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Bord  
Pleanála

## Inspector's Report ABP 302599-18

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<b>Development</b>	Extension to front and side of house and conversion of existing garage to room.
<b>Location</b>	15 Churchview Avenue, Killiney, Co. Dublin.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council.
<b>Planning Authority Reg. Ref.</b>	D18B/0290.
<b>Applicants</b>	Donal Dunne.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant with conditions.
<b>Type of Appeal</b>	Third Party.
<b>Appellants</b>	Ken and Siobhan Doran.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	19 <sup>th</sup> November 2018.
<b>Inspector</b>	Dáire McDevitt.

**1.0**

## **Site Location and Description**

- 1.1. The application site is located along the western side of Churchview Avenue, accessed via, Churchview Road off Church Road (R118), to the west of Killiney, a south Dublin suburb. Churchview Avenue is part of an established mature residential area situated to the west of Church Road. Churchview Avenue forms the western side of a triangular area of open space that is bounded to the east by Churchview Drive and to the south by Churchview Park. In this area there is a mixture of house types, ranging from traditional two storey suburban designs to gable fronted two storey houses with a number of contemporary styles mixed in. A number of properties have side extensions above former garages. No. 15 Churchview forms part of a prominent row of two storey houses with gabled roofs fronting onto a large area of open space. At the northern end of Churchview Avenue is a two storey house with a first floor extension to the side.
- 1.2. No. 15 Churchview Avenue is a semi-detached two storey house, paired with No. 17 (owned by the appellant) to the south, on a site with a stated area of c. 0.0281 hectares. There are a number of properties in the area that have been altered and extended.

## **2.0 Proposed Development**

- 2.1. Permission for a front and side extension and conversion of existing garage to room.

Site: c.281sq.m.

Existing house with a gfa of c.114.7sq.m

Proposed: c.16 sq.m extension.

Resulting in a house with a gfa of c.130.7sq.m.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Grant subject to 7 standard conditions. These included:

No. 4

*Prior to the commencement of development the Applicant shall submit, for the written agreement of the Planning Authority, a north elevation of the first floor extension and ground floor porch as modified.*

*Reason: In the interest of completeness.*

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports.**

The Planning Authority considered that the proposed development by virtue of its design and location, would not give rise to serious negative impacts on the residential amenity of adjoining properties or the area, as such would be in accordance with the Objective 'A' zoning of the site and the proper planning and sustainable development of the area.

### **3.2.2. Other Technical Reports**

**Drainage Section.** No objection subject to conditions.

## **3.3. Prescribed Bodies**

None.

## **3.4. Third Party Observations**

One submission was received from the current appellant. This issues raised are largely in line with the grounds of appeal and shall be dealt with in more detail in the relevant section of this report. Other points of note raised related to an asbestos flue pipe, foundations, impact on gas pipe serving the adjacent property.

## **4.0 Planning History**

No recent planning history as per the Council's Planning Register.

## 5.0 Policy Context

### 5.1. Dun Laoghaire-Rathdown County Development Plan 2016-2022.

Land Use Zoning Objective 'A' *To protect or improve residential amenity.*

**Section 8.2.3.4 (i)** refers to extensions to dwellings.

**Section 8.2.8.4 (ii)** refers to standards for minimum separation distances between first floor opposing windows and garden depths.

**Section 8.2.8.4 (i)** sets out the private open space requirements for private houses. A figure of 75 sq.m is required for a 4 bed + house.

### 5.2. Natural Heritage Designations

None.

## 6.0 The Appeal

### 6.1 Grounds of Appeal

A third party appeal was lodged by Donal Dunne, the owner of No. 17 Churchview Avenue, house paired with No. 15. The grounds of appeal are summarised as follows:

- The proposed two storey extension would be out of character with the surrounding properties. Existing extensions in Churchview are single storey. The current proposal would seriously detract from the visual coherence and character of the street and would set an unwelcome precedent in the area for similar applications.
- The extension by reason of its scale, bulk and massing would seriously injure the residential amenities of the existing adjacent property by reason of overshadowing and overbearing appearance.
- The extension projects c.1.4m beyond the notional building line.
- The appeal includes original documentation relating to the application and a selection of google street view and bing images.

