



An  
Bord  
Pleanála

## Inspector's Report ABP-300463-17

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<b>Development</b>	First-floor side and front extension to dwellinghouse
<b>Location</b>	43a Ribh Road, Harmonstown, Dublin 5
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	3945/17
<b>Applicant(s)</b>	Giorgio Capellia
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First-Party
<b>Appellant(s)</b>	Giorgio Capellia
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> March 2018
<b>Inspector</b>	Colm McLoughlin

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## **1.0 Site Location and Description**

- 1.1.** The appeal site is located within a residential estate on Ribh Road, which is accessed off the Harmonstown Road, approximately 6km northeast of Dublin city centre.
- 1.2.** It contains a two-storey three-bedroom end-of-terrace dwelling, with a single-storey element wrapping around the front and side, under a mono-pitch roof. The house occupies a corner site, fronting onto a cul de sac and backing onto the side garden of No.45 Ribh Road. The side garden to the house is bounded by a 2m-high block wall onto Ribh Road. The house on site is finished in red-brick at ground level with dashed plaster above this, as well as to the side and rear elevations.
- 1.3.** Existing housing in the immediate area was originally constructed as part of a Local Authority project, but the subject house is a more recent addition, attached to the side of No.43 Ribh Road. The immediate area is characterised by rows of two-storey terraced dwellings opening onto shallow gardens, some of which provide for off-street car parking. Ground levels in the vicinity are relatively level with only a gradual drop moving southeast towards Harmonstown rail station.

## **2.0 Proposed Development**

- 2.1.** The proposed development comprises:
  - Construction of a first-floor side and front extension, with a stated gross floor area (GFA) of 30sq.m and with a front-bay feature.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1.** The Planning Authority decided to refuse permission for the following reason:

Reason No.1 – breaking of the front building line and failure to integrate with adjacent terraces on a prominent corner site.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The report of the Planning Officer (November 2017) reflects the decision of the Planning Authority. The Planning Officer notes the following in their report:

- The design of the proposed extension would dominate the scale and overall proportion of the existing house and would have a negative impact on the rhythm of the streetscape;
- Front-bay projection and brick finish would be out-of-character;
- Extension would be 3m from the side boundary with No.45 and would have an overbearing impact on this property;
- Extension would not complement the house on site or adjacent terraces.

### **3.2.2. Other Technical Reports**

- Engineering Department (Drainage Division) - no objection subject to conditions;
- Roads & Traffic Planning Division – no response.

## **3.3. Prescribed Bodies**

- Irish Rail – no response;
- Irish Water – no response.

## **3.4. Third-Party Submissions**

### **3.4.1. None.**

## **4.0 Planning History**

### **4.1. Appeal Site**

#### **4.1.1. The following recent planning application relates to the appeal site:**

- Dublin City Council (DCC) Ref. 4903/06 – Permission granted (December 2006) for demolition of side and rear extensions and construction of a three-bedroom two-storey house to end of terrace and single-storey front extension to No.43.

## **4.2. Surrounding Sites**

4.2.1. Properties in the surrounding area have been subject to planning applications for domestic extensions and infill housing, including the following:

- No.45 Ribh Road – ABP Ref. PL29N.244968 (DCC Ref. 2520/15): Permission granted (August 2015) for single-storey front and rear extensions, two-storey front and side extensions and relocation of vehicular access.

Section 139 appeal of a condition submitted by the first-party requesting removal of Condition No.3 to the Planning Authority decision, which, inter alia, required omission of the first-floor front-bay projection. The decision of An Bord Pleanála required the condition to remain attached to the final decision.

- No.45 Ribh Road - DCC Ref. 3243/15: Permission granted (October 2015) for two-storey rear and side extensions, single-storey front and rear extensions and relocation of vehicular access.

