



An
Bord
Pleanála

Inspector's Report ABP-302360-18.

Development	Construct an extension and alterations to house, widen existing entrance.
Location	7, Guilford Drive, Dublin 4 D04 W270.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3134/18.
Applicant(s)	Susan & Paul Lynch.
Type of Application	Permission.
Planning Authority Decision	Split decision.
Type of Appeal	First Party.
Appellant(s)	Susan & Paul Lynch.
Observer(s)	The Park Avenue Partnership.
Date of Site Inspection	1 st December, 2018.
Inspector	A. Considine.

1.0 Site Location and Description

- 1.1. The subject site is located within the suburbs to the south of Dublin City. Guilford Drive lies in close proximity to the Sandymount Dart Station, and the RDS to the west, and the Aviva Stadium to the north and is a long established residential area. The coastline lies within 500m of the site to the east. The area is characterised by two storey semi-detached houses which include hipped roofs with both brick and pebble dash finishes. A number of the houses along Guilford Drive have been extended including single storey flat roof extensions and two storey flat roof extensions to the site.
- 1.2. The existing house on the site has an existing single storey extension to the side and to the rear and is located on the southern side of Guilford Drive. The rear garden is south facing and has a log cabin style shed in the south eastern corner.

2.0 Proposed Development

- 2.1. Planning permission is sought for extension and alterations to existing two storey semi-detached residence to include:
 - Demolition of existing single storey extensions to side and rear
 - An independent living unit at ground floor level
 - Construction of new two storey extension to side and single storey extension to rear
 - Alterations and additions to elevations
 - Internal alterations
 - Widening of existing entrance
 - Connections to public foul and surface water drainage
 - And all associated site development works

All at, 7, Guilford Drive, Dublin 4.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to issue a split decision, permitting the widening of the existing entrance and refusing permission for the extension and proposed amendments for the following reasons:

1. The proposed subdivision and extensions to the existing house would create an additional dwelling to the side of the existing house and would represent an incongruous insertion with a terracing effect at the end of a semi-detached pair of houses, would lose the legibility of the original house, and would be out of character with the established pattern of semi-detached houses in the vicinity which function as single residential units. The proposed development would therefore seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.
2. The site is zoned Z1 in the Dublin City Development Plan 2016-2022 which seeks 'to protect, provide and improve residential amenities' and Section 16.10.12 of the Dublin City Development Plan 2016-2022 seeks that 'Extensions should be subordinate in terms of scale to the main unit'. The proposed two-storey extension to the side of the existing house by reason of its bulk, layout, design, solid to void ratio, size of the open patterns, front building line, roof profile and the angular nature of the proposed eastern gable wall would be visually obtrusive and would materially and negatively impact the residential amenity and setting of the streetscape. In addition the proposed development would not be subordinate to the main dwelling. The proposed development therefore contravenes the zoning objective 'Z1' and Section 16.10.12 of

the Dublin City Development Plan, would seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3. The site is zoned Z1 in the Dublin City Development Plan 2016-2022 which seeks 'to protect, provide and improve residential amenities'. The proposed subdivision of the existing house would result in a loss of privacy and amenity for the occupants of the independent, residential, ground floor unit having regard to the proposed internal layout and level of overlooking to the rear garden which would be contrary to the zoning objective 'Z1' of the Dublin City Development Plan, would seriously injure the amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officers report formed the basis of the Planning Authority's decision to issue a split decision, permitting the widening of the entrance and refusing planning permission for the proposed extension and alterations. The report concluded that the development as proposed provided for the subdivision of the site for two separate residential units and as such, applied the Development Plan minimum standards for such developments.

3.2.2. Other Technical Reports:

Drainage Division: requests that the development incorporate SuDS and submit an appropriate floor risk assessment.

Roads & Traffic Planning Division: The proposed vehicular entrance shall be a maximum of 3.6m wide.

3.2.3. Prescribed Bodies:

None.

3.2.4. Third Parties:

There was one third party submission in relation to the proposed development from the owner of the site to the south (rear). While there is no objection in principle to the proposed development, issues in relation to overlooking and loss of privacy were raised. The Board will note that planning permission has recently been granted for the construction of 9 houses on this site, PA ref 3137/18 refers.

4.0 Planning History

There is no relevant planning history pertaining to the site. The following history relates to the vicinity:

PA ref 3137/18: Permission granted subject to conditions for the development of 9 no. three storey 3 bed dwellings on a backland site immediately to the rear of the current site, at 11 Park Avenue.

PA ref 3855/05: Permission granted for a two storey extension and attic conversion of 13 Guilford Park

PA ref 1423/02: Permission granted for the demolition of existing single storey garage and construction of a two storey extension to the side and rear of 3 Guilford Drive.

5.0 Policy Context

5.1. Development Plan

The Dublin City Development Plan, 2016-2022 is the relevant policy document relating to the subject site.

The site is located within a district centre which is zoned Z1. It is the stated objective of this zoning 'to protect, provide and improve residential amenities.'

