



An
Bord
Pleanála

Inspector's Report 29S.249279.

Development

Demolition of extension and construction of new dwelling extension with new entrance door canopy, vehicular gate widening and associated site works.

Location

14 Larkfield Park, Harolds Cross, Dublin 6W.

Planning Authority

Dublin City Council.

Planning Authority Reg. Ref.

3293/17.

Applicant(s)

Aoife and Julian Hubbard.

Type of Application

Permission.

Planning Authority Decision

Grant.

Type of Appeal

Third Party

Appellant(s)

Mary Lawless and P. Dickson
Coleman and Others.

Observer(s)

None.

Date of Site Inspection

01st of December 2017.

Inspector

Karen Hamilton.

1.0 Site Location and Description

- 1.1. The subject site contains a red- bricked, semi-detached two storey dwelling which faces onto Larkfield Park c. 150m southeast of Kimmage Village centre, Dublin 6W. The area is characterised by low-density, semi-detached and terraced dwellings, all finished with a variety of styles and external materials. The existing site has private front and rear gardens with vehicular and pedestrian access along the front of the site and has a single storey rear extension.

2.0 Proposed Development

- 2.1. The proposed development may be summarised as follows:
- Demolition of existing extension (12.20m²),
 - Construction of new storey extension to the side and rear (80.2m²),
 - New front entrance door,
 - Widen vehicular gate to 3m.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission subject to 11 conditions of which the following are of note:

C 2- Section 48 development contribution levy.

C 3- Revision of extension to include a reduction in height of the first floor extension by 300mm.

C 4- The music room shall be incidental to the enjoyment of the dwelling house, unless authorised by prior grant of permission.

C 5- No part of the single storey extension shall be used as a balcony.

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 following:

- The observations submitted,
- The policies of the development plan,
- The need for the music room to the rear as the applicants are professional musicians,
- The need to reduce the height of the parapet of the first floor and the acceptance of the contemporary design set back from the existing building line.

3.2.2. Other Technical Reports

Drainage Division- No objection to proposed development.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

One third party was submitted by Mary Lawless and signed by eight others who reside in the vicinity of the site and the issues raised have been summarised in the grounds of appeal, other issues included:

- The sand and cement render will highlight the prominence of the building,
- There are no clear dimensions for the windows or doors and they are taller and wider than the existing dwelling.
- The windows of the music room will have to be opened in the summer, therefore there will be no insulation for the music room.
- There are no car parking spaces indicated.

4.0 **Planning History**

No relevant planning history on the site.

No 6 & 8 Larkfield Park

29S.248563 (Reg. Ref WEB1001/17)

Permission granted for a two storey extension to the side and rear of No 6 and to the rear of No 8, relocation of entrance door and two new vehicular access and Condition No 5 required the external finishes of the proposed extension where the same as the existing dwelling.

71 Clarence Mangan Road

29S.248851 (Reg Ref No 2715/17)

Permission granted for a similar style of side extension of a semi-detached dwelling with an amendment of a condition to remove the timber cladding and replace with render finish to match the existing dwelling.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

The site is zoned in Z1, residential, where it is an objective *"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 alterations and extensions 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.
- 17.8: The extension should be subordinate, providing a supporting role to the main dwelling.
- 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.

5.2. **Natural Heritage Designations**

None.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The grounds of appeal are submitted from representatives of a group of residents in the area and it is signed by 9 others and the issues raised may be summarised as follows:

- The size of the extension is not subordinate to the main dwelling.
- The proposal will double the size of the dwelling (existing 79.30m² and proposed 81m²).
- The proposal would set an undesirable precedent for further overdevelopment in the area.
- There is no objection to the contemporary design.
- There is a need to protect the traditional housing with gardens.

6.2. Applicant Response

An agent on behalf of the applicant has submitted a response to the grounds of appeal which may be summarised as follows:

- The total extension size is 69.2m²
- The remaining garden area is 156m² and includes a rear patio and side passage.
- The site coverage is 32% and the plot ratio is 0.42.
- The extension is subordinate to the dwelling and complies with Chapter 17.8 of the development plan.
- There is no overshadowing or overlooking on adjoining properties.
- The use of materials (render and cedar) complies with 17.9, Materials of the development plan and provides a good contrast rather than all the same material.
- The applicant accepts the reduction in height as per condition no 3.
- The extension is set back from the building to provide a less ridged front elevation.
- The adjoining neighbours were happy with the plans.
- The larger southern windows are to comply with Part L of the Building regulations (solar gain).
- The music room is sound proofed and insulated and the integral ventilation control to regulate the heat.
- There will be no school or academy on the site.
- There is space for 2 car parking space for off street resident parking.