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1. The appeal site is situated in an area identified within the Dublin City Development Plan 2016-2022 as having a land-use zoning objective 'Z1 - Sustainable Residential Neighbourhoods', with a stated objective 'to protect, provide and improve residential amenities'.

5.1.2. Under Section 16.10.12 of Volume 1 to the Development Plan, it is stated that applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal would:

- 'Not have an adverse impact on the scale and character of the dwelling;

- Have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight’.

5.1.3. Appendix 17 (Volume 2) of the Development Plan provides guidance specifically relating to residential extensions. Section 17.7 of Appendix 17 provides specific requirements with regard to the ‘appearance’ of extensions, including the need to resist extensions to the front that significantly break the building line. Section 17.6 outlines requirements in relations to ‘materials’, when considering residential extensions, while Section 17.8 refers to the ‘subordinate approach’ that extensions are required to follow.

5.1.4. Under Policy QH1 of the Development Plan, the City Council will have regard to Ministerial Guidelines, including the ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (2009).

5.1.5. BRE Site Layout Planning for Sunlight & Daylight (2011) is relevant in assessing potential impacts of a development on light to neighbouring properties.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

6.1.1. The principal grounds of the first-party appeal are supplemented by a computer-generated image (CGI) and shadow analysis drawings of the proposed development, and can be summarised as follows:

#### Design & Visual Amenities

- Character of the surrounding area is defined by an incongruous array of terraces and extended properties;
- Attention is drawn to the location of the site c.290m walk from Harmonstown rail station and Objective MTO1 of the Development Plan, which aims ‘to encourage intensification and mixed-use development along existing and planned public transport corridors and at transport nodes’;
- Proposals provide for minor extensions and a bookend to the terrace;
- Materials would harmonise with the existing materials and the proposed form and scale of the extension would complement the host house;

- The design and context allows for the subordinate approach to be overcome;
- Contrary to the Planning Officer's contentions regarding the proposed finishes, brick finishes to the elevations of neighbouring housing is common;

#### Impact on Residential Amenities

- Proposed development has been discussed and agreed with the residents of No.45 Ribh Road;
- Acknowledges that the extension may appear overbearing from No.45, but that the separation distance and the absence of rear windows would address this;
- Overlooking and overshadowing would not arise.

## **6.2. Planning Authority Response**

6.2.1. None.

## **6.3. Observations**

6.3.1. None.

## **7.0 Assessment**

### **7.1. Introduction**

- 7.1.1. The Dublin City Development Plan 2016-2022 sets out general principles for consideration in extending dwellings, such as residential amenity issues, privacy, relationship between dwellings and extensions, daylight and sunlight, appearance, the subordinate approach and materials. For the city to achieve compact, quality, accessible and affordable residential neighbourhoods, the Plan sets out, amongst other criteria, that dwellings should be adaptable and flexible to cater for changing needs over time.
- 7.1.2. I consider the substantive issues arising from the grounds of appeal and in the assessment of the application and appeal relate to:

- Design & Impact on Visual Amenities;

- Impact on Residential Amenities.

## **7.2. Design & Impact on Visual Amenities**

- 7.2.1. The house on the appeal site, including the single-storey element wrapping around the front and side, was permitted by the Planning Authority in 2006. The proposed development would comprise a first-floor side and front extension, sitting on the footprint of the existing single-storey element and featuring a front-bay projection. The Planning Authority refused planning permission as they considered the extension would break the front building line and would fail to integrate with adjacent terraces on a prominent corner site. The grounds of appeal contend that the surrounding context and the design of the extensions would ensure that the proposed development would complement the host house on site and the surrounding terraced housing.
- 7.2.2. The surrounding area to the appeal site is not provided with any conservation status and is characterised by rows of two-storey terraced housing, many of which have been altered in appearance and extended to include side extensions and front extensions, the latter of which are primarily in the form of porches. There are also a variety of infill houses occupying corner sites in the vicinity. Given the preponderance of extensions to neighbouring housing, infill housing and the variation in the treatment of front areas, the original rhythm and appearance to the streetscape has been significantly diluted. Section 17.7 of the Development Plan provides specific requirements with regard to the 'appearance' of extensions, including the need to resist extensions to the front that significantly break the building line. The proposed first-floor extensions would sit on the existing ground-floor element and, therefore, would not significantly break the building line. While I accept that the proposed extensions would be more visible from the immediate streetscape than the existing ground-floor wrap-around element, I would not consider their addition as being overly intrusive or incongruous, particularly as they would be over 3m from the boundary with the street and would be conditioned to be finished in materials to harmonise with the existing house.
- 7.2.3. The proposed development would feature a bay feature to the front at first-floor and roof level. I note that in 2015 the Board previously made a decision regarding extensions to the house immediately to the north, No.45 Ribh Road, under Ref.



