



An
Bord
Pleanála

Inspector's Report PL06D.249124

Development	Extension to house.
Location	26 Gledswood Avenue, Clonskeagh, Dublin, D14 FH28
Planning Authority	Dún Laoghaire-Rathdown Co. Council.
Planning Authority Reg. Ref.	D17A/0535.
Applicants	David & Debbie Carrigy
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party against condition
Appellants	David & Debbie Carrigy
Observers	None
Date of Site Inspection	14/11/17
Inspector	Siobhan Carroll

1.0 Site Location and Description

- 1.1. The appeal site is located at no. 26 Gledswood Avenue, Clonskeagh, Dublin 14. The site has an area of 0.0288 hectares. The site extends for back for circa 38m and has a width of circa 7m. It is part the established residential area of Clonskeagh.
- 1.2. The property on site is a two-storey semi-detached dwelling which was constructed in the 1950's. The area is characterised by housing of similar scale and character. The neighbouring property to the west is a two-storey detached dwelling. This is an infill development which was carried out within the original plot of no. 26 Gledswood Avenue.

2.0 Proposed Development

- 2.1. Extension to dwelling comprising the demolition of the existing single storey extension to the rear with an area of 20.5sq m and the construction of a two-storey extension to the rear with an area of 50.8sq m.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission subject to 7 no. conditions. Condition no. 3 specified that the first floor element of the proposal be omitted.

3.2. Planning Authority Reports

- 3.2.1. Planning Report –The proposed first floor rear extension was considered excessive in depth, height and scale. It was advised in the report that the Planning Authority may consider a first floor extension which is centrally located, reduced in depth and set below the eaves of the main roof.
- 3.2.2. Other Technical Reports
Municipal Services – no objections subject to conditions.

3.3. Prescribed Bodies

3.3.1. The application was not referred to any prescribed bodies.

3.4. Third Party Observations

3.4.1. The Planning Authority received one submission in relation to the planning application. The submission from the owner of no. 26a Gledswood Avenue expressed support for the proposed development.

4.0 Planning History

Reg. Ref D05A/0923 & PL06D.215060 – Permission was granted for the development of a detached two-storey three-bedroom house to the western side of no. 26.

5.0 Policy Context

5.1. Development Plan

Dun Laoghaire-Rathdown Development Plan 2016-2022

The site is zoned Objective A 'to protect and/or improve residential amenity'.

- Chapter 8 – Principles of Development
- Section 8.2.3.4(i) refers Extensions to Dwellings

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal was submitted from Jakkulla Architecture & Design on behalf of the applicants David and Debbie Carrigy.

- The first party appeal is made against condition no. 3 of the decision to grant permission under Reg. Ref. D17A/0535.

- The appellants request that the Board amend condition no. 3.
- It is highlighted that there are a number of different types of first floor extensions constructed in Gledswood Avenue. There is also a variety of roof types including an apex roof at no. 30, hip roof at no. 24 and no. 24a, flat roof at no. 28 and dormer extension at no. 22.
- The concerns of the Planning Authority relate to the depth, height and scale of the proposed first floor extension.
- It was noted in the report of the Planning Authority that *“the first floor extension rising above the eaves of the main roof is considered excessive”*. The first party highlighted two examples of precedents at no. 22 and no. 30 Gledswood Avenue where the first floor extension rises above the eaves level. No. 22 features a rear dormer with a flat roof and no. 30 features a two-storey rear extension with gable roof.
- In order to address the concerns of the Planning Authority in relation to the proposed first floor extension two design options have been provided.
- Option 1 as indicated on drawings 2017_105 3.1_101, 3.1_102 & 3.1_103. It is noted that the proposed revised extension has a pitched roof similar to adjacent properties no. 24 and no. 24A.
- The Planning Authority raised concern regarding the depth of the first floor extension at 5.9m. It is stated that the proposed extension would have no overshadowing impact on the adjacent dwelling to the west no. 26A by midday.
- The extension would be set back from the boundary by 910mm and not 600mm.
- Should the Board determine that option 1 with pitch roof is unacceptable a second design option is provided. Option 2 as indicated on drawings 2017_105 3.1_104, 3.1_105, 3.1_106 and 3.1_107 the depth of the extension is reduced from 5.9m to 3.95m.

- The first party note that the current proposal is fully supported by Mr Mark Forrest the owner of the adjacent property no. 26A Gledswood Avenue.
- It is stated in the Planner's report that the Planning Authority may consider a first floor extension which is centrally located.
- In relation to this statement the first party note that the proposed set back from the western boundary is 910mm at the narrowest point. If the extension were centrally located it would result in the provision of a smaller rooflight over the ground floor living room. Furthermore, it is considered that additional structural steel would be required in the construction of the extension to facilitate a centrally located first floor element.
- Section 8.2.3.4(i) of the Development Plan refers to first floor rear extensions. It is advised that in determining such proposals overshadowing, overbearing and overlooking along with proximity, height and length along mutual boundaries will be considered.
- Regarding overshadowing it is noted that the BRE Guide recommends that at least 50% of the area of amenity space should receive at least two hours of sunlight on the 21st of March, when assessing the impact of a new development.
- As there will be no overshadowing on no. 26A from midday it is considered that the proposed development would not cause any undue overshadowing of the adjacent property to the west.
- Regarding the degree of set back from mutual side boundaries a 2600mm set back is provided from the eastern boundary. A 16.5m set back is provided from the southern boundary and a 910mm set back is provided from the western boundary. These set backs are considered appropriate.
- It is requested that the Board amend condition no. 3 for the reasons set out in the appeal.

