south-west. At the rear is Glenageary tennis club. The rear boundary of the site is defined by a substantial high granite wall. The rear garden which is 26 m in length (from the original rear façade) is defined to the side by walls which are under 1.5m. The plot widths are in the order of 11m. Houses on this street are of varied design and a number of them have been substantially modified by way of two-storey side extensions and other modifications, which are visible from the street. The dominant form of rear extension at the relevant side of Silchester Park is single storey height. A number of rear dormer windows are visible from the rear garden at the site.
- 1.2. The subject site has been extended by way of a single storey rear extension. That extension is positioned close to the adjacent house at no. 19, which is the house attached to the subject dwellinghouse. The south-eastern wall of the subject house is set back from the common boundary by about 3.2m. No. 17 is to the south-east. It has not been substantially modified and in particular has not been extended to the rear. The side wall of no. 17 is approximately 0.8m from the shared boundary wall. The shared boundary wall is 2.1m from ground level at no. 17. Other relevant details are provided later in this report.
- 1.3. Photographs of the site and surrounding area which were taken by me at the time of inspection are attached to the rear of this report.

2.0 Proposed Development

- 2.1. Permission is sought for development which may be described as follows
 - construct double height bay window feature to front
 - demolish existing 11 m² sitting room and construct a kitchen dining area of 49.5 m² to the side and rear
 - develop master bedroom at 1st floor level with ensuite bathroom and closet of total area of 28.7 m² to rear and side with flat roof

- convert attic to bedroom to include rear dormer window clad in zinc.

3.0 Planning History

3.1.1. There appears to be no recent relevant planning history.

4.0 Planning Authority Decision

4.1. Planning and Technical Reports

- 4.1.1. **Planner's report** – The zoning refers to the protection and improvement of residential amenities. The extension extends for 7.5 m at the side of the house but only 5 m beyond the main rear building line of the dwelling. The 1st floor extension projects 4 m beyond the main rear elevation of the dwelling and is setback 3 m from the side party boundary with no. 19. The extension as proposed is acceptable. Having regard to layout, orientation and location relative to adjacent sites it is not that the proposed development would give rise to any significant overshadowing, overlooking of adjacent property.
- 4.1.2. The rear elevation drawing is unclear. The dormer extension is considered acceptable. The new bay element would not detract from the streetscape. There is no objection in the Transportation report to widening of the existing entrance. Retention of existing gates is not warranted. Having regard to site context and noting the pattern of development and relatively spacious rear gardens the development would not have any significant adverse impact on visual residential amenities.
- 4.1.3. **Municipal Services – Drainage Planning** – no objection subject to conditions.
- 4.1.4. **Transportation Section** – no objection subject to conditions.
- 4.1.5. The planning authority decided to grant permission subject to conditions including:
- the applicant to submit for the written agreement of the planning authority a rear elevation of the proposed extension, which clearly shows the setback of the 1st floor element of the extension – the submitted proposed rear elevation drawing is unclear in this respect

- the 1st floor ensuite window to the proposed site extension shall be fitted with opaque glazing
- external finishes to harmonise with existing dwelling
- requirements relating to surface water
- financial contributions.

5.0 Appeal

5.1.1. The main points of the third party appeal are:

- Insufficient weight was given to the adverse effects of the first floor extension and its sheer physical presence
- The first floor will be dominant in the rear space and in that way overlook our back garden
- Appropriate and spacious single-storey developments are the established pattern
- The enclosed objection to the planning authority refers to the rear boundary of the houses which are not in line.

5.1.2. Response

5.1.3. The planning authority in response to the appeal considers that the proposal has been assessed in detail and is not considered to have undue impact on properties. In particular 1st floor extension would be acceptable at this location.

5.1.4. The applicant's response to the appeal attaches a shadow study for June 20th and March 20th. As 18 Silchester Park is to the north-west of 17 Silchester Park no adverse shadowing shading is created on the rear elevation of 17 Silchester Park. The ground floor side window to the kitchen in the appellant's house is not the only window serving this room and its position is such that the proposed extension does not project over it. Any views to the 1st floor extension would be oblique views from within the rear windows on the ground floor and 1st floor bedroom on the eastern side. The 1st floor plan was reduced from original proposal. The demolition of the garage is referenced. Views of the proposed 1st floor extension will be less than existing.

6.0 Development Plan

- 6.1.1. Under the provisions of the **Dun Laoghaire County Development Plan 2016-2022** the site is zoned objective 'A' (residential).
- 6.1.2. Section 8.2.3.4(i) sets out policy relating to extensions to dwellinghouses.

7.0 Assessment

7.1. Overview

- 7.1.1. In terms of the principle of the development and consideration of the key planning and issues in this case I consider that the significant issues fall under the following headings:
 - Overbearing, overlooking and overshadowing
 - Streetscape and design
 - Vehicular entrance.

7.2. Overbearing, overlooking and overshadowing

- 7.2.1. Regarding the impact of the proposed development on the immediately adjacent houses at no. 19 and no. 17, I consider that the most significant issue arising relates to the potential that the development as viewed from no. 17 would be of overbearing appearance.
- 7.2.2. On inspection of the appellant's house I gained access to the rear kitchen as well as the rear garden. There is a window facing onto the shared boundary wall in the kitchen, which is one of two windows in that room. The location and orientation of that window is such that views would not have any amenity value and in any case the window is finished with oblique glazing.
- 7.2.3. The potential for impact on views from the rear kitchen window constitutes the most likely potential adverse impact in my opinion. The appellant refers to the sheer presence of the extension and in particular references the first floor extension. The appellant has pointed in addition to the staggered rear building lines of the houses. I

agree that this is an aggravating fact. It means that a two-storey extension of length of 5m will project beyond the rear of the appellant's house. At ground floor level the length of the extension would be over 7.5m of which 6m would be positioned beyond the rear wall of no. 17. The first floor level of the proposed extension is set back from the rear wall of the proposed ground floor level by 1m – I note and agree with the condition of the planning authority which requires that the drawings be clarified in this respect.

