



An
Bord
Pleanála

Inspector's Report ABP – 300022-17

Development	Single storey extension to the side.
Location	11 Palmerstown Close, Palmerstown, Dublin 20
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD17B/0267
Applicant(s)	Declan Smith
Type of Application	Permission
Planning Authority Decision	To Grant Permission subject to conditions
Type of Appeal	Third Party
Appellant(s)	Ray Evans
Observer(s)	No observers
Date of Site Inspection	14 th December 2017
Inspector	Erika Casey

1.0 Site Location and Description

1.1. The subject site located in Palmerstown, Dublin 20, comprises a two storey semi-detached dwelling on a corner site. The site has an area of 0.0376 ha. The dwelling has a front garden which has been hard landscaped with vehicular access from Palmerstown Close. The dwelling has a large side garden, subdivided by a block wall of c. 2 metres in height. There is also a high boundary wall running along the northern boundary of the site. The property is located adjacent to a large area of public open space. Development in the vicinity is similar low density suburban housing.

2.0 Proposed Development

2.1. The proposed development comprises the construction of a single storey extension to the side of the dwelling. The extension has an area of 42.3 sq. metres and a maximum height of 5.5 metres. The extension is to accommodate an additional lounge, kitchen and utility space.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 To Grant Permission subject to conditions. Conditions of note include:

Condition 2: The roof of the proposed single storey side extension shall be reduced by 1 metre in height such that the maximum height does not exceed 4.5 metres.

3.2. Planning Authority Reports

3.2.1. Planning Report (26.09.2017)

- The previous applications that were refused related to a detached dwelling and a large two storey extension. The proposed development under this application is for a modest single storey extension.
- The height of the side extension at 5.5 metres is considered excessive and should be reduced.

- There would be approximately 11.45 metres between the rear building line and rear site boundary which is considered acceptable to the Planning Authority.
- The extension projects approximately 5 metres out from the existing side elevation and would break the front building line of the existing houses to the rear. It is however, considered acceptable in this instance in order to provide a modest single storey side extension.

3.2.2. **Other Technical Reports**

- No further reports on file. It is noted in the Planner's Report that Surface Water Drainage had no objection subject to condition.

3.3. **Prescribed Bodies**

- No further reports on file. It is noted in the Planner's Report that Irish Water had no objection subject to condition.

3.4. **Third Party Observations**

3.4.1 Two submissions were received from Elizabeth Murray, 13 Palmerstown Court and Ray Evans, 15 Palmerstown Close. The issues raised can be summarised as follows:

- The development will give rise to overlooking and overshadowing and would result in the over development of the site.
- The development will have a negative visual impact and represent a gross infringement of the building line. It would depreciate the value of property in the vicinity.
- The application is inadequate as no contextual elevations, design statement or landscaping plans have been submitted.
- The development is inconsistent with previous decisions by both South Dublin County Council and An Bord Pleanála.

4.0 Planning History

Planning Authority Reference SD97A/0122/ABP Ref. PL06S.223346

- 4.1 Permission refused by An Bord Pleanála in October 2007 for a development comprising the construction of a two storey three bed detached house including widening of existing entrance gate to provide 2 vehicular access gates plus provision of 1 additional vehicular access gate on the northern boundary.
- 4.2 The reason for refusal stated that the development would seriously infringe the building line on the east/west section of Palmerstown Close, would constitute an incongruous, obtrusive form of overdevelopment, resulting in the subdivision of a plot, which would be out of character with the general layout of properties in the vicinity and would detract from the general visual amenity of the area.

Planning Authority Reference SD02B/0514/An Bord Pleanála Reference PL06S.202908

- 4.3 Permission refused by An Bord Pleanála in September 2003 for a development comprising a two storey extension including a granny flat to the side of the dwelling with minor alterations to existing roof and boundaries.
- 4.4 The reason for refusal stated that the two storey development would seriously infringe the building line on the east/west section of Palmerstown Close, would be out of character with existing development in the area and would be visually obtrusive on the streetscape.

5.0 Policy Context

5.1. Development Plan

- 5.1.1 The operative development plan is the South Dublin County Development Plan 2016-2022. The site is zoned RES – *'To protect and/or improve residential amenity.'*
- 5.1.2 Chapter 2 refers to Housing and Chapter 11 refers to Implementation. The Council has also produced guidance in the form of a 'House Extension Design Guide'. Sections 2.4.1 of Chapter 2 consider residential extensions.
- 5.1.3 The following policies are of relevance:

Policy H18 Objective 1 states: *To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).*

Section 11.3.3 (i) Extensions states: *The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.*

5.1.4 The guide provides guidance regarding side extensions and notes the following:

- The extension should respect the style of the house and the amount of space available between it and the neighbouring property.
- It should match or complement the style, materials and details of the main house.
- Where the extension is to the side of a house on a corner plot, it should be designed to take account that it will be visible from the front and side.