6.2. Planning Authority Response

- The applicant has submitted revised proposals which amend the design of the first floor extension. Two options have been submitted to the Board.
- Option 2 (Drawings 3.1_104, 3.1_105, 3.1_106 and 3.1_107) has attempted to address the concerns raised by the Planning Authority and may be acceptable.

7.0 Assessment

7.1. This is a first party appeal only against Condition numbers 3 attached to the Planning Authority's decision to grant permission. Condition number 3 requires the omission of the first floor rear extension.

7.2. Having regard to the nature of the condition which is the subject matter of the appeal, my recommendation is that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted, and therefore the Board should determine the matters raised in the appeal only, in accordance with Section 139 of the Planning & Development Act 2000, as amended.

7.3. Condition No. 3 of the notification of decision to grant permission states as follows:

3. *The proposed development shall be amended to show the first floor element omitted from the proposed development.*

Prior to the commencement of development, the developer shall submit to, and agree in writing with, the planning authority revised elevation and section drawings showing compliance with these requirements.

Reason: In the interest of visual amenity and the residential amenities of adjoining properties.

7.4. Section 8.2.3.4(i) of the Dun Laoghaire Rathdown Development Plan 2016-2022 refers to extensions to dwellings. In relation to first floor rear extensions it is advised that, first floor rear extensions will be considered on their merits and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. The factors which

are taken into consideration in determining proposals for first floor extensions include, overshadowing, overbearing, overlooking, proximity, height and length along mutual boundaries.

- 7.5. The first floor extension as proposed under the application has an area of circa 16.5sq m and would provide an en-suite bathroom and walk in wardrobe. The extension would project out 5.95m from the existing building line. It would be inset 2.3m from the eastern site boundary and a minimum of 910mm from the western boundary. A window is proposed in the west facing side elevation at first floor to serve the en-suite bathroom. As indicated on the proposed side elevation drawing the window would be fitted with obscure glazing. The extension features a flat roof with a parapet. The proposed flat roof to the extension would exceed the existing eaves height by circa 700mm. The Planning Authority in their assessment of the proposed development considered that the first floor rear extension was excessive in terms of depth, height and scale.
- 7.6. The first party highlighted in the appeal a number of examples of first floor rear extensions to properties within Gledswood Avenue. They include neighbouring dwellings to the east and west including no's 22, 24, 28 & 30. Having inspected the site, I noted that those properties featured similar first floor rear extensions and therefore there is a precedent for such development.
- 7.7. In order to address these matters the first party has submitted amended plans with the appeal. Two design options are provided. Option 1 differs from the original design in the following respects. A pitched roof is proposed to the first floor extension. This matches the first floor extension to the adjoining dwelling no. 24. The design of the proposed south facing window has been revised. A smaller double paned window is proposed which would match the new smaller window proposed to serve bedroom 1. The proposed revised extension would be inset 2.6m from the eastern boundary.
- 7.8. Option 2 differs from the original design in the following respects. A pitched roof is proposed and similar to option 1 the rear window size has been reduced. The depth of the first floor extension is reduced from 5.95m to 3.95m. The reduction in the depth of the first floor rear extension to 3.95m would be more in-line with the depth of

the first floor extension to the adjoining dwelling no. 24 Gledwood Avenue. The ground floor rear extension to no. 24 projects out 4m from the main building line and the first floor rear extension to the property is marginally shorter in depth.

- 7.9. The first party has confirmed that the proposed first floor extension would not result in any overshadowing of the neighbouring property to the west no. 26A after midday. No. 26A is a detached two-storey dwelling which is located at its closest point 910mm from the side of the subject dwelling. While, I note that some limited shadowing would occur in the morning, I am satisfied that the provision of a first floor extension with a depth of 3.95m would not unduly impact upon the residential amenities of the neighbouring property.
- 7.10. Having regard to the site context and the established pattern of development and the proximity of the neighbouring dwelling to the west, I consider that it would be appropriate to limit the extent of the first floor extension to 3.95m in length to protect the amenities of the adjoining property in terms of access of light and outlook considerations. Furthermore, the proposed amended design with a pitched roof to the first floor extension is in keeping with the design and character of the first floor extension to the adjoining semi-detached dwelling.
- 7.11. In conclusion, I would recommend that condition no. 3 be amended to provide that the rear extension be built in accordance with Option 2 of the modified drawings which indicate the first floor rear extension with a depth of 3.95m and a pitched roof, as lodged with the appeal on the 25th day of August, 2017.

Appropriate Assessment

- 7.12. The appeal site is not within or adjoining any Natura 2000 site. Having regard to the minor nature and scale of the proposed development, the location of the site in a serviced suburban area and the 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 a European site.

8.0 Recommendation

8.1. It is recommended that the planning authority be directed to amend condition number 3, so that it shall be as follows for the reason set out:

3. *The proposed development shall be amended in accordance with Option 2 of the modified drawings which indicate the first floor rear extension with a depth of 3.95m and a pitched roof, as lodged with the appeal on the 25th day of August, 2017.*

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 visual amenity and the residential amenities of adjoining properties.

9.0 Reasons and Considerations

Having regard to the pattern of development in the area which includes similar first floor rear extensions and the amended proposals submitted to the Board which provides a first floor rear extension with a reduced depth of 3.95m, it is therefore considered that the omission of the first floor rear extension is not warranted. It is considered that, subject to compliance with the amended condition that the proposed development would not detract from the character and visual amenity of this residential 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.

Siobhan Carroll
Planning Inspector

21st November 2017