



An
Bord
Pleanála

Inspector's Report
ABP-301840-18

Development	Two-storey extension to house
Location	199 New Cabra Road, Dublin 7
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2585/18
Applicant(s)	Karen Burns and Allen Doyle
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	John Martin
Observer(s)	None.
Date of Site Inspection	19 th September 2018
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The site is one of a pair of Edwardian red-brick houses on the north side of the New Cabra Road and 3 houses down from rail line. The road is a mature and heavily trafficked residential thoroughfare (R147) into the city centre and, in the vicinity of the site, is characterised by a predominance of early 20th century houses of similar style on generously proportioned plots.
- 1.2. The plot is about 9.1m wide and 45m deep. There is a slight rise in the road with the result that there is a slight step in ground levels between the adjacent plot with the subject site rising above no 187 and being slightly lower than 201. The house is set back almost 15m front the entrance and has a converted garage to the side and original outbuildings to the rear which semi-enclose a yard outside the kitchen window. There is a small extension to the rear also. The house is presently vacant and in need of refurbishment.
- 1.3. No 197 has a new two storey extension constructed up to the boundary with the site.

2.0 Proposed Development

- 2.1. It is proposed to remodel the house and outbuildings by narrowing the house at ground level and extending to the rear at ground and first floor levels.
- 2.2. This will provide:
 - An overall net increase in floor area of 41 sq.m.
 - a side passage to the rear garden
 - An integrated utility area and larger kitchen living at ground level. The narrower room is proposed as a cloakroom, boil room and wc. It is also proposed to reinstate an en-suite bedroom as a living room at this level
 - 3 large double bedrooms and a study with a large family bathroom, larger ensuite and dressing room at first floor level. This replaces 4 bedrooms (two ensuite) and a small bathroom at this level. –

- 2.3. It is proposed to extend the first floor 3.8m deep along the party wall with adjoining house. This will rise from an existing party wall height range of about 3-3.9m up to a new parapet height of 6.52m.

A new window is proposed in the front elevation of the bathroom which recessed from the front building line. Rooflights are also proposed for ground and first floors.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to standard conditions relating to harmonisation of materials and finishes and construction details and management.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report refers to the section 16.10 of the Development in term of guidance, the points raised in the objections and the planning history which has permitted a two storey extension to the rear in no.197. The proposal is described in detail and by way of appraisal it is stated that having regard to the scale, layout, size of the extension and orientation it is considered that it does not impinge on the residential or visual amenities of the area and does not result in undue overshadowing, overlooking or have an overbearing impact...materials are acceptable and in character.... the proposal complies with the development plan and proposer planning and sustainable development of the area.

3.2.2. Other Technical Reports

Drainage: No objections

3.3. Prescribed Bodies

TII: No observations.

No responses from Irish Water, NTA or Irish Rail.

3.4. Third Party Observations

3.4.1. John Martin:

- The proposal will be unreasonably intrusive and aesthetically out of character with surroundings.
- require a 2m set back from any party wall. [A requirement in the planning regulations for exemption.]
- The extension will overshadow windows in living room and bedroom.

4.0 Planning History

4.1. There is no stated history for the subject site, however planning authority reference **5186/06** refers to a grant of permission for a two storey extension in the neighbouring house no.197 (detached from subject site) which adjoins 195. In this case, the first floor is set back a few metres from the adjoining house/party wall. Condition 3 required a hipping of the gable roof to reduce massing. This has been constructed.

5.0 Dublin City Development Plan 2016-2022

5.1. The site is governed by objective 'to protect, provide and improve residential amenities,' (Z1). Section 16.10.12 provides guidance for residential extensions and states that such will only be granted where the Planning Authority is satisfied that the proposal will not have an adverse impact on the scale and character of the dwelling and not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

Appendix 17.6 states that large single storey or two-storey extensions to semi-detached houses can, if they project too far from the main rear elevation, result in a loss of daylight and sunlight received by adjoining properties.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. John Martin has lodged an appeal based on the following grounds:

- Overshadowing of living room and bedroom due to loss of sunlight in morning
- Impact on amenity of garden and patio
- Reliant on access for painting
- Rooflight will overlook property.

6.2. Applicant Response

6.2.1. The applicant refutes the grounds of appeal by stating the following:

- The planning authority considered these concerns and concludes that the extension does not impinge on the residential or visual amenities of the area and the development does not result in undue overshadowing, overlooking or have an overbearing impact of neighbouring property.
- The rear elevation is north facing – due to orientation the proposal will have minimal impact as supporting by light studies (Photographs included in response letter.)
- There is no potential overlooking as the rooflights are proposed to bring light down to the master bedroom ensuite and hall. There is no attic conversion proposed. The planning report is cited – there is no objection to the provision of rooflights.
- The proposed development will sympathetically restore and renovate what is currently an outdated house in very poor repair. A high-quality finish is proposed throughout. We believe the overall design responds well to the immediate surroundings in terms of scale, design and use of materials and we believe the development is modest given the calculated site coverage and plot ratio. There is an established patten of development in this area for dwelling and extensions of this scale as referred to above.

6.3. Planning Authority Response

No further comments.