Chapter 16 of the Plan deals with development management standards and the following sections are considered relevant:

Section 16.10.2: Residential Quality Standards – Houses

Section 16.10.14: Ancillary Family Accommodation

In terms of extensions to family homes to accommodate a family member, the Plan requires compliance with the following:

- A valid case is made with regards to the relationship with the applicant
- It is directly connected to the main dwelling
- The independent unit can be integrated into the dwelling once the family member no longer needs it

Section 16.10.12: Extensions and Alterations to Dwellings

Section 16.10.13: Subdivision of dwellings

With regard to the proposed widening of the entrance, the Plan provides that 'Driveways should be at least 2.6m or at most 3.6m in width and shall comply with the design standards set out in 'Parking Cars in Front Gardens'.

Full details of the relevant sections of the City Development Plan are provide as an appendix to this report.

In addition to the above, the following is relevant:

Appendix 17 sets out design guidance with regard to residential extensions:

- 17.3: Residential amenity: extensions should not unacceptably affect the amenity of the neighbouring properties.
- 17.4 Privacy: Extensions should not result in any significant loss of privacy to the residents of adjoining properties.
- 17.6 Daylight and Sunlight: Care should be given to the extensions and the impact on the adjoining properties.
- 17.11 Roof extensions: The design of the roof shall reflect the character of the area and any dormer should be visually subordinate to the roof slope, enabling a large proportion of the original to remain visible.

Appendix 5.1 of the Dublin City Development Plan 2016-2022 also provides policy guidance in relation to the assessment of new driveways and parking in front gardens in residential areas as follows:

“Where driveways are provided, they shall be at least 2.5m or, at most, 3.6m in width and shall not have outward opening gates. The design standards set out in the planning authority’s leaflet ‘Parking Cars in Front Gardens’ shall also apply.’

5.2. Natural Heritage Designations

The site is not located within or adjacent to any Natura 2000 site.

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the decision of the Planning Authority to refuse permission. The grounds of appeal are summarised as follows:

- The proposed development will not seriously injure the residential amenities of the area and the overall design complies with the Plan.
- The main element of the development is set back behind the front building line
- The rear of the neighbouring house will be 7.3m from the proposed extension
- The roof design will reduce visual impact
- Existing extensions to houses in the vicinity
- The proposal complies with policy to provide for accommodation for elderly parents.
- The existing dwelling has a floor area of 138.5m². The proposed extension has a floor area of 94.4m².
- The extension is subordinate to the main house and nearest neighbours have no objections

- The design provides that the independent accommodation can be integrated back into the dwelling and complies with Section 16 of the development plan.
- Details of the need for the development is provided.

It is requested that the Board overturn the decision of the local authority and grant permission.

6.2. Planning Authority Response

None

6.3. Observations

There is one observation noted. The issues raised in this observation reflect those raised with PA and it is requested that the rear balcony and first floor window be redesigned to prevent overlooking.

7.0 Assessment

Having undertaken a site visit and having regard to the relevant policies pertaining to the subject site, the nature and scale of the proposed development and the nature of existing and permitted development in the immediate vicinity of the site, I consider that the main issues pertaining to the proposed development can be assessed under the following headings:

1. The principle of the development and compliance with policy
2. Design and residential amenity
3. Other Issues
4. Appropriate Assessment
5. Environmental Impact Assessment

7.1. The principle of the development and compliance with policy:

7.1.1. The proposed development provides for the extension of an existing residential property and the provision of an independent living unit for the appellants parents on lands zoned for residential purposes in the Dublin City Council Development Plan, 2016-2022. In principle, the proposed development can be considered acceptable.

7.1.2. The Board will note that the Planning Officer for Dublin City Council determined that the proposed development as presented, essentially provides for the subdivision of the house into two separate residential units. Of note is the proposal to provide for two front doors and the fact that the proposed independent living unit is to be contained within the existing house, while the proposed extension will comprise the kitchen / living area of the 'larger house' at ground floor level and a new master bedroom at first floor level. There will be a connection to the first floor of the existing house from the proposed extension with this area to comprise part of the larger dwelling. The ground floor of the existing house is to be adapted to provide for the independent living unit for the applicants parents with an ensuite bedroom to the front and an open plan kitchen / dining / living area to the rear providing access to the communal rear garden. The Planning Authority considered that the arrangement proposed does not comply with the requirements of the City Development Plan.

7.1.3. It would appear to me that the development was read as providing a new house to the side of the existing house rather than providing an independent living unit as in most cases, it is the independent living unit that would be provided in the extension. It is the stated policy of Dublin City Council, Policy QH14 refers, to support the concept of independent living and assisted living for older people, to support the provision of specific purpose-built accommodation, and to promote the opportunity for older people to avail of the option of 'downsizing'. To support the promotion of policies that will:

- Encourage/promote full usage of dwellings units.
- Incentivise property owners of underutilised dwellings to relocate to smaller age-friendly dwellings.

- Actively promote surrendering larger accommodation/financial contribution schemes without compulsion.

7.1.4. Section 16.10.13 of the Plan deals with subdivision of dwellings. I would not consider that the intent here is to subdivide the existing house, rather provide for independent living within the existing house. Section 16.10.14 of the Plan facilitates the provision of ancillary family accommodation subject to a number of criteria. I am satisfied that the specific criteria have been met by the applicants in this case and that the principle of the development can be considered acceptable. I would also have no objections to the provision of the independent living area within the existing house as proposed.

