



An
Bord
Pleanála

Inspector's Report ABP. 302405-18

Development	Construction of a part single-storey part two-storey extension to the front, rear and side of the existing dwelling.
Location	2 Croydon Terrace, Marino. Dublin 3.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3252/18.
Applicant(s)	Claire Moreau & Barry Mc Kernan.
Type of Application	Permission.
Planning Authority Decision	To Grant Permission.
Type of Appeal	First Party v Condition
Appellant(s)	Claire Moreau & Barry Mc Kernan.
Observer(s)	None.
Date of Site Inspection	October 9 th , 2018.
Inspector	Breda Gannon.
Appendix 1	Site plan. Annotated photographs.

1.0 Site Location and Description

- 1.1. The site is located at No 2 Croydon Terrace, Marino. Dublin 3. It accommodates a two-storey end of terrace house at the junction of Croydon Gardens/Croydon Terrace. The house is located at an angled position on the site, addressing both road frontages. It has a dash finish with a narrow plaster band and a hipped roof profile, similar to other houses on adjoining terraces. The front garden is enclosed by a substantial hedgerow. Vehicular access is provided off Croydon Terrace and there is parking space within the site curtilage. To the rear, there is a small triangular area of open space enclosed by concrete walls, which accommodates a shed.
- 1.2. The site is located opposite Croydon Park, a large circular area of open space that provides a significant amenity for local residents.

2.0 Proposed Development

- 2.1. The development as described in the public notice submitted in support of the application proposes the following;
 - Construction of part single-storey, part two-storey extension to the front, rear and side of the existing dwelling,
 - Alteration to fenestration details,
 - Landscaping, boundary treatment and ancillary works.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant permission for the development subject to 8 no. conditions.

Condition No 3 is relevant to the appeal and reads as follows;

The development shall be revised as follows:

- a. *The two-storey front extension in its entirety shall be omitted from the scheme.*

- b. *The side extension and associated roof structure shall be set back at least 0.5m from the primary building line (south west facing elevation) of the dwelling.*
- c. *The parapet of the side and rear extensions shall be reduced in height to match the eaves of the existing dwelling.*

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings.

Reason: *In the interests of visual amenity.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **Planning Officer's** report of 13/6/18 may be summarised as follows:

- Planning permission was granted for a similar type development under Reg Ref No 4065/17. Condition No 3 of that permission required amendments to the development including that the two-storey front extension and alterations to fenestration to existing front elevation be omitted. It also required that the single-storey extension and associated roof structure be set back at least 0.5m from the existing front building line.
- In the current proposal the two-storey extension has been reduced from that previously proposed. Whilst the extension projects a maximum of 2.3m from the front building line and the side extension project a maximum of 2.8m and follows the primary building line, concerns remain regarding the bulk, scale and mass of the development.
- It is considered that the proposal which would break the building line would have a negative impact on the urban fabric of the residential conservation area by altering the footprint and scale of one of a pair of dwellings which mark the entrance to Croydon Terrace, from Croydon Gardens. It is considered that the proposed front and side extensions do not complement

the character of the neighbourhood or the character of the dwelling and would appear visually incongruous.

- To address these issues, the two-storey front extension should be omitted and the two-storey side extension set back at least 0.5m behind the front building line. The parapet height of the side extension should match the eaves height of the existing dwelling.
- To the rear, a part single, part two-storey extension is proposed. The single-storey portion is similar to that granted under Reg Ref No 4065/17. The extension projects 1.2m from the rear building line and has a rear facing window. It is not considered that the window will significantly increase overlooking of third party open space.
- As per the previous permission, the rear garden space is reduce to 13.75m², which is low in quantitative terms. However, given the scale of the dwelling, the size of the front garden which is well screened from the street, the proximity of public open space and nearby amenities such as Fairview Park, it is considered that the level of private open space provision is acceptable.
- Given the aspect, height and location of the proposed rear extension, it is not considered that it would seriously injure the amenities of other property in the vicinity by overshadowing, overlooking or result in overbearing impacts.

3.2.2. Other Technical Reports

The **Drainage Division** report of 10/7/18 raised no objection to the developemnt subject to standard conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

4065/17 – Planning permission sought for the construction of a single-storey pitched roof extension to the side (north/west facing elevation); single-storey flat roof extension to the rear (north/east facing elevation); and two-storey pitched roof extension to front (south/west elevation) of existing house on the site. The permission granted required (Condition No 3) that the two-storey front extension be omitted and that the side extension be set back by at least 0.5m from the front building line.

