



An
Bord
Pleanála

Inspector's Report
301302-18

Development	Single storey extension to front and two-storey extension to side and rear of dwelling. Demolition works involved.
Location	71 Ravensdale Road, East Wall, Dublin 3
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	2067/18
Applicant(s)	Paul McIntyre
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party v Conditions
Appellants	Paul McIntyre
Date of Site Inspection	13 th July 2018
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. No. 71 Ravensdale Road is a modestly scaled end of terrace two-storey dwelling of about 52 sq.m. in a mature development of State housing dating from around the 1930s. Typical of its type, the houses are formally laid out with an ordered geometry in streetscape terms. To the rear the gardens are of varying dimensions and shapes.
- 1.2. The subject site of 191 sq.m. is substantially rectangular but narrows to a point at the rear. It is adjacent to a pair of semi-detached which front a corner junction- the front and rear building lines of no.73 for example are at a 45 degree to the subject site.
- 1.3. The house is set back from the side boundary by 2.9m which provides a generous side access that is gated at present. The house has been extended to the rear at ground level. The rear garden has a concrete rendered shed extending across the full width obscuring the view of the rear boundary. There are two other timber sheds backing on to the eastern boundary – none of these structures are shown in the submitted plans. The entire ground area that is visible to the side and rear in addition to the front is hard surfaced.
- 1.4. The adjoining dwelling has a single storey to the rear. Many of the other surrounding dwellings have extensions at ground level and some have first floor extensions.

2.0 Proposed Development

- 2.1. This proposal follows a previous permission for similar development permitted with similar conditions but which was not appealed. In this case it is similarly proposed to construct a 92 sq.m. extension which involves:
 - First floor extension to front. This will be 1m forward of the building line over a width of 5m up to the boundary and at height of 3m where the internal floor to ceiling height is 2.4m. This will provide a living room extension.
 - Demolition of existing extension and construction of two storey extension to side a rear.
 - At ground level the extension to rear extends at least 6.5m from the original rear wall and by about 5.2m to the rear at first floor level

- It is proposed to extend about 2.9m to the side up to the boundary but not over full depth of original house due to step in boundary. The front door is relocated to the side as indicated in plans but not annotated.
 - The house is entirely remodelled which provides a new entrance and hall through to the rear. This involves the relocation of the stair well to the centre of the house.
 - The extension provides for a living room, kitchen/dining room and separate utility room with wc at ground level and three double bed room, a fourth room shown as a closet off a bedroom (but potentially with independent access), and large bathroom at first floor level.
 - The extension is contemporary in style and works include the refurbishment to the entire property to match such as with new window style in the architect's impression but retained in the elevation dwelling.
- 2.2. The application is accompanied by a planning report with detailed references to planning history and precedence.

3.0 **Planning Authority Decision**

3.1. **Decision**

Grant permission subject to 9 conditions.

Condition 1 relates to compliance with drawings.

Condition 2 requires a €3110.40 S.48 contribution

Condition nos. 3, 6, 7 and 8 refer to construction requirements.

Condition 3 states:

No works shall commence on the site until such time as revised drawings are submitted to and agreed with the Planning Authority showing the following amendments:

- a. A reduction in the depth of the first-floor element of the rear extension to 3m (from the rear wall of the original house measured externally.)
- b. The proposed first floor high level window on the side elevation of proposed extension shall be completely and permanently obscured glazed.
- c. The flat roof the front extension shall be replaced with a pitched roof similar in design and materials to the main roof.

Reason: In the interests of residential and visual amenity, orderly development and proper planning and sustainable development.

Conditions 4 requires reinstatement of hardstanding to front.

Condition 5 requires external finishes match existing in terms of materials and colour.

Condition 9 refers to drainage issues.

3.2. Planning Authority Reports

- 3.2.1. The planning reports refers to policies and guidance on extensions and alterations as contained in the current Development Plan. The report refers to section 16.10.12 and Appendix 17 regarding extensions and alterations to dwellings. There is concern that the proposed extension to the front would be out of character with the surrounding area, hence the need for pitched roof.
- 3.2.2. The extension to the side is in keeping with the house.
- 3.2.3. The ridge height of 6.3m and depth of 5.2m of the two storey element is considered visually obtrusive and overbearing on the neighbour at no.69. The reference to planning decisions is acknowledged. It is stated in this regard that there is no evidence of two-storey extension as proposed in the terrace of 53-73 except for that permitted on the subject site and no. 67 which is about 3m deep at first floor level. And as they are of similar orientation they are most relevant.
- 3.2.4. No objection to the high-level window
- 3.2.5. The hard surfacing of the driveway was noted as being not exempted and a condition of permission is considered appropriate to address sustainable drainage.
- 3.2.6. Other Technical Reports

Drainage: no objection subject to conditions

3.3. Prescribed Bodies

Irish Water: No report

4.0 Planning History

Planning authority ref.3812/17 refers to permission for a similar proposal in the subject site. This was not appealed. Other cases referred to in detail by appellant and by planning authority.