PL29N.244968 (DCC Ref. 2520/15). The first-party in this previous case, appealed against the attachment of a planning condition (No.3) by the Planning Authority, which, inter alia, required the omission of extensions to the front above ground floor, which included a projecting bay feature. The decision of An Bord Pleanála required the condition to remain attached to the final decision, as it was considered that 'having regard to the pattern of development in the area, to the appearance of the existing end of terrace dwelling and to the proposal to break the established front building line of the terrace, it is considered that it is appropriate to attach condition number 3 to avoid the unwelcome visual precedent that the development would set in this area, to protect the visual and residential amenities of the area and in the interest of the proper planning and sustainable development of the area'. While I acknowledge this previous decision, the proposed development would vary in that the proposed front-bay feature would not break the building line and would be complementary to the proportions, scale and materials of the host house. Furthermore, I am satisfied that the proposed extensions (30sq.m) would be subordinate to the host house (122sq.m).

- 7.2.4. The CGI image included within Figure 4 to the grounds of appeal would appear to reasonably well portray the proposed development in the context of the immediate streetscape and I am satisfied that proposed first-floor extension would have negligible impact on the visual amenities of the area and would not form an incongruous addition to the streetscape. Accordingly, the proposed development would not give rise to an unacceptable impact on the visual amenities of the area and should not be refused for this reason.

### **7.3. Impact on Residential Amenities**

- 7.3.1. The Planning Officer's report asserts that the proposed development would have an overbearing impact on the neighbouring property at No.45, although this concern does not form part of the reason for refusal. The proposed first-floor extension would not extend beyond the rear building line than the existing house, would be further from the rear garden to No.45 than the existing house on site and would be over 3m from the front side garden to No.45. Consequently, given this context the proposed extension would not have an overbearing impact when viewed from this closest residence. The proposed extension would not feature any rear-facing windows and

therefore would not result in overlooking. Furthermore, while the proposed first-floor extension would be 3m to the south of the side garden to No.45 and would to some extent overshadow this side garden area, such overshadowing would not be excessive. Furthermore, as this side garden is not the primary amenity space serving No.45, I am satisfied that the proposed development would not result in adverse impacts on No.45 by reason of overshadowing.

7.3.2. In conclusion, I consider that the proposed development would not have an overbearing appearance when viewed from the neighbouring properties and would not unduly affect third-party amenities as a result of excessive overshadowing or overlooking of properties. Accordingly, the proposed development would not give rise to an unacceptable impact on residential amenity and should not be refused for this reason.

## **8.0 Appropriate Assessment**

Having regard to the minor nature of the proposed development and to the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **9.0 Recommendation**

I recommend that planning permission should be granted, subject to conditions, as set out below.

## **10.0 Reasons and Considerations**

Having regard to the zoning provisions for the site, to the nature and scale of the proposed development, and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not be out of character with development in the area, would be in keeping with the existing house on site and would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed

development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 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 extensions including roof tiles/slates shall harmonise with those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

4. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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Colm McLoughlin  
Planning Inspector

20<sup>th</sup> March 2018