



An
Bord
Pleanála

Inspector's Report PL29S.249405.

Development	Construction of extension to dwelling with a pitched roof and construction of a front extension also with a pitched roof.
Location	45 Belgrove Lawn, Chapelizod, Dublin 20.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3500/17.
Applicant(s)	Geraldine Donohue.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	Betty Kelly.
Observer(s)	None.
Date of Site Inspection	10 th of January 2018.
Inspector	Karen Hamilton.

1.0 Site Location and Description

- 1.1. The subject site contains a semi-detached two storey dwelling within an established residential area to the south of Phoenix Park, Chapelizod, Dublin 20. The existing dwelling is similar in style to those dwellings within the immediate vicinity with large windows along the façade with one side projecting slightly forward of the front building line, side facing front doors and similar external materials. There is private off street parking to the front of the site and front and rear amenity space.

2.0 Proposed Development

- 2.1. The proposed development is for alterations and extension to an existing dwelling as summarised below:

- The construction of a single storey extension along the facade with a new pitched roof,
- New pitched roof over the existing flat roof along the front,
- Construction of a two storey extension to the rear (c. 56m²).

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission subject to 9 no conditions of which the following are of note:

C 4-

- Revisions for the front elevation including the use of brick to match the existing ground level,
- The omission of the proposed extension at ground floor level to the living room and the pitched roof above,
- The removal of the pyramid shaped device above the proposed front door and the standing brick pillars at the front and the retention of the north facing entrance door.

- The inclusion of a set back of a minimum of 1m of the first floor of the rear two storey extension from both No 43 and No 47 Belgrove Lawn.

C 9- The removal of all exempted developments as per Schedule 2, Part 1 of the Planning and Development Regulations 2001.

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:

- It is acknowledged that a submission has been made in relation to the applicant's ownership of property in the vicinity and the concern was deemed not relevant to the proposed development.
- Reference is made to the policies of the development plan, the size of the rear extension and the need to set back from the boundaries by a minimum of 1m.
- The pitched roof of the front extension with pyramid shaped instrument above the front door is considered excessive.

3.2.2. Other Technical Reports

Drainage Division- No objection subject to conditions.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

5 no submissions were received from residents within the vicinity of the subject site and the issues raised, in addition to the grounds of appeal, may be summarised as follows:

- The number of people living in the house will increase causing an increase in parking on the street causing danger to children in the estate and increase pressure on the drainage system.

4.0 Planning History

None on the site.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

The site is zoned in Z1 *"To protect, provide and improve residential amenities"*.

Extensions 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, elevation proportion and architectural form of the building.

Section 16.10.12: Extensions and Alterations to Dwellings

Development 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.

5.2. Natural Heritage Designations

None relevant.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted by the occupant of the dwelling located directly south of the site and the issues raised are summarised below:

- The conditions included on the grant of permission are not appropriate to mitigate.
- The blank 2 storey façade located 1m from the boundary wall will have an overbearing impact as it does not have a sufficient separation area.
- There is no justification for the scale of the two storey extension to the rear.
- There has been no shadow analysis submitted to illustrate the impact on the adjoining properties.
- The proposal will cause overlooking onto the family homes and adversely impact the amenity.
- The proposal will set an undesirable precedent and no consultation has been undertaken and the property is used for private rented accommodation.
- The site location map has a number of discrepancies and the site location has not been included.
- The drainage plan shows none of the applicant's ownership in the vicinity.

6.2. Applicant Response

None received.

6.3. Planning Authority Response

No response received.

6.4. Observations

None received.

7.0 Assessment

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

- Impact on Residential Amenity
- Impact on Visual Amenity
- Other Matters
- Appropriate Assessment

Impact on Residential Amenity.

7.2. The subject site is a two storey semi-detached dwelling located within an established residential area. The proposed development is for alterations and extension to an existing dwelling including a ground floor extension along the front of the dwelling and a two storey rear extension. The grounds of appeal argue the proposed development will have a detrimental impact on the residential amenity of their property, which I have addressed below.