5.0 Policy Context

5.1. Development Plan

The operative development plan is the **Dublin City Council Development Plan 2016-2022**. The site is located in an area zoned 'Z2' – Residential Neighbourhoods (Conservation Areas) with the following objective;

'To protect and/or improve the amenities of residential conservation areas'.

Section 16.10.12 (Extensions and Alterations to Dwellings) and Appendix 17 (Guidelines for Residential Extensions) of the Plan are relevant to the consideration of the proposed development. Development on corner/side garden sites is addressed at Section 16.10.9.

Policies in relation to Conservation Areas/Residential Conservation Areas are set out in Section 11.1.5.4 of the Plan.

Policy CHC4 – Seeks to protect the special interest and character of Dublin's Conservation Areas.

Relevant sections from the Plan are appended to the back of the report for the Natural Heritage Designations

6.0 The Appeal

6.1. Grounds of Appeal

- The appeal is against Condition No 3a and 3b relating to the front and side elevations. The omission and alteration of these elements of the proposal represents an unnecessary restriction on the efficient use of land and the provision of an appropriately sized family home within residentially zoned lands in the centre of Dublin.
- The current proposal seeks to address the conditions of the previous permission (4065/17) in a manner which would allow the existing dwelling to provide an approved standard of accommodation whilst ensuring the protection of existing residential amenity.
- The works proposed under the previous proposal would break the established building lines on both Croydon Terrace and Croydon Gardens. The current proposal has addressed the overbearing nature of the original proposal by considerably reducing the scale of the extensions and accommodating the development within the building lines on both Croydon Terrace and Croydon Gardens. The proposal will allow for the appropriate improvement and refurbishment of the wider site, reinforce the existing building lines and provide an improved standard of accommodation on the site, which does not unduly impact upon existing residential and visual amenity associated with the Z2 conservation status of the immediate streetscape and wider area.
- The proposed development will enhance the character of the existing dwelling and streetscape in accordance with the provisions of the development plan. It is designed at an appropriate scale and will not be overbearing.
- The side and rear extensions are single-storey part two-storey respectively and have no windows in sensitive locations that would contribute to overlooking, with the only windows at first floor level facing directly onto

Croydon Terrace. One new window will be provided in the rear elevation which will be c 43m from the nearest opposing window at No. 59 Griffith Avenue.

- The design of the proposed development has had regard to sunlight and daylight for adjoining properties. No further overshadowing will result from the proposal. The house will remain of similar height to adjoining properties and the extensions have flat roofs and are at a lower height than the existing dwelling.
- Materials have been selected that will complement the main dwelling and its character and the streetscape. The contemporary nature of the proposed extension will achieve an attractive and quality design which will enhance the immediate streetscape, with minimal visual impact. The proposed extensions will be subordinate to the main dwelling as the roof height will not extend beyond the ridge height of the existing dwelling. The proposal offers an imaginative solution to providing high quality additional accommodation at this site, which accords with the development plan.
- The proposal accords with the development plan requirements for development on corner sites.
- The development have a rear amenity space of 15.3 m², which is below development plan standards. Given the orientation and layout of the rear amenity space, it is considered that the construction of a single-storey extension is an appropriate response to the limited usability of the space. There is a precedent for development (2286/16) where permission was granted which reduced the area of private amenity space for a 5 bed house to 10 m².
- The development accords with the plot ratio and site coverage standards of the development plan.
- The existing dwelling in terms of floor area (82.8m²) is insufficient for a growing family. The minimum floor area requirement for a three bed house is 100m² (DoEHLG Quality Housing for Sustainable Communities - Best

Practice Guidelines). The proposal will increase the floor area of the house by 35.5m² to a total of 118.3 m².

- There are numerous precedents (see text) where planning permission has been granted for similar extensions to that proposed under the current application. Taking this into consideration, it is considered that the grant of permission by Dublin City Council has been unduly restrictive with regard to the attached conditions in comparison to those approved for example at No 8 Torlogh Parade under Reg Ref No 3079/14, No 8 Ennafort Grove, Raheny under Reg Ref No 3712/16 and ABP 29N. 247641 and No 2 Torlogh Parade under Reg Ref No 2286/16.
- No submissions/observations against the proposal were received. Letters of support have been received from No's 1, 3, and 4 Croydon Terrace and No 11 Croydon Gardens (Appendix B).
- In conclusion the proposed development is considered to be in compliance with the various qualitative and quantitative standards of Dublin City Council, which encourages suitably scaled residential extensions subject to the protection of adjacent residential amenity and other planning criteria. The proposal has been designed specifically to take into account the planning authority's concerns.