5.0 Development Plan

5.1.1. The site is zoned to protect and improve residential amenity.

5.1.2. Sections 16.2.2.3 and 16.10 and Appendix 17 refer to extensions and alterations. The guidance applies the principle of subordination with the overall aim of integration such that it will not adversely impact the scale and character of the dwelling nor the amenities of adjacent properties in respect of privacy and access to light.

6.0 Grounds of Appeal

6.1. The agent has submitted an appeal against condition 3 only.

6.2. The requirement to step back the first floor is excessive having regard to:

- Precedent for two storeys to the rear- images attached.
- Proposal will not be over bearing being 11m from rear boundary and also being of a high quality design.
- Design ensures no overlooking: separation distances of 22m between opposing first floor windows will be exceeded. The high-level window in the side also addresses overlooking.
- The high-quality design is suitably scaled - plot ratio of .75 and site coverage 48% within acceptable range.
- It will harmonise with that permitted for no. 73 in adjacent site (at an angle.)
- Similar to no. 56 Shelmalier Road around the corner. 4.2m extension to rear at first floor and up to boundaries. The subject proposal at 5.2m projection is only marginally deeper.
- At 38 Shelmalier Rd a first floor extension was reduced by condition to a 3.5m projection but successfully appealed and consideration in the inspector's

report was given to neighbouring extensions and relative impact. The same should apply given the existing neighbouring extensions.

- The height in the case of no.38 was 7.18m whereas the subject proposal is 6.3m.
- Other two storey extensions in existence are located at numbers 6 and 12 Shelmalier Road and 60 Bargy Road, 152 East Wall and 91 Church Road where projection exceeds 5m.

6.3. The requirement for a pitched roof in the front extension is disputed having regard to:

- It is appropriately scaled and does not unduly disrupt the visual amenity of neighbouring properties.

7.0 Responses

7.1. Planning Authority Response

No further comments

8.0 Assessment

8.1. Issues

8.1.1. This appeal is against condition number 3 of a decision to grant permission for extensions to the front, side and back of an end of terrace house. The reason for this condition is based on residential amenity, visual amenity, orderly development and sustainable development. Having reviewed the file and inspected the site and having regard to the nature of the condition, I am satisfied that the Board can confine its consideration to issues substantially within said condition and that a determination by the Board of the application as if it had been made in the first instance would not be warranted.

8.1.2. The issues in this context are:

- Visual amenity and orderly development
- Impact of residential amenity by reason of overbearing impact and overshadowing.

8.2. Visual amenity and orderly development

- 8.2.1. The overall external design is very contemporary in form and finish and this approach for extensions is advocated in the development plan insofar as it may set off the original design. In this case the planning authority considers the architectural style of extension to the front and side, in streetscape terms, to be generally acceptable, particularly having regard to the roof profile over the extension to the side which stepped down. The ground floor extension to the front is considered however to be somewhat out of character and a pitched roof is required in place of the flat roof to keep with the more traditional style of the terrace. The applicant however disputes that there will be any visual incongruity and appeals this condition.
- 8.2.2. In the first instance I note in the drawings that there are some inconsistencies between the artist's impression and elevation drawings. The window openings incorporate a solid element in the fenestration and there is horizontal emphasis in alignment at first and ground level in the artist's impression. While attractive, and reflective of the stark and modern backdrop of the city office block that close the street, this would be quite a departure from the original style among the immediate houses – in that virtually all elements would be removed or remodelled. The elevation drawing for the same façade illustrates a more traditional fenestration in the upper level – a tripartite window in the original element with a subordinately scaled narrower window that is vertically divided and I consider this to be more reflective of the original character. Having said that, I note this is not an architectural conservation area and it is the layout and ordered streetscape that contributes to the character more so than simple architectural styling. The breach of building line with the extended ground floor would be a deviation from the building line but could be generally absorbed in the environs. It is also simple and unfussy. I do not consider a pitched roof would assimilate what is a very contemporary approach to the ground floor but would more likely just add to the bulk. Accordingly I see limited benefit in the addition of a pitched roof particularly as what is of most importance is the impact on no.69 to the east. This neighbouring house is reliant on daylight and sunlight to its living room through a sole living room window less than 500mm from the boundary where it is proposed to step forward. No. 69, due in part to the development to rear, is quite reliant on this window as a source of amenity. To cause any overshadowing or obstruction to this window would be unreasonable in view of the proposed

development to the rear. In these circumstances I consider a stepping back from the boundary by 500mm to be reasonable and the condition should be modified to ensure this. While I accept it would be minimal in terms of impact on the adjacent property, the omission of a pitched roof (as required in condition 3) would also minimise overshadowing. This further supports the appellant's case. I therefore recommend that the condition should also be amended to reflect this approach.

