



An
Bord
Pleanála

Inspector's Report ABP-300726-18

Development	1st floor extension to side of dwelling, with new ground floor extension to rear.
Location	118, Foxfield Park, Dublin 5
Planning Authority	Dublin City Council Nth
Planning Authority Reg. Ref.	WEB1544/17
Applicant(s)	Shane Gavin
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	Shane Gavin
Observer(s)	None
Date of Site Inspection	1 st June 2018
Inspector	Stephen O'Sullivan

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1.0 Site Location and Description

- 1.1. The subject site is located on the southern side of Foxfield Park, in a well-established residential area, approx. 9km northeast of Dublin City Centre. The site is located approx. 280m from the coast.
- 1.2. The site comprises a two-storey, semi-detached dwelling with a hipped roof. There is a single storey flat roof extension/converted garage to the side of the dwelling.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - First floor extension to the side of existing two storey dwelling, over existing ground floor office/kitchen to side of dwelling. The extension is in line with the existing front and rear building line of the main body of the dwelling and proposes to maintain the existing ridge line and hipped roof form.
 - Single storey extension to the rear, measuring approx. 3.7m deep, by 8.8m wide, finished with a lean-to type roof.

3.0 Planning Authority Decision

3.1. Decision

GRANTED, subject to seven conditions, including the following:

C2: The development shall be revised as follows:

- a. The side extension shall be set back behind the primary front building by at least 1 metre...
- b. The raised parapet detail on gable of the extension shall be omitted and replaced with a fascia and soffit or similar simple roof trim...

Reason: To minimise the visual impact and protect residential amenity

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Grant subject to conditions.
- Condition 2 amends the design of the extension.
- The report considers the proposed side extension would dominate the existing building and the overall shape and size of the proposed extension should harmonise with the existing house. It is recommended that the first floor side extension be set back from the front building line by 1.0m.
- The extent of the rear extension is considered acceptable.

3.2.2. Other Technical Reports

Drainage Division: 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. Dublin City Development Plan 2016-2022

- **Zoning objective Z1**, the objective for which is 'to protect, provide and improve residential amenities.'
- **Section 16.10.12**: Extensions and Alterations to Dwellings
- **Appendix 17**: Guidelines for Residential Extensions.

- **Section 17.8: Subordinate Approach:** The subordinate approach means that the extension plays more of a 'supporting role' to the original dwelling. In general, the extension should be no larger or higher than the existing.

5.2. Natural Heritage Designations

The site is not located within or adjacent to any designated Natura 2000 site. The nearest Natura 2000 site is the South Dublin Bay and River Tolka Estuary SPA (0040240) 155m to the south of the subject site. The North Bull Island SPA and North Dublin Bay SAC are to the southeast of the site.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has submitted an appeal against Condition No. 2, granted by Dublin City Council. The grounds of appeal is summarised as follows:

- Precedent for this type of development has been set in the area, with 3 dwellings on Foxfield Park, the same road as the appeal site, having extensions of the same design.
- To set back the room at first floor level would result in the bedroom becoming 8sqm which is below current minimum development plan standards. The purpose of the extension is to accommodate a new master bedroom suite and this cannot be built with condition no. 2.
- The appellant is of the view that a mish mash of styles will result. Two examples of requirements for different set-backs in two different planners reports for dwellings in Beaumont are quoted, one requiring a 300mm set back and the other a 600mm set-back. Such an inconsistent approach has a detrimental impact on the streetscape and the application of set-backs by condition is not a policy applied equally by all Dublin City Planners.
- ABP decision PL29N.248885 was similar to this application and the set-back was omitted.

6.2. **Planning Authority Response**

None.

6.3. **Observations**

None.

6.4. **Further Responses**

None.

7.0 **Assessment**

7.1. This is a first party appeal against planning condition 2 of the Planning Authority which states:

C2. The development shall be revised as follows:

a. The side extension shall be set back behind the primary front building by at least 1 metre; the front roof pitch of the extension shall maintain the angle of the existing roof pitch and the proposed front eaves line shall be no higher than the existing front eaves line.

b. The raised parapet detail on gable of the extension shall be omitted and replaced with a fascia and soffit or similar simple roof trim.

...

Reason: To minimise the visual impact and protect residential amenity

7.2. Having regard to the nature of the development proposed and the condition subject of this appeal, I consider a de novo consideration of the proposal is not warranted and I recommend the Board should use its discretionary powers under Section 139 of the Planning and Development Act 2000 (as amended), and restrict its consideration to the terms of condition no. 2.

7.3. The primary issue for assessment relates to design & impact on visual amenity

Design & Impact on Visual Amenity

- 7.4. Condition 2 of the Planning Authority's decision requires the first floor extension to be set back by 1 metre from the front elevation so that the extension is subordinate in design to the main dwelling, in the interests of visual and residential amenity.
- 7.5. The grounds of appeal argue that there is precedent in the area for similar extensions and that the setback will have a detrimental impact on the streetscape.
- 7.6. I note appendix 17 of Dublin City Development Plan 2016-2022 which states 'the subordinate approach means that the extension plays more of a 'supporting role' to the original dwelling. In general, the extension should be no larger or higher than the existing'. I note that the proposed first floor side extension, given its scale and design, is no larger or higher than the existing dwelling. The manner in which the extension is flush with both the front and rear elevation of the dwelling is in my view appropriate and in keeping with the scale and character of the dwelling.
- 7.7. A number of dwellings in the area have benefited from similar first floor side extensions, without a first floor set back, most notably the adjoining semi-detached dwelling and one of the neighbouring semi-detached pairs. I note some extensions further east along this street have been constructed with a set back and some with projecting first floor elements and in my view such extensions do not impact less on the visual amenity of the streetscape than those with no set-back. I note the applicant's reference to a recent Board decision under PL29N.248885, where a condition to setback a similar first floor extension was omitted. While each application is assessed on its own merits, I note the similarities between the cases as referenced by the applicant.
- 7.8. Overall, in my view the proposal integrates well with the existing dwelling and dwellings in the vicinity and the proposed finishes are also consistent with the existing dwelling. The proposal will not adversely impact upon residential amenity in terms of loss of light or overshadowing of neighbouring properties given its design and scale. In my view the provision of the parapet wall at the boundary with the neighbouring property to prevent overhanging is acceptable. It is my view that the proposed extension, being modest in scale, will not dominate the existing dwelling nor appear incongruous in the streetscape, therefore a setback at first floor level is not warranted and condition 2 of the Planning Authority should be removed.

Appropriate Assessment

7.9. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any 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. Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 as amended, to **REMOVE** condition number 2.

9.0 Reasons and Considerations

Having regard to:

- (a) the provisions of the Dublin City Development Plan 2016-2022,
- (b) the nature, scale and orientation of the first floor extension proposed, and
- (c) the existing pattern of development in the area,

the Board did not consider that particular circumstances arose that would necessitate the reduction in the depth of the extension.

Una O'Neill
Senior Planning Inspector

13th June 2018