



An
Bord
Pleanála

Inspector's Report ABP-302717-18

Development	Extension to Front and rear of dwelling.
Location	110, Corrib Road, Terenure, Dublin 6W
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	3534/18
Applicant(s)	Caroline Sweeney
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Mike & Georgina Culshaw
Observer(s)	Antoine & Irene Men
Date of Site Inspection	20/11/18
Inspector	Sarah Lynch

1.0 Site Location and Description

- 1.1. The subject site is located on the northern side of Corrib Road, east of the junction with Melvin Road in a well-established residential area, south east of Dublin City Centre.
- 1.2. The site comprises of a two-storey semi-detached dwelling with a stated existing floor area of 112.5 sqm. The property has been extended to the rear at both first and ground floor and has a small rear garden of c. 15 metres in length which narrows significantly into a point.
- 1.3. The garden is bounded by a 2-metre high timber panel and concrete post to the east and a block wall dressed with trellis to the west.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Extension to existing dwelling to include new ground floor sun room to rear of dwelling;
 - Extended hall to front of dwelling;
 - First floor extension to rear of dwelling;
 - Lightweight lean to roof to covered yard

3.0 Planning Authority Decision

3.1. Decision

Permission Granted, subject to 6 conditions including the following:

Condition 2.

The proposed first floor extension accommodating proposed bedroom 2 shall be permanently omitted from the plans. 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.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planners report is consistent with the planning authority decision.
- It includes the omission of the first-floor extension on the basis that it will appear overbearing and result in a loss of light to the rear garden area of no. 112.

3.2.2. Other Technical Reports

- Drainage Service - No objections subject to conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

Two Third Party Submissions were received by Dublin City Council. The issues raised are covered in the grounds of appeal and observations.

4.0 Planning History

None

5.0 Policy Context

5.1. Development Plan

Dublin City Development Plan 2016-2022

Zoning objective Z1, the objective for which is 'to protect, provide and improve residential amenities.'

The following Sections are of relevance:

- 16.2.2.3 – Alterations and Extensions (General)
- 16.10.12 Extensions and Alterations to Dwellings
- Section 17.3 Residential Amenity Issues
- Section 17.4 Privacy
- Section 17.6 Daylight and Sunlight
- **Appendix 17 –**

The guidelines contained within this section provide general advice and design principles for residential extensions.

5.2. **Natural Heritage Designations**

None

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- Lands at subject site are higher than appellant site.
- Due to height of single storey extension the light and privacy of their dwelling will be impacted.
- Doors and windows face into appellants garden resulting in overlooking.
- It is stated that overlooking occurs from subject site at present when residents are in rear garden.

6.2. **Applicant Response**

- The second storey extension has been removed and revised drawings have been submitted.
- The raised part of the garden will be lowered to the original level to permit access to the extension.

- No overlooking will occur due to the reduction in ground level and the head height of the proposed single storey extension. The top of the patio window will be seen from the appellants property.
- The applicant will retain the existing tree and proposes to discuss raising in height of the trellis should that be deemed necessary.

6.3. **Planning Authority Response**

- None

6.4. **Observations**

Two observations were received as follows:

- The proposed orientation of windows and doors within the extension facing onto properties at Melvin Road would give rise to serious overlooking and loss of privacy.
- Internal lights of sunroom would permit overlooking from neighbouring dwellings into subject site.
- Flat roof would result in serious loss of privacy if ever used as terrace.
- Proposed extension is considered excessive in terms of length.
- No shadow analysis was submitted with application.
- Proposal would be detrimental to the harmony of the design of these houses especially when the house has already been extended to the rear.
- Conditions should be imposed relating to: reduction in the overall height of the development, use of obscure glazing, restriction on use of flat roof, proposed stove to be relocated and adequate vent installed.
- Concerns relating to maintenance of tree in neighbouring property.

7.0 **Assessment**

7.1. The subject site is located within zoning objective Z1, which seeks to 'protect, provide and improve residential amenities'. It is considered that the proposed

extension to an existing dwelling is acceptable in principle within the zoning objective for the area.

7.2. It is of note that the planning authority requested the omission of the first-floor element of the proposal by way of condition. This request is considered reasonable given the restricted size and orientation of the rear garden of the appeal site and the potential impacts of a further first-floor extension at this location on the amenity of adjacent properties. In compliance with this condition the applicant submitted revised plans to the authority which present a single storey extension only. These plans have been submitted with the appeal and have been taken into account in the assessment below.

7.3. I consider that the key issues in this case are as follows:

- Reduction of rear garden area.
- Overlooking and loss of light.
- Other matters.

Reduction of rear garden

7.4. The proposed single storey rear extension will consist of a sunroom with an overall floor area of c.17sqm and a height of 3.5 metres. The length of the proposal is c.3.5m and will reduce the overall length of the existing garden to c.15m. The remaining open space will have a total area of c. 60 sqm which is considered acceptable given the urban context of the site.

Overlooking and loss of light

7.5. The appellant contends that the proposed development by virtue of its height and orientation of windows will result in a loss of light and privacy to their property. They are concerned that the raised land levels of the rear garden of the appeal site will exacerbate the overall impact of the proposal on their property.

7.6. It was noted at the time of site inspection that the land levels within the rear garden of the appeal site step up from the rear of the dwelling and are higher than the adjacent dwellings to the west. However, the proposed layout plan submitted illustrates proposed land levels at the site of the extension to be the same as that at the existing dwelling.

- 7.7. This is confirmed within the applicant's response, in which it is stated that the floor level of the proposed extension will be the same as that of the existing house and the raised portion of the garden will be lowered to facilitate this.
- 7.8. Having regard to the foregoing it is plausible to state that only the upper section of the proposed windows and roof of the extension will be visible from the neighbouring properties. The proposal will therefore not result in any significant overlooking or loss of light to adjacent properties, in particular that of the appellant, and as such is considered acceptable in this regard.

Other matters

- 7.9. It is proposed to insert a modest porch to the front of the dwelling with an overall floor area of c.2.5sqm and a lean to roof over the existing side entrance gate. Many of the dwellings in the vicinity of the site have been extended in a similar form. These elements of the proposed development are in keeping with the overall character of the dwelling and as such considered to be acceptable.

Appropriate Assessment

- 7.10. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any European site, 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. It is recommended that permission be granted subject to conditions.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. The proposed development would,

therefore, 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 [as amended by the further plans and particulars received by An Bord Pleanála on the 30th day of October, 2018 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 external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

3. Water supply and drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 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.

Sarah Lynch
Planning Inspector

19/12/18