7.2.4. Thus as viewed from the appellant's house including the area to the rear of the back door and patio doors in the sitting room and from the interior of the kitchen the proposed development at first floor level would be 5m in depth. On balance I do not consider that the depth of the extension is excessive. I do not consider that there should be a prohibition on first floor extensions in this area as the appellant implies. Rather I am of the opinion that the relatively modest size of house and the spacious nature of the gardens are factors which should be given considerable weight. I also consider that the proposed first floor extension is not of excessive scale.

7.2.5. In addition to the above I consider that there are militating factors, which further tip the balance of this case in favour of a grant of permission. These include the setback from the shared boundary wall and the removal of the shed which adjoins the common boundary and which extends beyond the position of the proposed ground and first floor extensions.

7.2.6. Regarding the potential for overlooking arising from the ground, 1st and attic level extensions I note that the majority of windows are orientated to directly overlook the rear garden. In this regard there would be no significant change compared with the existing situation and no potential for adverse effects related to overlooking. Regarding the side window which would light the 1st floor ensuite bathroom I recommend that the condition of the planning authority decision regarding the use of opaque glazing be reiterated. I conclude that subject to the above no significant additional overlooking arises.

7.2.7. Regarding the impact of the first floor extension on views from the rear garden I consider that there would be no significant additional overlooking. The rear windows would be positioned further towards the rear of the garden. In my opinion that has potential positive as well as negative effects. The appellant's

concern is that there would be less privacy in the rear garden. I consider that would be balanced by the fact that there would be less overlooking of parts of the garden which are closest to the house and therefore more likely to be regularly used. In summary I am not in agreement with the appeal insofar as it relates to overlooking. In this context I note the dormer window and I refer the Board to my recommendation below regarding the retention of the first floor window in the side elevation in opaque glazing.

7.2.8. In relation to the potential for overshadowing of the adjacent properties this is minimised by design and layout. The impact on the appellant's house would be minimal due to the location of the proposed extension to the north-west. I do not consider that there is potential for significant overshadowing.

7.3. Streetscape and design

7.3.1. In terms of the streetscape impact I note that one third party objection to the planning authority raised concerns regarding the two-storey front bay feature. I note that the prevailing development plan policies for the area does not confer any conservation status on this street and I consider that none is warranted. The attractiveness of this area relate to its spaciousness rather than its architectural quality. There are a range of different treatments of the two-storey houses even in their original form. In this regard for instance I refer to the differences between number 17 and the subject site. Other houses in the immediate vicinity have been extended to the side including by projections which extend beyond the original front elevation. I conclude that the development would not adversely affect the visual amenities of the area as viewed from the public realm.

7.3.2. The Board may wish to consider whether the rear extension and in particular the side elevation facing the appellant's house is acceptable in terms of its design. I have conclude above that the development would not be described as overbearing in nature. However, I consider that the side elevation presents a very utilitarian appearance. Having regard to the pattern of development proposed i consider that it is appropriate in this case to require a more refined approach to the design and I have drafted a condition requiring a brick finish or self-coloured render to the side and that the rainwater goods be hidden. I do not consider that

this will ameliorate the appellant's concerns but I do consider that the highly visible façade could be improved in terms of its appearance and the recommended condition would constitute a small improvement. It is appropriate to refer to the rear elevation also to ensure consistency of materials.

7.4. Vehicular entrance

7.4.1. Regarding the adjustments to the vehicular entrance I consider that they are acceptable in the context of the provision of a 3.5 m entrance width. I do not consider that the retention of the original gates would be appropriate and indeed I note that it would not be feasible. The revised vehicle entrance will facilitate easier use of the curtilage of the house for parking and my opinion is in accordance with the proper planning of the area.

7.5. Appropriate Assessment

Having regard to the nature of the proposed development, which comprises only modifications to an existing house in a suburban location on serviced lands I am satisfied that 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

I recommend that permission be granted for the reasons and considerations and subject to the conditions below.

9.0 Reasons and Considerations

Having regard to the nature, extent and design of the development proposed, to the general character and pattern of development in the area and to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of property in the vicinity and would not be out of character with the area. 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. 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 materials and colour of the finishes to be used on the external walls shall be subject of agreement with the planning authority. The rear and side elevations of the extension shall be in self-coloured render or in brick and the rainwater goods at the side of the two storey extension shall be integrated into the structure. Samples shall be submitted or erected on site prior to commencement of development.

Reason: In the interest of visual amenity.

3. The first floor en-suite window to the proposed side extension shall be fitted with manufactured opaque or frosted glass, which shall be permanently maintained.

Reason : In the interest of residential amenities.

4. Prior to the commencement of development the applicant shall submit for the written agreement of the planning authority a revised rear elevation which clearly shows the set back of the first floor extension.

Reason : In the interest of clarity.

5. Water supply and drainage arrangements, including the attenuation and 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 the environment.

6. 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.

Mairead Kenny

Senior Planning Inspector

2nd November 2017