



An
Bord
Pleanála

Inspector's Report PL29N. 249225

Development	Extension to house
Location	21 Clanmoyle Road, Dublin 5
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2591/17
Applicant	William Walsh
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant	Arran Keegan
Observer	None
Date of Site Inspection	11 th December 2017
Inspector	Stephen J. O'Sullivan

1.0 Site Location and Description

- 1.1. The site is in a suburban area of north Dublin. It has a stated area of 286m² and is triangular in shape. It consists of the curtilage of a two-storey end-of-terrace house with a stated floor area of 109m². The main part of the house appears to date from the middle of the last century, while a single storey rear extension is more recent. The back of the house faces south. The southern boundary of the site is with a golf course.

2.0 Proposed Development

- 2.1. It is proposed to build a rear extension at first floor level that would increase the floor area of the house by 24m², according to the submitted application form. Its external dimensions are not stated in figures on the submitted drawings, but it would appear to be 5.1m long with a pitched roof with a ridge height of 7m and an eaves height of 5.4m. The side wall would be c0.4m from the curtilage of the adjoining house to the west. A porch is also shown extending 2.3m from the front of the house.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission subject to 7 conditions. Condition no. 2 required the parapet on the western side of the extension to be kept back from the side boundary 'as much as possible'.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report on the initial application stated that the proposed porch would not affect the visual amenities of the area. It stated that there were concerns about the impact on light to adjoining 3rd parties and overlooking from the window on the eastern elevation. Further information was requested including the results of analysis in accordance with section 2.2, 3.2 and 3.3 of the BRE's guidance and revised site layout plans showing the structures at the back of the site. The report on the further

information noted from the submitted survey that there would be no overshadowing of the adjoining properties on March 23rd and that the development would just miss creating an obstruction in the 45° plan from the midpoint on the rear ground floor window at No.23. A grant of permission was recommended.

3.3. Third Party Observations

The appellants made a submission which objected to the development on grounds similar to those raised in the appeal. It also stated that the proposed bedroom would not meet the 2015 standards issued by the Department of the Environment.

4.0 Planning History

No planning history was cited by the parties.

5.0 Policy Context

5.1. Development Plan

The Dublin City Development Plan 2016-2022 applies. The site is zoned residential under objective Z1. Guidance for residential extensions is provided at section 16.10.12 of the plan which states 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 and not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight. Appendix 17.5 states that extensions should be designed so as not to dominate or appear overbearing when viewed from adjoining properties. Appendix 17.6 states that large single storey or two-storey extensions to semi-detached or terraced housing can, if they project too far from the main rear elevation, result in a loss of daylight and sunlight received by adjoining properties

5.2. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

- The appellant owns the house at neighbouring house to the west at No. 22 and lived there until 2015. It is currently rented to friends, but she intends to return to live there with her family.
- The survey information submitted with the application and in the shadow analysis was inaccurate. The property at No. 22 is only 5m wide, while the proposed extension would be 5.2m long and 31cm from the boundary.
- The proposed extension would breach the horizontal 45° plane from all four windows at the back of the appellants house, and the vertical 45° plane from three of them. It would therefore fail the test set out at Section 2.2 of the BRE's guidance on Site Layout Planning for Daylight and Sunlight.
- The daylight and sunlight analyses set out in section 3.2 and 3.3 were not carried out by the applicant. The shadow drawings submitted by the applicant did not have accurate dimensions and contained an analysis and so were not sufficient in that regard. The sunlight available at the back of the appellant's house has already been reduced by the single storey rear extension built on the site in 2008. The appellant submits an alternative shadow analysis with a 10am projection which illustrates the impact of the proposed extension.
- The proposed extension would not meet general criteria for the design of house extensions, such as those described in a guide issued by South Dublin County Council. It would create a tunnel effect at the back of the appellant's house which would be flanked by extensions on two sides. The setback from the shared boundary would only be 31cm, significantly less than the 1.6m setback that would meet a ratio of 1/3 of its height. It would be a two storey extension to a terraced house. Alternative extensions could be provided on the appeal site that did not impinge on the neighbour's property in this way, as it is a triangular site with a substantial area. None of the other houses in the terrace has a two storey extension and the current proposal would set a deleterious precedent.

6.2. Applicant Response

The applicant did not respond to the appeal.

6.3. Planning Authority Response

The planning authority did not respond do the appeal.

7.0 Assessment

7.1. The proposed development would introduce a long, high wall (5.1m in length with an eaves height of 5.4m) along the boundary of the neighbouring terraced house with a minimal setback. While its impact on light would be mitigated by the southerly orientation of the back of the terrace, it would still significantly affect the outlook available from the back of the appellant's house and the northern part of its garden, from which it would appear overbearing, obtrusive and out of keeping with the character with the existing terrace of houses. It would therefore seriously injure the residential amenities of the neighbouring property. The comments in the further information regarding the relative affordability of single or two-storey extensions and the applicant's family circumstances are noted. However they would not normally be regarded as planning matters and would not justify the erection of an extension that damaged the amenities of the neighbouring property.

8.0 Recommendation

8.1. I recommend that permission be refused.

9.0 Reasons and Considerations

The proposed development, by virtue of the height and length of the rear extension and its proximity to the neighbouring property to the west, would appear overbearing and obtrusive from the that property and would seriously injure its residential amenities, and would not be in keeping with the form and character of the terrace of which it would be a part. It would therefore be contrary to the proper planning and sustainable development of the area.

Stephen J. O'Sullivan

Planning Inspector

11th December 2017