7.3. Overlooking: The proposed extension is 24m from back of the property to the rear of the site, there are no windows proposed along the side. Section 17.5 of the development plan requires a separation distance of 22m from first floor opposing windows. Therefore, based on the size and design of the proposed rear extension and location from the property to the rear, there will be no significant overlooking on any adjoining properties.

7.4. Overshadowing: The site is located to the south of No 43 and the proposed development includes a two storey rear extension, projecting c. 4m to the rear of the existing dwelling. I consider based on the orientation of the site and the location of the first floor extension along the boundary of No 43, there will be significant overshadowing onto the rear of the neighbouring property. Condition No 4 (e) requires the flank wall of the proposed rear extension to be set back a minimum of 1 m from its boundary with No 43 at first floor level. This condition did not require any reduction in the depth of the first floor extension and I do not consider the amendments required in condition no 4 would prevent overshadowing on the property to the north. Therefore, based on the orientation of the site I consider the

first floor rear extension should be removed and I consider it reasonable to include as a condition on any grant of permission.

- 7.5. Overbearing: The proposed two storey rear extension projects c.4m from the building line along the boundary of both No 47, to the south and No 43, to the north. The grounds of appeal do not consider the requirements of Condition No 4, reduction in the width of the first floor by 1m along both the north and south, sufficient to prevent a negative impact on the adjoining residential amenities. As stated above, I consider the proposed first floor would cause significant overshadowing on the property to the north, therefore a condition to remove the first floor would prevent any overbearing on the adjoining properties.
- 7.6. Therefore, having regard to size of the site, the design of the extension and a conditions to remove the first floor rear extension, I do not consider the proposed development would have a negative impact on the residential amenity of the surrounding properties.

Impact on Visual Amenity

- 7.7. The proposed development includes an extension along the ground floor façade which will project 1.6m to the front of the building line to accommodate an extended sitting room and porch, in line with the current front projection. A new canopy is to extend along the ground floor of the façade and includes two brick piers for a new entrance door, a change in orientation from facing north at present, to facing forward west.
- 7.8. Condition No 4 requires revisions to the front elevation to include the use of the same external materials as the existing dwelling, the removal of the front extension to the living room and pitched roof over and the removal of the pyramid shaped device above the proposed front door, the standing brick pillars and the retention of the north facing entrance door.
- 7.9. The dwellings in the vicinity of the site all have similar characteristics and many have been altered along the front to include new front doors, some facing forward, with canopies along the ground floor projections and I do not consider these alterations have a significant negative impact on visual amenity of either the existing dwelling or the surrounding area. I note none of the dwellings have extended along the full

ground floor although many of the front doors have been altered to change the orientation to face forward, which I consider acceptable.

- 7.10. Having regard to the pattern of development in the vicinity and the design of the alterations, I do not consider the extension of the sitting room along the façade and associated pitched roof over would have a negative impact on the existing dwelling or the surrounding area.

Other Matters

- 7.11. Ownership: The grounds of appeal argue there is insufficient information submitted in relation to the applicants ownership of other properties in the vicinity, in particular the site location maps. The report of the area planner refers to concern raised with regard to the applicants ownership in the vicinity and considered it irrelevant to the determination of the proposed development, which I consider reasonable.
- 7.12. Drainage: Submissions received on the planning application argue the additional loading onto the existing drainage system will have a negative impact on the surrounding area. The report of the Drainage Division has no objection subject to 3 no conditions of which the development is to be drained on completely separate systems with separate connections to the public foul and surface water.

Appropriate Assessment

- 7.13. 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. The proposed development shall be amended as follows:

(a) The first floor of the rear extension shall be removed.

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 residential amenity.

3. 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.

4. The external finishes of the proposed extension, including roof tiles/slates, shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity

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. 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

15th of January 2018