



An
Bord
Pleanála

Inspector's Report ABP-300871-18

Development	Permission for extension and alterations to existing dwelling.
Location	63 Goatstown Road, Goatstown, Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D17B/0453
Applicant(s)	Orla and Robert Mc Hugh
Type of Application	Permission
Planning Authority Decision	To Grant Permission
Type of Appeal	Third Party
Appellant(s)	Frank Mc Keagney and Roisin Allen
Observer(s)	No observers
Date of Site Inspection	16.05.2018
Inspector	Erika Casey

1.0 Site Location and Description

1.1. The site with an area of 0.05ha is located on the Goatstown Road. The site currently accommodates a semi-detached, two storey dwelling with a single storey garage that has been converted to residential use at the side. The dwelling is served by a generous rear garden c. 30 metres in length.

2.0 Proposed Development

2.1. The proposed development comprises:

- Single storey extension with bay windows to the front.
- Two storey extension to the side and rear with roof lights.
- Single storey extension to the rear with roof lights.
- Dormer window to new attic conversion.
- Detached garden room in the rear garden with a floor area of 23.6 sq. metres and all associated works.

2.2 The proposed extension to the dwelling has an area of 110 sq. metres. At Further Information Stage, a number of modifications to the development were proposed including a reduction in the length of the rear single storey extension by 1.3 metres from the original proposal and removal of the proposed chimney. The dormer window to the rear was also reduced in size to a width of 2.5 metres and set back from all edges of the roof. An additional velux roof light was also proposed. To the front, the glazed return of the front bay projecting window closest to no. 65 Goatstown Road was removed and replaced with a solid brick wall.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 To Grant Permission subject to conditions. Conditions all standard in nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports (22.11.2017 and 12.01.2018):

- It is considered that the garden room structure will not have a detrimental impact on the residential amenity of the neighbouring properties.
- The height of the rear extension along the common boundary is 3.39 metres and it extends out a further 3.69 metres from the rear extension of the adjoining property at no. 65. Given the size and design of the proposed extension, and the existing extension of adjoining property no. 65, it is considered that the proposed extension will not have a detrimental impact on the adjacent property.

3.2.2. Other Technical Reports

- **Drainage Planning (09.11.2017 and 03.01.2017):** No objection subject to condition.

3.3. Prescribed Bodies

- No submissions.

3.4. Third Party Observations

Fran Mc Keagney and Roisin Allen, 65 Goatstown Road

- Concern regarding the length of the proposed rear extension along the common boundary and that it will result in a major adverse loss of light and overshadowing. The extension directly faces the rear patio of no. 65 and its amenity will be impacted on.
- Consider that that the extension may cause instability to the common boundary wall.
- Request that proposed chimney on the proposed rear extension be omitted and that the dormer window be reduced in scale or replaced with rooflights.
- State that the extent of the front bay window extension will create overshadowing and that a corner window directly facing into no. 65 will create overlooking.

- Concern regarding construction stage impacts and that construction vehicles may cause a traffic hazard.

4.0 Planning History

4.1 No recent relevant planning history pertaining to the site.

5.0 Policy Context

5.1. Development Plan

5.1.1 The operative Development Plan is the Dun Laoghaire Rathdown County Development Plan 2016 – 2022.

5.1.2 The subject site is zoned A: *“To protect and/or improve residential amenity.”* The principle of a residential extension is acceptable under this zoning objective.

5.1.3 Section 8.2.3.4 of the Plan addresses additional accommodation in existing built up areas. This notes the following key points:

- In determining first floor extensions the Planning Authority will have regard to factors such as:
 - Overshadowing, overbearing and overlooking -along with proximity, height and length along mutual boundaries.
 - Remaining rear private open space, its orientation and usability.
 - Degree of set-back from mutual side boundaries.
- Side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation), and impacts on residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. External finishes shall normally be in harmony with existing.
- Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining.

- Dormer extensions to roofs will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations.
- The level and type of glazing within a dormer structure should have regard to existing window treatments and fenestration of the dwelling. Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of and the privacy of adjacent properties.

5.2. Natural Heritage Designations

- None applicable.

6.0 The Appeal

6.1. Grounds of Appeal

- Notwithstanding the reduction at Further Information Stage, it is considered that the extent of the side wall of the rear extension which is 7.2 metres in length is excessive.
- The combined length and height of the extension wall will create excessive overshadowing of the adjoining rear garden, impacting negatively on their residential amenity.
- Consider that the shadow diagrams submitted are inaccurate and only show the impacts for June and December. No shadow flow for the rest of the year is provided, particularly for the 21st of March and September. This is required to show a more realistic view of the impact.
- Concern regarding the impact of the front bay extension which it is considered will create overshadowing and break the building line with a consequent negative impact on the streetscape.

