



An  
Bord  
Pleanála

## inspector's Report ABP-303118-18

### Development

Demolition and reconstruction of garage, construction of extension to the rear, new dormer window and blocking up of existing window on the first floor to the side and all associated services,

### Location

14, Wainsfort Avenue, Terenure,  
Dublin 6w

### Planning Authority

South Dublin County Council

### Planning Authority Reg. Ref.

SD18B/0283

### Applicant(s)

Barry Greene & Gillian McNally

### Type of Application

Permission

### Planning Authority Decision

Grant

### Type of Appeal

First Party

### Appellant(s)

Barry Greene & Gillian McNally

### Date of Site Inspection

29<sup>th</sup> January 2019

**Inspector**

Colin McBride

## 1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.0297 hectares, is located on south side Wainsfort Avenue. The site is occupied by a dormer style-semi-detached dwelling. The dwellings have single-storey garages to the side. To the west is no 16 and to the east is no. 12, which are identical in design and scale while to the south is the rear garden serving no. 2 Wainsfort Crescent.

## 2.0 Proposed Development

- 2.1. Permission is sought for demolition and reconstruction of existing garage to the side of the house, construction of a new two-storey and part single-storey extension to the rear, new dormer window on first floor to the front of the house and blocking up of existing window on the first floor to the side of the house and all associated site works, site and landscaping works.
- 2.2. In response to further information a revised proposal was submitted in which the main change was replacing the flat roof of the first floor extension with a shallow pitched roof and a reduced footprint at ground floor level.

## 3.0 Planning Authority Decision

### 3.1. Decision

Permission granted subject to 8 conditions. Of note is the following condition...

Condition no. 2:

Amendments.

No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) Revised plans that incorporate all of the following amendments-

(a) The front dormer shall be reduced in width, in accordance with original drawings submitted to the Planning Authority, (drawing no. PA-09, June 2018);

(b) The roof ridge height of the rear extension shall be reduced in height to be no higher than that originally proposed at 5.995m above ground level;

(c) A site layout plan which illustrate screen planting along the eastern rear boundary including the plant species proposed.

The applicant, owner or developer may consult with the Planning Authority in advance of lodging the required revised plans.

(ii) A commitment to complete the development in accordance with the required revised plans, and;

(iii) The receipt for all these requirements from the applicant, owner or developer has been acknowledged in writing as an acceptable lodgement by the Planning Authority.

Reason: To protect the amenities of the area and in the interests if the proper planning and sustainable development of the area.

### **3.2. Planning Authority Reports**

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

Planning report (17/08/18): Further information required including revisions to accord with the South Dublin County Council House Extension Guide, 2010, such revisions include a reduction in the size of the front dormer window, reduction in the first floor extension to the rear, an alternative roof profile and incorporation of high level windows.

Planning report (02/09/18): The revisions were noted with permission granted subject to amendments by way of condition.

### **4.0 Planning History**

No planning history.

Adjoining sites.

SBB17B/0246: Permission granted for a two-storey extension at no. 1 Wainsfort Avenue.

## **5.0 Policy Context**

### **5.1. Development Plan**

The relevant Development Plan is the South Dublin County Council Development Plan 2016-2022. The site is zoned 'RES' with a stated objective 'to protect and/or improve Residential Amenity'.

House Extension Guide, 2010.

### **5.2. Natural Heritage Designations**

None in the vicinity.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

A first party appeal has been lodged by TUN architecture and design on behalf of Barry Greene and Gillian McNally.

- The appeal relates to condition no. 2 which requires amendments. The applicants have drawn up the revised proposal in accordance with condition no. 2 with it noted that the revision is unworkable (lowered ridge height to 5.995m) as the revised ridge height does allow for enough head height at first floor level.
- It is noted the existing dwelling is small and the applicants need more space for family needs.

