



An
Bord
Pleanála

Inspector's Report ABP-300361-17

Development	To demolish a single-storey flat roofed garage attached to the side and to construct a single-storey flat roofed side & front extension.
Location	23C, Rosendale, York Road, Rathmines, Dublin 6
Planning Authority	Dublin City Council Sth (Planning Decisions)
Planning Authority Reg. Ref.	3952/17
Applicant(s)	Siobhan Jennings
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First V Conditions
Appellant(s)	Siobhan Jennings
Observer(s)	None
Date of Site Inspection	16 th March 2018
Inspector	Ronan O'Connor

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1.0 Site Location and Description

1.1. The site is located on York Road and on site is a semi-detached suburban style dwelling house. The house is one of three similar houses on this side of York Road, two of which are semi-detached and one of which is detached. The area is residential in character.

2.0 Proposed Development

2.1. To demolish a single-storey flat roofed garage attached to the side and to construct a single-storey flat roofed side & front extension

3.0 Planning Authority Decision

3.1. Decision

Grant subject to conditions. A condition of note, and the subject of this appeal is as follows:

Condition No. 2: The development hereby approved shall be revised as follows:

(a) The front extension and porch, extending c1.3m forward of the front building line shall be omitted.

Reason: To protect the character and residential amenity of this residential conservation area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planning officer reflects the decision of the planning authority.

Points of note are as follows:

- Modern design approach considered acceptable.
- Extension forward of the building line was out of character with the area.

- Was considered a south facing window could be achieved if the extension was positioned further to the rear of the dwelling.
- Recommendation to grant subject to conditions, including a condition to omit the front element of the extension.

3.2.2. Other Technical Reports

Drainage – No objection subject to conditions.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

None.

5.0 Policy Context

5.1. Development Plan

Dublin City Development Plan 2016-2022

5.1.1. The site is located in an area that is zoned Objective Z2 (To protect and improve the amenities of residential conservation areas) under the provisions of the Dublin City Development Plan 2016-2022. Under this land use zoning objective, residential development is a permissible use.

5.1.2. Relevant sections of the Development Plan include:

- Paragraph 16.10.12 of the Plan relates to extensions to residential properties.
- Appendix 17 of the Plan provides guidance on residential extensions.

5.2. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

The First Party Grounds of Appeal are summarised below:

- These three houses built in 1964.
- Appropriate that the houses on the long straight stretch of York Road are deemed part of the Conservation Area.
- Due to the bend in the road, these three houses cannot be seen from the straight stretch of York Road, nor can the straight stretch be seen from these three houses.
- Very large modern mock-period extension to the side of 11 Maxwell Road.
- To the north-west is a modern townhouse development.
- All the buildings on this short stretch of York Road were built in the latter half of the 20th Century.
- Front garden of this house is 9m deep/front extension projects approx. 1.3m from the front building line.
- Proposed development is single, storey, flat roofed and a side passage is maintained.
- Solid wall and hedge boundary partially conceal the proposed development.
- Simple and modern design, not a fake/mock 1960's design.
- Applicant is reaching retirement age and wishes to future proof the house in the event of not being able to use the staircase in future.
- Orientation of the rear garden is not good/faces north-east/front garden faces south-west/proposed bedroom window and porch window door will therefore have a sunny aspect.

- Front part of the proposal is entirely reasonable and will have no adverse effects whatsoever on adjoining and adjacent properties.

6.2. **Planning Authority Response**

None.

6.3. **Observations**

None.

7.0 **Assessment**

7.1. **Scope of the appeal**

- 7.1.1. The first party appeal relates solely to Condition 2 attached to the Notification of Decision to Grant Permission issued by the planning authority which relates to the omission of the front portion of the extension.
- 7.1.2. I am satisfied the scale of the proposed side element of the extension is acceptable and that no amenity impacts will result from same.
- 7.1.3. I consider it appropriate, therefore, that the scope of the assessment is restricted to the consideration of Condition 2 as attached to the Notification of Decision issued by the planning authority, in accordance with S.139 of the Planning and Development Act (as amended).
- 7.1.4. The planning authority is of the opinion that the proposed front element of the extension is out of character with the area.
- 7.1.5. The appellant has argued that these are modern buildings, with limited visibility from the road, and cannot be seen in the same view as the period buildings on York Road. It is further argued that the orientation of the front garden will result in a sunny aspect to the windows, which is not achievable to the rear.
- 7.1.6. The appeal dwelling is one of three 1960's suburban style dwellings. None of these have a projection forward of the building line. I concur with the view of the planning authority that such a projection would be out of keeping with the character of these

dwelling houses and would appear as an incongruous addition to the dwelling house, and set an undesirable precedent for similar additions to these houses. While the wall and hedge provide a very limited degree of screening, such an addition would be clearly seen from the street.

- 7.1.7. While I note the comment of the appellants in relation to the orientation, I do not consider the need for a sunny aspect outweighs the concerns in relation to the appearance of the extension.

8.0 Recommendation

Having regard to the above it is recommended that the planning authority be directed as follows:

That Condition No. 2 be retained on the grant of permission.

9.0 Reasons and Considerations

Rónán O'Connor
Planning Inspector

16th March 2018