5.2. **Natural Heritage Designations**

- None applicable.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- The proposed development would create a gross infringement of the building line on Palmerstown Close. It would result in the over development of the site.
- The development would be visually obtrusive and potentially overlook, overshadow and have an overbearing effect on properties on Palmerstown Close. It will seriously injure the amenities and depreciate the value of properties in the vicinity.
- The roof profile of the extension will joint to the peak of the existing roof and hinder natural light to no.s 13 and 15 Palmerstown Close.

- The development is contrary to the previous decisions issued in respect of the property under SD02B/0514 and SD07A/0122.
- No detail of landscaping or boundary treatments has been submitted with the application.
- The existing side boundary wall contravenes existing building regulations.

6.2. Applicant Response

- No response received.

6.3. Planning Authority Response

- No response received.

6.4. Observations

- No observations.

7.0 Assessment

7.1. The main issues in this appeal are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development.
- Impact on Residential Amenities.
- Appropriate Assessment.

7.2 Principle of Development

7.2.1 The subject development comprises a modest single storey extension to the side of the existing dwelling. Under Policy H18 of the current County Development Plan, such residential extensions are favourably supported. The design and scale of the extension assimilates with the existing dwelling and is considered acceptable in principle.

- 7.2.2 It is noted that concerns have been raised by the Planning Authority regarding the design and height of the roof profile of the extension. I would concur with this view and that the height of the extension should be reduced by 1 metre. This can be addressed by way of condition.
- 7.2.3 In terms of the building line, the appellant states that the extension will break the existing building line along Palmerstown Close. It is noted however, that the extension will maintain the front building line of the existing dwelling. Whilst the extension will protrude northwards from the existing side elevation by some 5 metres and thus break the building line to the west, it is considered that having regard to the character of the site comprising a large corner garden, that the proposed extension can be absorbed into the streetscape without any significant adverse visual impact. It is also noted that the proposed extension is set back considerably from the western boundary and will be largely screened by the existing 2 metre high wall along the northern boundary.
- 7.2.4 It is noted that there have been two previous refusals on the site which cited infringement of the building line as part of the reasons for refusal. In both of these instances, however, what was proposed were much larger two storey developments including a separate dwelling house under application SD97A/0122 and a large two storey extension under SD02B/0514. It is not considered that the scale of the current proposal is comparable to these previous applications and therefore the issue of infringement on the building line is not as significant an issue.
- 7.2.5 It is also detailed by the appellant, that the development constitutes an overdevelopment of the site. It is noted however, that even with the extension, a large rear garden of over 130 sq. metres is retained. There is also a large front garden. It is not considered in this regard, that the development is over development of the subject site.
- 7.2.6 Issues have also been raised by the appellant regarding the planning status of the northern boundary wall. This is a potential enforcement matter and thus outside the scope of this assessment.

7.3 Impact on Residential Amenities

7.3.1 Concerns have been raised by the appellant that the development is visually obtrusive and will have a negative impact on the residential amenities of adjacent properties by virtue of overlooking and overshadowing. It is noted that the subject extension is located c. 11.450 metres from the boundary of the nearest residential dwelling – no 13 Palmerstown Close located to the west of the site.

7.3.2 It is considered having regard to this considerable distance, the proposed development will not have any adverse overlooking or overshadowing impacts. It is also noted that there are mature trees and a boundary fence located along the eastern boundary of no. 13 which will further mitigate any potential impacts. The reduction in the height of the extension as detailed above, will further minimise its impact. The proposed extension will have no impact to the rear amenity areas of no.s 13 and 15. I am satisfied, therefore, that the development will have no material adverse impacts on the amenities of adjacent properties.

7.4 Appropriate Assessment

7.4.1 Having regard to the nature and scale of the proposed development, comprising an extension to an existing dwelling house within an established urban area, and the 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 permission be granted subject to conditions for the reasons and considerations set out below.

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the current South Dublin County Development Plan 2016-2022, the location of the site in an established residential area and its zoning for residential purposes and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the

conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. The proposed development would 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. 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.

3. The roof of the single storey side extension shall be reduced by 1 metre in height such that the maximum height does not exceed 4.5 metres.

Reason: In the interest of visual amenity.

4. 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.

5. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, 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 adjoining property in the vicinity.

6. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity.

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 the 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.

Erika Casey
Senior Planning Inspector

20th December 2017