7.0 Assessment

- 7.1. This appeal relates to a proposal to construct a circa 64 sq.m. two storey rear extension in place of 23sq.m of existing habitable and ancillary space to be demolished within the curtilage of the house. Having regard to the generous plot proportions and notably widths at of over 9m there is I consider little issue with the principle of a two storey extension at this location. The resident in the adjoining house objects by way of appeal to the impact on the amenities of his house and garden. The issues are design based and relate primarily to, overshadowing and overbearing impacts on the adjoining semi-detached house.
- 7.2. The proposal will result in effectively raising a boundary wall from an existing height range of about 2.8 to 3.925m to a continuous height of 6.52m over a depth of 3.875m. The massing of the extension is further accentuated by a ridge height 7.58m and ridge depth of about 7m by virtue of the pitched and gabled roof over the extension.
- 7.3. While I accept that the rear elevation is north facing and the diminution of sunlight in absolute terms is at the lower end of the scale, there will be an impact on daylight due to the massing and scale of the proposed extension and proximity of the appellant's windows to same. The shadow in the patio/garden will also be extended deeper into the garden in the earlier hours of the day when the sun is higher. I also note that the house on the other side of the appellant's house has been extended to a height half way up the adjacent first floor window whereas the appellant's property has not been extended to the rear. In this context, the shadowing and tunnelling of views caused cumulatively by the proposed extension, given the proximity to windows of habitable rooms, would contribute to an austere and bleak aspect and have an overbearing impact. While most first floor extensions in an urban context have a degree of impact, I would query the reasonableness of such an impact in this case when considering three aspects: the neighbouring two storey extensions, the plot width which provides alternatives and the quality of accommodation to be provided.
- 7.4. Firstly, the extension in no.197 is stepped back a few metres at first floor level from the adjoining semi-detached house and, while constructed up to the boundary with no.199, the side passage provides a gap between nos.197 and 199.

- 7.5. Secondly, the house width is over 8m and provides less intrusive options. Despite the width of the first-floor extension at 6.1m the extension is right along the boundary. To put in context, an ordinarily 12 sq.m. exempt first floor extension loses exemption if less than 2m from adjoining party boundary.
- 7.6. Thirdly, the proposed first floor extension layout will unnecessarily create indoor rooms reliant on rooflights.
- 7.7. By stepping back from the party boundary with no. 201 at first floor, a window could be maintained allowing more flexible options such as a bedroom, now or in the future. By extending closer to no.197 which has already been extended to the boundary there would be little or no material impact on 197. (There are no west facing windows at this point.) While I accept that the lower roof profile restricts layout – the ancillary en-suite /dressing/ storage areas could be relocated to this area. Essentially a bedroom could be maintained with a vertical window in the proposed master room ancillary areas and the master room with en-suite and dressing areas could be provided in the modified extension. This would have the benefit of removing potentially complicated internal plumbing and sewer pipes and also permit ease of natural lighting and venting of rooms with external walls rather than relying on roof lights.
- 7.8. At ground floor the impact would I consider also be beneficial as the setback would allow a rooflight to the ground floor living area which could enhance daylight penetration to a proposed internal living/dining space otherwise reliant on secondary light from vertical windows in adjoining rooms. The loss of rooflight space in the kitchen would be minimal as it has two external walls and there are no internal living rooms reliant on this. The utility room has a glazed door to the side passage.
- 7.9. I note in the adjacent house 197 a hipped roof was required by condition of permission. In this case a hipped roof would reduce the massing however in the event of stepping back from the boundary this would result in a lower ridge. Given the potential to extend the other way and the roof slope as exists, a hipping would be overly complicated and unwarranted.
- 7.10. While the proposed refurbishment and upgrading of a prominently sited house in disrepair is to be welcomed and accords strategically with sustainable planning, I consider on balance, having regard to the pattern of neighbouring development, that

the first floor should be set back from the adjoining neighbour at first floor level to minimise the overbearing aspect. I note however that a set-back of up to one metre would be of little use in that the two bedrooms would be unlikely to be accommodated in the new extension. Nor is it likely that an appropriate window could be maintained or provided. In light of my observations on the overall design and in order to maintain as much of the floor space proposed I consider a redesign is appropriate – such that the bedroom window could be maintained and modified while at the same time accommodating the rooms proposed. I am satisfied this can be addressed by condition. Alternatively, the Board could invite a revised design.

7.11. Environmental Impact Assessment

Having regard to the nature and scale of the proposed development and the nature of the receiving environment there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore be excluded at preliminary examination and a screening determination is not required.

7.12. Appropriate Assessment

Having regard to the nature and scale of development proposed and to the nature of the receiving environment, 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 grounds of appeal and submissions on file, together with my observations during a site inspection, the prevailing pattern of development in the area and the planning history, I consider the proposed development should be granted permission with amended conditions.

9.0 Reasons and Considerations

Having regard to pattern of development and the nature, scale and design of the proposed development, it is considered that, the proposed development, subject to amended conditions 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.

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 proposed extension shall be modified at first floor level. Revised drawings incorporating the following amendments shall be submitted for the written agreement of the planning authority prior to commencement of development on site:

(a) The first floor shall be set back at least 1.8m from the party wall with the adjoining house no.201. The extension may be increased on the other side by up to 1.5m while maintaining the roof profile as viewed in the front elevation.

The more western bedroom window may be maintained and modified in the existing rear elevation subject to the opening being no nearer than 750mm to the party wall boundary.

Reason: In order to safeguard the residential amenities of adjoining property and in the interest of visual amenity and orderly development.

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, 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 property in the vicinity

4. 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.

5. 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.

Suzanne Kehely

Senior Planning Inspector
11th October 2018