## **6.2 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.

## **6.3 Observations**

None

## **7.0 Assessment**

The main issues in this appeal are those raised in the grounds of appeal. The issue of appropriate assessment and environmental impact assessment screening also need to be addressed. The issues can be dealt with under the following headings:

- Design & impact on residential amenities.
- Appropriate Assessment.
- Environmental Impact Assessment.

### **7.1 Design & impact on residential amenities.**

7.1.1 Section 8.2.3.4 (i) of the County Development Plan refers to the criteria set out for domestic extensions, reference is made that extensions should harmonise with the main house, this does not however preclude contemporary extensions and require uniformity of design. The grounds of appeal raised concerns that the extension would have an overbearing impact on the adjoining property, No. 17, to the south resulting in significant overshadowing and as a result have a seriously detrimental impact on the residential amenities of this property.

7.1.2 The existing pair of semi-detached houses (No. 15 and No. 17) have contiguous single storey garages. The proposal is for a modest first floor extension to the side over the existing garage and the conversion of this garage to a room. The existing garage and porch project beyond the main building line of the house

and are in line with those of No. 17. The construction of the first floor extension over the existing porch and garage projections would result in the extension projecting c.1.4m beyond the existing first floor of the main house and that of No. 17 (appellant's house). I do not consider that this projection would be unduly dominant or result in an obtrusive and overbearing development that would detract from the architectural grain of the area.

7.1.3 The design consists of a contemporary style flat roof extension with a render finish to match the existing house. I am of the view that the use of a contemporary design is appropriate, it provides a design that is of its time and clearly distinguishes itself from while also complimenting the main house. It is subservient in terms of height, scale and mass and the use of materials is considered acceptable.

7.1.4 In this instance, I am satisfied that the proposal is an appropriate design intervention at this location as it adequately addresses the prominent location of the site along the Churchview Avenue in an area which has a variety of house types and designs. The proposal would not detract from the architectural composition of the existing streetscape and would not form a discordant or incongruous feature on the streetscape. The scale, height and mass is not considered overbearing and is satisfactory in terms of protecting the character, setting and amenities of the existing house and streetscape.

7.1.5 The appellant has raised concerns relating to overshadowing. The appellant's house, No. 17, is located to the south of No. 15. I consider having regard to the relationship of the properties to each other and the orientation of the houses on site that the degree of overshadowing that would result from the proposal would be minimal and would not have a detrimental impact on the amenities of No. 17.

7.1.6 The northern (side) elevations have not been submitted with the application, I note from the floor plans submitted that no windows are proposed to this elevation. Notwithstanding, the applicants should be required to submit the

relevant elevations, this matter can be addressed by condition if the Board considers granting permission.

7.1.7 I, therefore, consider that the appeal should not be upheld and permission should be granted subject to modified conditions.

## **7.2 Appropriate Assessment**

7.2.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, 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.

## **7.3 Environmental Impact Assessment**

7.3.1 Having regard to the nature and scale the development which consists of an extension to an existing house in a built up suburban location, 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**

I recommend that permission should be granted, subject to conditions as set out below.

## **9.0 Reasons and Considerations**

Having regard to the nature, extent and design of the development proposed, to the general character and pattern of development in the area and to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016-2022, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of



property in the vicinity and 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, 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. Prior to the commencement of development the developer shall submit for the written agreement of the Planning Authority amended plans and particulars which shows the following:

- a) A full and complete set of elevations, these shall include side (northern) elevations.

**Reason:** In the interest of clarity.

3. Samples of the proposed external finishes and materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

The dwelling and extension shall be jointly occupied as a single residential unit.

4.

**Reason:** To restrict the use of the development and in the interest of residential amenity

Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the

5. planning authority for such works and services.

**Reason:** In the interest of public health.

6. 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 amenities of adjoining residential occupiers.

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Dáire McDevitt  
Planning Inspector  
21<sup>st</sup> November 2018