



An  
Bord  
Pleanála

## Inspector's Report 29S.248851.

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<b>Development</b>	Demolition of a single storey garage and replacement with single storey and 2 storey extension and associated works.
<b>Location</b>	71 Clarence Mangan Road, The Tinters, D8.
<b>Planning Authority</b>	Dublin City Council.
<b>Planning Authority Reg. Ref.</b>	2715/17.
<b>Applicant(s)</b>	Sinead and Dermot Breen.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	First Party.
<b>Appellant(s)</b>	Sinead and Dermot Breen.
<b>Observer(s)</b>	Anne Roper Best.
<b>Date of Site Inspection</b>	05 <sup>th</sup> of September 2017.
<b>Inspector</b>	Karen Hamilton.

## 1.0 Site Location and Description

1.1. The subject site includes a 2 storey semi-detached dwelling facing onto Clarence Mangan Road, a residential area off the South Circular Road, Dublin 8. The dwelling has a single storey side garage which connects to an adjoining dwelling to the north west. The dwellings in the vicinity are 2 storey terraced and semi-detached which have similar design and characteristics as the subject site. A number of dwellings in the vicinity have been extended to the side and rear.

## 2.0 Proposed Development

2.1. The proposed development is for alterations and extension to an existing dwelling and includes:

- Demolition of a single storey garage (24m<sup>2</sup>),
- Construction off a two storey flat roofed extension to the side and single storey mono pitched roof to the rear (68m<sup>2</sup>),
- Widening of an existing vehicular entrance from 2.76m to 3.4m.

## 3.0 Planning Authority Decision

### 3.1. Decision

Decision to grant permission with 7 no conditions of which the following are of note:

C 3- Required the omission of the first floor side extension.

C 4- The external finish is to match the existing house in respect of materials and colour.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission and refers to the restrictive nature of the plot, the style of the dwellings in the vicinity and the need

to include a condition requiring the removal of the first floor element of the proposed development.

### 3.2.2. Other Technical Reports

Roads Department- No objection subject to conditions.

Drainage Division- No objection subject to conditions.

### 3.3. Prescribed Bodies

None requested.

### 3.4. Third Party Observations

One submission was received from a resident to the rear of the site and the issues raised are summarised in the observations.

## 4.0 Planning History

No planning history on the site although history in the vicinity includes:

### **4526/06**

Permission granted at No 77 Clarence Mangan Road for a two storey side extension to an existing semi-detached dwelling on a large corner site at the end of a row of dwellings.

### **2907/02**

Permission granted at No 73 Clarence Mangan Road for a two storey side extension set back in line with the rear building line and is finished with timber cladding.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2016-2022.

The site is zoned in Z 1 *"To protect and/or improve the amenities of residential amenities"*.

Extension to dwellings.

**Section 16.2.2.3:** Alterations and extensions (general)

- Extensions will be sympathetic to the existing building and adjoining occupiers,
- Alterations and extensions to roof will respect the scale, elevational proportion and architectural form of the building.

**Section 16.10.12: Extensions and Alterations to Dwellings**

Relates to alteration and extension to dwellings and states that development will only be granted where it will not have an adverse impact on the scale and character of the area and will not adversely affect amenities enjoyed by occupants of adjacent buildings.

**Appendix 17** of the Plan sets out design guidance with regard to residential extensions;

- 17.3: Residential amenity: extensions should not unacceptably affect the amenity of the neighbouring properties.
- 17.4 Privacy: Extensions should not result in any significant loss of privacy to the residents of adjoining properties.
- 17.6 Daylight and Sunlight: Care should be given to the extensions and the impact on the adjoining properties.
- 17.11 Roof extensions: The design of the roof shall reflect the character of the area and any dormer should be visually subordinate to the roof slope, enabling a large proportion of the original to remain visible.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are submitted from the applicant in relation to Condition No 3 and No 4 and the issues raised may be summarised as follows:

- A photomontage of the façade of the proposed extension has been submitted.
- The policies and objectives in the development plan support the proposed extension and allow for a contemporary design.
- The subject site is not included within a conservation area.

- There are two similar developments in the vicinity which should be used as a precedent for the proposed development:
  - No 73 Clarence Mangan was granted permission for a similar development in 2002, the case officer stated that because of the development plan at the time and the design it cannot be used as a precedence.
  - No 77 Clarence Mangan, 2 storey extension to the side of a dwelling, granted in 2006, was not referenced in the case officer's report
- The side extension is adequately set back to prevent a terracing effect and the height of the flat roof is in line with the other permissions granted in the vicinity.
- The proposed contemporary finish, smooth painted render, is in keeping with other finishes in the vicinity and there is a mix of finishes on the existing dwellings around the subject site.

## 6.2. Planning Authority Response

None received.

## 6.3. Observations

An observation has been received from a resident to the rear of the site and the issues raised may be summarised as follows:

- Windows on the upper floors should include obscure glazing to prevent overlooking.
- The rear extension may go too close to the rear boundary which would increase noise and prevent light.
- There is concern that overdevelopment may lead to fire on adjoining properties and have an impact on health and safety.