6.3. Planning Authority Response

None received.

6.4. Observations

None

7.0 Assessment

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

- Principle of development
- Impact on Residential and Visual Amenity
- Appropriate Assessment

Principle of development

7.2. The proposed development is for a two storey side and rear extension along the north of the existing dwelling, a single storey extension to the rear and south and a single storey music room to the rear. The music room to the rear for the use of the applicants who are professional musicians and condition No 4 requires the use of the music room to be incidental to the enjoyment of the dwelling house, which I consider reasonable. The Z1 residential zoning on the site allows for the improvement of residential properties where they do not have a detrimental impact on the surrounding area. The response from the applicant to the grounds of appeal, includes details on the building specification and insulation to control the noise within the music room prevents any impact on the surrounding area which I consider is acceptable. Therefore, subject to complying with other policies and objectives of the development plan, detailed below, I consider the principle of development at this location acceptable.

Impact on the Residential and Visual Amenity

7.3. The proposed development is for the demolition of an existing rear single storey extension and construction of a two storey side and rear extension for an existing semi-detached dwelling. The grounds of appeal are submitted by a group of residents in the vicinity who have raised concern over the impact of the size and scale of the extension, the overdevelopment on the site and the precedent for further similar development in the vicinity which would erode the traditional residential

pattern in the vicinity. I will assess the impact on the residential amenity and the visual impact on the surrounding area separately below.

7.4. Residential amenity

Overbearing: The proposed extension is 89m² and the existing dwelling is c. 80m². Whilst the grounds of appeal state the proposal doubles the size of the dwelling, it is of note that an existing extension will be demolished (c.12m²) and there will remain a large rear garden (156m²). The proposed extension is located 1m from the party boundary and c.2m from the boundary of the dwelling to the north. The two storey extension, which is mostly located along the northern boundary, extends from the middle of the existing dwelling, set back by 2.7m, and ends at approximately the same point as rear of the adjoining dwelling, to the north. Based on the location of the extension along the side of the existing and the adjoining dwelling to the north of the site, I do not consider it has any overbearing impact on any adjoining dwellings.

Overshadowing: As stated above, the proposed extension is along the northern boundary of the existing dwelling and does not extend past the rear building line of the adjoining dwelling to the north. Therefore, having regard to the orientation of the site and location of the adjoining dwelling, I do not consider there will be any overshadowing on any amenity space of surrounding residents.

Overlooking: The proposed extension is located 33m from No 33 Larkfield gardens, to the rear of the site and there are currently mature trees along the rear boundary. Section 17.5 of the development plan recommends a 22m separation distance for first floor window to prevent overlooking. Therefore, based on the orientation and location of the site I do not consider the proposed development would cause any overlooking on surrounding properties.

Visual Impact

- 7.5. The proposed design is contemporary in nature, with a flat roof and the external materials including cedar on the ground floor and render on the upper floors and the extension is set back 2.7m from the existing building line. Condition No 3 required the reduction of the parapet level by 300mm so the proposed extension is in line with the existing dwelling, which I consider reasonable. The grounds of appeal do not raise any issue with the design of the side extension and I note Section 17.8 of the development plan provides guidance on extensions to dwellings where they

should be subordinate to the existing dwelling. I note other similar style of extensions in the vicinity which I do not consider has a negative impact on the visual amenity of the surrounding area. Having regard to a condition to reduce the parapet levels, the set back from the existing building line at the front of the dwelling and the pattern on development on the vicinity, I consider the design of the proposed development is in keeping with the surrounding area.

- 7.6. Conditions on planning permission to the north of the site (No 4 & 6, PL29S.248563) required the finish on the proposed extension to match the existing dwelling and I note a condition on a similar type extension in the Tenters (29S.248851) required the removal of the timber and replacement with materials to match the existing dwelling. I consider a condition for the external materials of the front to match the existing dwelling will ensure the proposed development is subordinate to the main dwelling. I do not consider this should be applicable to the music room as it will not be visible from the streetscape or the surrounding area.

Appropriate Assessment

- 7.7. 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 residential zoning on the site, the nature and scale of the proposed extension and the established 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. The use of the music room shall be ancillary to the enjoyment of the dwelling.

Reason: In the interest of residential amenity.

3. The front and side two storey extension shall be modified as follows:
 - The proposed extension shall be finished to match the existing dwelling, without any timber panel feature,
 - The parapet height of the portion of the first floor shall be reduced by 300mm.

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 interests of visual amenity.

4. 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.

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.

6. Footpaths shall be dished at road junctions in accordance with the requirements of the planning authority. Details of the locations and materials to be used in such dishing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of pedestrian safety

7. 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.

Karen Hamilton
Planning Inspector

11th of December 2017