- The design of the two-storey extension was amended in response to further information and the revision would have a negligible visual impact when viewed from the public area. The introduction of a pitched roof reduces the bulk of the extension and means the proposal is in keeping with the Council's House Extension Guide.
- A shadow study has been submitted and it demonstrates the proposal is satisfactory in design and scale relative to adjoining amenity.
- The appellants refer to a planning application, SBB17B/0246 for a two-storey extension at no. 1 Wainsfort Avenue.
- There is established precedent for two-storey extension at no.s 8, 19, 21, 26 Wainsfort Avenue and 10 College Crescent.
- It is noted that the original proposal remains the preferred design and that there is a precedent for granting an extension of this scale and nature under ref no. SD17B/0246.

## 6.2. **Planning Authority Response**

Response by South Dublin County Council

- The Planning Authority confirm their decision. The issues raised in the appeal have been covered in the planners report.

## 7.0 **Assessment**

7.1. Having inspected the site and associated documents, the main issues can be assessed under the following headings.

Design, scale, visual and residential amenity

Appropriate Assessment

7.2 Design, scale, visual and residential amenity

- 7.2.1 The proposal is for a part two-storey part single-storey extension to the rear with flat roof profile. After concerns were expressed regarding the design and scale of the existing an amended proposal was submitted which, has a reduced footprint and changes the flat roof portion of the first floor extension to a shallow pitched roof. Permission was granted however condition no. 2 was imposed which includes amendments including the front dormer to be reduced in width, the roof ridge height of the rear extension shall be reduced in height to be no higher than that originally proposed at 5.995m above ground level. The applicants/appellants have submitted revised plans having regard to the condition, but note that the requirement for a reduced ridge height is unworkable and does not allow sufficient head height at the first floor level.
- 7.2.2 The applicant/appellant has also submitted shadow analysis and details of other permissions in the vicinity for similar levels of development. In addition the applicant/appellant has submitted revised plans that provide for a flat roof extension with ridge height lower than the ridge height of the dwelling. The mains issues Planning Authority had with the original extension was the width of the dormer window on the front elevation and the bulk and scale of the extension to the rear and such appears to be based on the Council's House Extension Design Guide.
- 7.2.3 I would note that the revised proposal submitted by the applicants/appellants with the appeal provides for a part single-storey and part two-storey extension that is reduced in height and has a ridge height lower than the ridge height of the existing dwelling. It is proposed to widen the existing dormer window on the front roof profile, however this is done in keeping with the design and scale of the existing dormer window and still appears to be subordinate to the overall roof profile with enough of the roof profile visible despite the increase in size. I would consider this aspect of the proposal is satisfactory.
- 7.2.4 I would also consider that the revised proposal for the rear extension are satisfactory and deal with some of the Planning Authority's concerns regarding bulk and scale. The extension is subordinate to the scale of the existing dwelling and does no project

too much beyond the existing rear building line with the bulk of the depth being the single-storey extension. I am satisfied that the overall design and scale of the extension submitted with the appeal submission has adequate regard to the visual amenities of the area, the residential amenities of adjoining properties and the contents of the Council's House Extension Guide. I would consider that the revised design submitted with the appeal submission should be approved and is the best of the designs submitted as part of this application in that it would be acceptable in the context of the proper planning and sustainable development of the area and would meet the needs of the applicants/appellants. I would note that the shadow analysis submitted with the appeal submission demonstrates that the proposal would be satisfactory in the context of overshadowing and adjoining amenity.

### 7.3 Appropriate Assessment:

7.3.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest 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. I recommend a grant of permission subject to the following conditions.

## 9.0 Reasons and Considerations

10.0 Having regard to the design and scale of the proposed development and subject to compliance with conditions, the proposed development would be satisfactory in the context of the visual amenities of the area and its status as a designated conservation area. The proposal would also be acceptable in the context of adjoining and amenities and would, therefore, be satisfactory in the context of the proper planning and sustainable development of the area.



## 11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the revised plans submitted to An Bord Pleanála on the 29th day of November 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. Water supply and drainage arrangements, including the attenuation and 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.

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

Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or Public Holidays. Deviation from these times shall 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.

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 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.

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Colin McBride  
Planning Inspector

21<sup>st</sup> February 2019