## 7.0 Assessment

7.1. The main issues of the appeal can be dealt with under the following headings:

- Visual Amenity
- Residential Amenity
- Appropriate Assessment

### **Visual Amenity**

- 7.2. The proposed development includes the demolition of a single storey side garage and rear extension and the construction of a new two storey side extension and single storey rear extension. The grounds of appeal are submitted from the applicant in relation to condition no 3 & 4, requiring the removal of the first floor of the side extension and the change in the external materials to include plaster with timber cladding detail on the façade, each dealt with separately below.
- 7.3. **Condition No 3:** The proposal is for a two story flat roofed side extension set behind the front building line by 1.5m and extends past the rear building line by 1.5m. Condition no 3 states that the proposed development shall be altered to incorporate the omission of the first floor side extension and include associated internal amendments in order to protect the residential amenity.
- 7.3.1. Size: The floor space to be demolished is 24m<sup>2</sup> and the proposed floor space is 68m<sup>2</sup>, the existing dwelling is 68m<sup>2</sup>. The report of the planner refers to an increase in the size of the extension by 100% and considers this increase excessive. There is no size restriction for extensions in the development plan, therefore I consider it appropriate to assess the impact of the proposal on the existing and adjoining amenity, as stated below.
- 7.3.2. Development Plan Guidance: Section 16.2.2.3 and 16.10.12 of the development plan provides guidance on proposals for alterations and extensions to existing dwelling, where the proposal should respect the character of the area and be sympathetic to the existing dwelling. The height of the side extension is 1m above the eaves and has a flat roof. I do not consider the guidance provided in the development plan precludes a contemporary extension and although the height of the flat roof projects above the eaves, I consider the location of the proposal set behind the building line will prevent any significant negative impact on the visual amenity of the street scape and will prevent a terracing effect should the adjoining site be developed.

- 7.3.3. Precedence: No 73 has a similar side extension with flat roof, set behind the building line and whilst is not the same design as the proposed development I do not consider it has a significant negative visual impact on the existing dwelling or the streetscape. In addition, no 77, at the end of Clarence Mangan Road has a modern two storey side extension which I do not consider detracts from the character of the surrounding area. Based on this pattern of development in the vicinity I consider a precedent for similar extensions has been set.
- 7.4. **Condition No 4**: The external finish on the existing building include painted dry dash and the external materials on the dwellings in the vicinity range from painted render, dry dash and brick. The proposal includes painted render for the exterior of the extension and the existing dwelling. Condition No 4 requires the external materials match the existing dwelling. I note the range of external finishes one the dwellings in the vicinity which I do not consider has a negative impact of the visual amenity of the streetscape and I do not consider the use of painted render will have a negative impact on the existing dwelling or the surrounding area.
- 7.5. Therefore, based on the pattern of development in the vicinity and the location and design of the extension, I do not consider the proposed development would have a significant negative impact on the existing dwelling or the streetscape.

### **Residential Amenity**

- 7.6. The existing dwelling is a two storey semi-detached dwelling located within a residential area characterised by 2 storey terrace and semi-detached dwellings with similar facades and external finishes. A submission from an observer raised concern about overlooking from the proposed two storey extension. In addition to the impact on the visual amenity I have assessed the impact of the two storey extension on the adjoining residential amenity below.
- 7.7. Overlooking: The proposed first floor bedroom window is located to rear and has a separation distance of c. 15m from no 8&9 Ingram Road, those dwellings directly to the rear of the site. There are no first floor windows along the west elevation. Section 16.10.2 of the development plan includes guidance, on extensions and alterations and requires a minimum separation distance of 22m from opposing first floor windows, which may be relaxed where it is demonstrated the development is designed to preserve the privacy of adjoining residents. I note the orientation of

those dwellings to the rear is not directly into the subject site, and having regard to this orientation and the location of the existing first floor bedroom windows, I consider the separation distance is sufficient and there will not be a significant overlooking on the adjoining properties.

7.8. Overshadowing: The subject site is an end of terrace dwelling located to the east of a semi-detached dwelling. The majority of the proposed first floor is along the side of the existing dwelling. Therefore, based on the location of the site and the design of the first floor I do not consider there would be significant overshadowing on any adjoining property.

7.9. Overbearing: The proposed development includes a ground floor (50m<sup>2</sup>) and first floor extension (33.5m<sup>2</sup>) which will replace an existing garage and small rear extension. As previously stated, the majority of the first floor will be along the side of the existing dwelling. The size of the garden remaining will be 48m<sup>2</sup>, which is a similar size of those sites in the vicinity. Therefore, based on the size of the extension and pattern of development in the vicinity I do not consider the proposed development would cause any overbearing on the surrounding properties.

### **Appropriate Assessment**

7.10. Having regard to the nature and scale of the proposed development within a serviced urban area and separation distance to the nearest European site, 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 the conservation objectives of any European site

## **8.0 Recommendation**

8.1. I recommend that planning permission should be granted for the reasons and considerations as set out below.

## **9.0 Reasons and Considerations**

Having regard to the Z1 zoning objective in the Dublin Development Plan 2016-2022, the location of the site, the design and layout of the proposed development, and the pattern of development in the area, it is considered that,



subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or residential amenity of properties in the vicinity. 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 out in accordance with the agreed particulars.

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

2. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

3. 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.

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Karen Hamilton  
Planning Inspector

15<sup>th</sup> of September 2017