7.1.5. However, the Plan also provides that generally, the purpose of ancillary family accommodation is to provide an amenable living area offering privacy, manoeuvrability and accessibility directly connected to the main dwelling. Usually, there is no exterior difference in appearance between an extension and ancillary family accommodation. The Board will note that there is an internal connecting door proposed between the two units to the rear. That said, I would have reservations that the development as proposed would give the impression of two separate units as there are two front doors proposed. In addition, I would question how both parts of the dwelling would be integrated when the independent living unit is no longer required. In this regard, I would not consider that the proposed development adequately complies with the City Development Plan.

7.2. Design and residential amenity:

7.2.1. The proposed design of the extension provides for a flat roofed two storey structure to the side of the existing house. In terms of the overall design, I am satisfied that in principle it is acceptable and there is evidence of similar extensions to houses in the area. Section 16.10.12 of the Plan deals with house extensions and states that 'applications for planning permission to extend dwellings 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

- Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

In terms of the above, the scale of the extension in comparison to the existing house on the site is excessive in my opinion. This concern is compounded by the shape of the extension which fans out to the rear, following the line of the site boundaries. The continuous two storey element adds to the bulk and scale when viewed from the front.

7.2.2. In terms of impacts on adjacent properties, I am generally satisfied that there will be no impacts arising with regard to overshadowing or overlooking. While I note the third party submission in this regard, I am satisfied that due the orientation of the permitted development to the south, together with the boundary treatment permitted, there is little or no potential for overlooking of private amenity spaces associated with the permitted houses.

7.2.3. Overall, while I have no objection in principle to the extension of the house, or the provision of the independent living unit within the existing house as detailed, I consider that as proposed, and including the proposed provision of two front doors and the lack of appropriate internal connections between the existing house and the extension, the development would represent a significant visual impact on the surrounding area and would essentially result in the provision of two separate residential units, which would be out of character with the character of this residential area. I also have concerns that the layout as proposed would not be conducive to the reintegration of the independent living unit into the house when it is no longer needed. In this regard, I consider that as proposed, the development would be contrary to the proper planning and sustainable development of the area.

7.2.4. Should the Board be minded to grant permission in this instance, I would recommend that the development be amended as follows:

1. No permission is granted for a second front door.
2. The ground floor of the house and the extension shall be redesigned to retain the existing ground floor bedroom door as access to the extension and access to both the house and the independent living unit shall be via the existing front

door only. The proposed connecting door to the rear of the development shall also be retained.

3. The proposed side extension shall be stepped down from two storey to single storey along the eastern boundary, reducing the floor area of the proposed first floor master bedroom and ensuite.

7.3. Other Issues

- 7.3.1. In terms of other issues, the Board will note the proposal to widen the existing vehicular entrance to the site to 4m. The City Development Plan, Appendix 5.1 provides that the maximum entrance width shall be 3.6m. Should the Board be minded to grant permission in this instance, a condition to comply with this maximum width should be included.

7.4. Appropriate Assessment

The site is not located within or adjacent to any Natura 2000 site. The closest designated sites are the South Dublin Bay SAC, Site Code 000210, and the South Dublin Bay and River Tolka Estuary SPA, Site Code 004024, which are located within approximately 500m to the east of the site.

Having regard to the location of the subject site, together with the nature and scale of the proposed development on zoned lands, I am satisfied that there is no potential for impact on any Natura 2000 site, warranting AA.

7.5. Environmental Impact Assessment

Having regard to the nature and scale of the proposed development, 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.

8.0 Recommendation

It is recommended that a split decision should issue as follows:

1. planning permission be granted for the proposed widening of the entrance and
2. planning permission be refused for the removal of the existing side extension and construction of two storey side and rear extension

for the following reasons and considerations and subject to the following conditions.

9.0 Reasons and Considerations

Having regard to the established built form and character of Gilford Drive, it is considered that the proposed development, including a two storey side and rear extension, together with an additional front door, would be incongruous in terms of its bulk, scale and overall design, would be out of character with the streetscape, would seriously injure the visual amenities of the area, would not be subservient to the main house on the site and would therefore not accord with the Section 16 of the current Dublin City Development Plan 2016-2022, as it relates to extensions to dwellings. The proposed development would set an undesirable precedent for future development in this area and would be contrary to the proper planning and sustainable development of the area.

Reasons and Considerations (2)

Having regard to the Z1 zoning objective, the policies and objectives of the Dublin City Development Plan 2016-2022, in particular Appendix 5.1, it is considered that, subject to compliance with conditions below, the proposed widening of the entrance would not seriously injure the visual amenities of the area or residential amenity or cause any traffic hazard. The proposed development 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 to An Bord Pleanála, 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 out in accordance with the agreed particulars.

Reason: In the interest of clarity

2. The driveway entrance shall be a maximum of 3.6m wide and shall not have outward opening gates.

Reason: To ensure a satisfactory development.

A. Considine

Planning Inspector

02nd December, 2018