6.2. Applicant Response

- A number of amendments were made to the design of the proposed extension at Further Information stage to address the concerns of the appellants. A revised shadow analysis incorporating the dates in March and September is submitted with the appeal response.
- This study highlights that the proposal will not unduly impact on the existing residential amenity of no. 64. It illustrates that there will be a small area of overshadowing at the corner of the appellant's rear extension between 8am and 11am at this time. It is submitted however, that any development to the rear, including that under exempted development would result in some overshadowing of the adjacent dwelling.
- The Planning Authority are clearly supportive of the development and the amendments proposed at Further Information Stage. It is considered unreasonable at this stage to further reduce the proposed rear extension. The development is fully in accordance with the zoning objective and proper planning and sustainable development of the area.
- There are existing precedents in the area of similar extensions to the front with bay windows.

6.3. Planning Authority Response

- It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.4. Observations

- No observations.

6.5. Further Responses

Dun Laoghaire Rathdown County Council (02.05.2018):

- It is considered that the grounds of appeal do not raise any new matter, which in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

Frank Mc Keagney and Roisin Allen (06.05.2018)

- Remain concerned regarding potential overshadowing and believe extension is excessive.

7.0 Assessment

7.1 The main issues 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:

- Impact on Residential Amenity.
- Appropriate Assessment.

7.2 Impact on Residential Amenity

7.2.1 The proposed development comprises the upgrade and extension to an existing suburban residential dwelling. The principal concerns raised by the appellants relate to the potential overshadowing impact of the single storey rear extension to their residential amenity and the impact of the front projecting bay window extension in terms of overlooking and overshadowing.

7.2.2 The proposed rear extension is to accommodate a new kitchen/dining/living area as well as a utility room, downstairs bathroom and playroom. It has a stated area of 62.9 sq. metres. Along the common boundary with no. 65 (the appellants), the extension has a maximum height of 3.39 metres and maximum length of 7.3 metres. There is an existing single storey extension to the rear of no. 65. Therefore, the proposed extension projects a further 3.6 metres beyond the existing rear building line of this dwelling. It is noted that no. 65 is served by a generous rear garden of c. 30 metres in length. I note that the roof profile of the rear extension has been designed to slope away from the appellants dwelling, reducing its visual impact.

- 7.2.3 The proposed extension was modified at Further Information Stage to address the concerns of the appellant. Of particular note is that the extent of the extension was pulled back by 1.3 metres to reduce its length along the northern boundary adjacent to no. 65. Modifications were also proposed to the dormer window and the chimney was removed.
- 7.2.4 A sunlight and daylight analysis to support the appeal response has been submitted by the applicants. This highlights that the existing single storey extension to the rear of no. 65 and boundary wall already casts a shadow over the rear garden of this property. The analysis demonstrates that at the March and September equinox, the development will result in some marginal additional overshadowing to the rear of no. 65. Large parts of the rear garden however, remain unaffected. The impact in June is demonstrated to be less adverse and in the Summer months, when the garden is likely to be most utilised, the impacts will in my view be minimal. I am satisfied, having regard to the overshadowing diagrams submitted and to the modest extent and height of the proposed extension, coupled with the large amount of rear amenity space serving no. 65, that there will be no adverse impact on the residential amenities of this property.
- 7.2.5 Concerns have also been raised regarding the proposed front extension and projecting bay window. The extent of the front extension is modest. It extends forward of the existing building line by 1.8 metres and will provide for additional living accommodation within the existing dwelling. It will also enhance the front elevational appearance and design of the existing dwelling. It is noted that a number of dwellings in the vicinity of the site have developed similar front extensions and modifications. Indeed the front elevation of no. 65 has also been modified.
- 7.2.6 I do not consider the extent or design of the front projecting element to be excessive and I am satisfied, that having regard to the existing elevational variation along the street that it will have no adverse visual impact on the visual coherence of the streetscape.
- 7.2.7 Concerns have also been raised regarding potential overlooking and overshadowing impacts of this element of the proposal. The shadow analysis submitted clearly demonstrates, that given the limited footprint of the front extension that no adverse overshadowing will occur.

7.2.8 In terms of overlooking, it is noted that at Further Information stage, on foot of the request from the Council, amendments were made to the elevation design and the glazing element of the front projecting bay window adjacent to no. 65 was omitted and replaced with a solid brick wall. I consider this mitigation measure to be unnecessary and the design as originally proposed with a fully glazed bay window is preferable. Given the existing boundary treatment between the two properties and the distance between the proposed extension and the existing dwelling to the north, I do not consider that any adverse overlooking impacts will occur. This issue can be addressed by way of condition.

7.3 **Appropriate Assessment**

7.3.1 Having regard to the nature and scale of the proposed development, an extension to an existing dwelling within an established urban area, and its 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 Dun Laoghaire Rathdown 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, as amended by the further plans and particulars submitted to the planning authority on the 8th day of December, 2017, 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. 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.

4. 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.

5. 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.

6. The solid brick wall to the side of the front projecting bay window as submitted to the Planning Authority on the 8th of December 2017 to be omitted and replaced with a glazed panel.

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

17th of May 2018