7.0 **Assessment**

- 7.1. The site is located in a Residential Conservation Area. These areas are designated in recognition of their special interest or unique historic and architectural character and important contribution to the heritage of the city. I note from the Planning Officer's report that the development at Marino was developed in 1926-1927 and is based on the garden city model, with terraces of housing surrounding large circular green areas. All end of terrace dwellings surrounding the circular greens are distinguished by their angled position.
- 7.2. The proposal is to extend the existing house. Two-storey extensions are proposed to the front and side with a single storey extension to the rear of the dwelling. The rear first floor bedroom will also be extended.

- 7.3. This is the second application on the site for this type of proposal. Under the conditions attached to the previous permission (Reg Ref No 4065/17), it was a requirement that the two-storey front extension be omitted from the development and that the side extension be set back by at least 0.5m from the front building line.
- 7.4. Under the current application the footprint of the extension to the front and its projection beyond the established building line of the house has been reduced. The configuration and size of the extension to the side has been altered (now two-storey) and it retains its position in line with the established building line of the property. The footprint of the rear extension remains largely unchanged. The roof profile of the front and side extension have been altered from hipped to flat roofs with parapets that project above the eave level of the existing house.
- 7.5. At ground floor level, the proposed single storey extension creates no potential for overlooking of adjacent property as high concrete walls separate the site from adjoining properties. The small extension (1.8m wide) to the rear bedroom would bring the window at first floor level closer to the rear boundary. However, due to the separation distance to opposing properties, there will be no impacts on privacy. No windows are proposed at ground/first floor in the side extension and the windows in the extension to the front of the house do not create any potential for overlooking. Given the location of the proposed extensions, it is not considered that any additional significant overshadowing issues would arise.
- 7.6. I accept that the potential for extending the house to the rear is severely limited by the restricted size and configuration of the garden. However, I would also accept that extending the house to the front is constrained by the character of the terraces on either side, with the residential conservation area. Whilst there has been some intervention in the form of front porches along the terrace on Croydon Gardens, and the applicant notes examples of more significant changes in the surrounding area, these should not be relied upon as setting any sort of precedence for the current proposal.
- 7.7. I share the concerns of the planning authority regarding the scale, bulk and mass of the extensions to the front and side of the house. I consider that the development as proposed, whilst a significant improvement on the original proposal, significantly dominates the front elevation of the house and fails to have regard to the design,

character and integrity of the terraces on either side. I consider that it would detract significantly from the visual amenities of the area and fails to harmonise with the Residential Conservation Area in accordance with Policy CHC4 of the development plan.

7.8. It is not considered that the development gives rise to any significant issues warranting further consideration by the Board. Having regard to the nature of the proposed development and the nature of the condition the subject of the appeal, it is considered that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted. It is recommended, therefore, that the appeal can be considered on the basis of the appealed condition only pursuant to section 139 of the Planning and Development Act 2000.

7.9. I consider that the imposition of Condition No 3(a) which requires that the front extension be omitted and the imposition of Condition No 3(b), which requires that the side extension be set back at least 0.5m from the front building line would produce a development that can be accommodated on the site and allow a reasonable level of additional accommodation to be provided, without significant adverse impacts on the character of the adjoining terraces and the Residential Conservation Area. I recommend, therefore, that the planning authority be instructed to ATTACH Condition No 3a and 3b.

8.0 Appropriate Assessment

8.1. Having regard to the location of the development within a serviced built up area, the nature of the development and the separation distance from Natura 2000 sites, I consider that the proposed development either alone, or, in combination with other plans or projects, would not be likely to have significant effects on a European site, in view of the sites' conservation objectives and that, therefore, a Stage 2 Appropriate Assessment and the submission of a Natura Impact Statement is not required.

9.0 EIA Screening

9.1. 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 EIA can,

therefore, be excluded at preliminary examination and a screening determination is not required.

10.0 Recommendation

10.1. In light of the above assessment, I recommend that the planning authority be directed to ATTACH Condition No.3 (a) and 3(b).

11.0 Reasons and Considerations

Having regard to the location of the site within an area of terrace housing in a designated Residential Conservation Area, it is considered that the proposed two storey extension to the front of the house and the position of the proposed side extension, due to their overall scale, bulk and mass would constitute a visually obtrusive and dominant form of development which would impact on the overall character and integrity of the terraces on either side of the site which would detract from the amenities of the conservation area. It is considered that the attachment of conditions numbers 3(a) and 3(b) is necessary to ensure the successful integration of the extension of the dwelling.

Breda Gannon
Senior Planning Inspector

18th October 2018.