8.3. Impact on Residential Amenity

- 8.3.1. The appellant disputes that a 5.2m deep extension is inappropriate having regard to precedence and high-quality design. The case is further made that the existence of the ground floor extension in no.69 also reduces the relative impact.
- 8.3.2. The planning authority in this case however had regard to the orientation. In this case the rear elevation of the terrace faces south west but the plot width of the mid terraces is about 4.5m and therefore boundary walls and abutting sheds (of which there are three in the subject site) impede natural daylight and sunlight into the property and garden. The proposed ground floor extension beyond no. 69 would further impede light penetration being due south west but it would be marginal and is therefore not at issue as already determined by the planning authority . However the first floor at a height of 6.3m while stepped back would still impede light penetration into the rear bedroom window. This would be aggravated by a tunnelling effect created by the extension on the far side. It would also extend deeper than the width of the house thereby potentially encroaching on the amenities of no. 67. I note however that this property has been extended by two storeys and therefore impact is not an issue.
- 8.3.3. I note also that the owner of the house at no.69 has written a letter indicating that he has no objection to the proposed development. Similarly, the owner on the far side supports the development.
- 8.3.4. In the case of no. 73, I note the development would be due south/south east but impact would be limited due to the open southerly aspect of this wider site. It would still have relatively unobstructed sunlight from late midmorning onwards.
- 8.3.5. While noting the absence of objections I do not consider this to be an entirely sound basis to permit, what would more often than not be considered, excessive

development. I concur with the planning authority that a 6.3m high wall on the boundary over a depth of 5.2m in a terraced situation of narrow plots would be excessive. I do however consider there is some room for relaxing its requirement in view of the pattern of development and orientation but I would be concerned about the precedent and pressure for substantial development that would seriously encroach on amenities of family homes in a community in the city environs. In these circumstances I consider a setback remains appropriate but at a depth marginally increased to 4.2m.

- 8.3.6. This reduction in depth would still facilitate the layout proposed which provides for generous circulation, storage and bathroom space in addition to 3 double rooms. If the original stairs were retained the scale of the proposed accommodation to the rear could be retained. In this regard I curiously note the retention of the original hallway despite what appears to be the relocation of the front doorway to the side. Accordingly, the applicant has many options to still provide generous family accommodation particularly as compared to the original house layout. I do not therefore consider it unreasonable to scale back the proposal to protect neighbouring amenities.
- 8.3.7. There is also scope to reduce the height given that the first floor ceiling height is proposed at 2.9m which is 500mm in exceedance of the minimum floor to ceiling height for habitable rooms. In this case the extension at 6.3 high over a distance of 5.2m along the boundary would cause a significant shadow however I am satisfied that a setback sufficiently addresses this while retaining an elegant design.
- 8.3.8. In view of the discrepancies between the drawings and while I am quite satisfied that the elevations take priority over the artist's impression drawings, in the interest of clarity, a further modification of condition 3 to clarify drawings and finished windows should be attached.
- 8.3.9. On balance I do not consider the proposed extension will adversely affect the amenities of the adjacent residents or wider streetscape subject to amended conditions. Accordingly, I consider the proposed extension to be acceptable and in accordance with the proper planning and sustainable development of the area.

9.0 Appropriate Assessment

- 9.1. In view of the scale nature of the proposed development relating to a domestic extension in an urban area and the nature of issues under appeal, I do not consider the issue of appropriate assessment arises.

10.0 Recommendation

Within the provisions of section 139, I recommend that the planning authority be directed to **amend** condition no. 3 based on the following reasons and considerations. Having regard to reasons for condition 5 and in view of the hard standing and extent of shed development in the garden and existing and proposed plans, a condition should be **attached** to clarify the permission and ensure an adequate standard of development.

11.0 Reasons and Considerations

Having regard to the existing building line and pattern of development and the proposed design and façade treatment, it is considered that, the proposed development, subject to the following amended condition would comply with development plan policy with respect to the integration of the proposed extension and would be acceptable in terms of residential and visual amenities of the area and would therefore be in accordance with the proper planning and sustainable development of the area.

3. Revised drawing incorporating the following amendments and points of clarification shall be submitted for the written agreement of the planning authority prior to commencement of development on site:
- a. A reduction in the depth of the first-floor element of the rear extension to 4.2m (from the rear wall of the original house measured externally.)
 - b. The proposed first floor high level window on the side elevation of proposed extension shall be completely and permanently obscured glazed.
 - c. The front extension shall set back 0.5metres from the boundary with number 69 Ravensdale Road.
 - d. Details of all windows and openings in the front elevation.

Reason: In the interest of clarity and In the interests of residential and visual amenity, orderly development and proper planning and sustainable development.

10. The shed of solid construction at the end of the back garden and a at least one of the timber sheds shall be removed and the garden as indicated in the submitted plans shall be landscaped with a permeable surface and subsurface in accordance with the requirements of the drainage division. Details including a timeframe for proposed work shall be submitted for written agreement prior to commencement of development on site.

Reason: To ensure an adequate provision of private open space and in the interest of sustainable drainage in an urban area.

Suzanne Kehely

Senior Planning Inspector

16th July 2018