



An
Bord
Pleanála

Inspector's Report ABP-303250-18

Development	Single storey rear extension and shed.
Location	16 Hadden Road, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4044/18
Applicant(s)	Tony & Ann Collins
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third party
Appellant(s)	Eimear and Michael Ussher
Observer(s)	None
Date of Site Inspection	10/02/2019
Inspector	Anne Marie O'Connor

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1.0 Site Location and Description

- 1.1. The site is located on the eastern side of Haddon Road, a mature residential street in Clontarf, Dublin. Hadden Road is an attractive tree-lined residential street with bay-fronted, terraced Victorian houses, many of which have been extended over the years. A laneway which is accessed via Victoria Road to the north provides access to the rear of these houses.
- 1.2. The site comprises a two-storey redbrick terraced house with a two-storey rear return. There is a small lean-to extension to the rear that forms part of the existing kitchen and dining area, and a small shed to the rear. The site is long and narrow (6.5m x 50m), with a rear garden c.30m long and a single storey garage at the end.
- 1.3. The site adjoins 15 Haddon Road to the south, and No. 17 to the north.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
 - Two-storey rear extension (59 m²) comprising an extension to the kitchen/ dining area at ground floor and the reorganisation of the first floor bedroom/ bathroom accommodation. No additional bedrooms are proposed.
 - Demolition of part of the existing rear extension and existing garage and shed.
 - New garage/shed along the rear boundary (access onto the laneway).

3.0 Planning Authority Decision

3.1. Decision

Grant – standard conditions

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report reflects the decision to grant planning permission.

3.2.2. Other Technical Reports

Drainage: No objection

Roads: No objection

Irish Water: No response

3.3. Prescribed Bodies

None

3.4. Third Party Observations

One observation received. The issues raised are largely covered in the grounds of appeal. A concern regarding increase traffic onto the lane from an enlarged dwelling was also raised.

4.0 Planning History

Appeal Site - None

Adjacent sites – 17 Haddon Road (2831/15). Single storey extension. Granted.

15 Hadden Road. Single and 2-storey extension. Granted.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

The site is located within Zoning Objective **Z1** “To protect, provide and improve residential amenities”.

The site is located within the Haddon Road and Victoria Road Architectural Conservation Area. The houses in this area, including 16 Hadden Road, were removed from the Record of Protected Structures at the same time as the ACA was designated.

The following objectives/ policies are relevant:

- Objective FCO32 The designated residential suburban ACAs will primarily protect the front facades and streetscape character.

- CHC1 & CH4 Protection of built heritage and character
- Section 16.2.2.3 & 16.10.12 Extensions and Alterations to Dwellings
- Appendix 17 Guidelines for Residential Extensions

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted on behalf of the owners of the adjacent property to the south, No.15 Hadden Road, and can be summarised as follows:

- Loss of natural light to the rear reception room.
- A courtyard design solution would have been preferable and would have had less impact on the rear reception room, conservatory, kitchen/sitting room in the return, external paved area adjoining the return.
- The appellants' conservatory was designed to minimise impact on neighbouring houses. It is fully glazed and has a low eaves adjacent to the boundary. The proposed extension is 1m higher than the eaves and is level with the ridge of the appellants' conservatory.
- The impact of alterations within an ACA must receive adequate consideration. No report was received from the conservation section. Was one sought?
- The proposed development would result in a sense of overbearing. Photos are submitted from the rear first floor window of No.15 and from the ground floor sitting room in the return.
- The scale and extent of the proposed extension is excessive and combined with the proximity to No.15, would have a damaging impact on the internal and external spaces of the appellants' property.
- The following remedial measures are suggested:
 - Use of a courtyard plan
 - Reduce height, width and length (to the west) of ground floor extension
 - Limit extend of first floor extension.

6.2. Applicant Response

6.3. The applicant has responded to the grounds of appeal as follows:

- The rationale for the extension is to provide a more appropriate form of living/ kitchen area. An important part of this is to widen the living area and, in so doing incorporate the existing side passage which does not add any real amenity value to the dwelling.
- The 3.4m height allows the extension to integrate with the existing dining room. A reduction in height would have an adverse impact on the internal living area by cutting across the existing window.
- The extension at No15 has been designed with a pitched glazed roof to maximise light. Light will not be blocked by the proposed extension.
- The proposed development is located to the north of the appellant property and as such would not give rise to noticeable loss of daylight or overshadowing.
- The level and quality of amenity within the narrow area to the side of the houses is severely limited.
- The rear elevation of properties in the ACA are of less importance than the front/ streetscape. The proposed rear extension takes reference from the existing architectural treatment in the area.
- The question of reports from other departments is not a matter for the appeal which will be considered *de novo*.
- The proposed development is in keeping with the existing dwellings and previously permitted extensions in the area. It will not block any views from the neighbouring properties and there are no designated protected views pertaining to the site.
- The first floor extension follows the same width of the existing return at the closest point to the appellants' extension, before widening slightly. There are no new windows proposed to the side of the extension (only rooflights). The proposed first floor extension cannot give rise to any loss of privacy or daylight.

- The proposed development has been sensitively designed and there is no need to reduce the size.
- There is no increase in bedrooms and a large private garden will be retained. There would be no impact on traffic. The proposed extension is similar in scale to that at No.15 and would not represent an overdevelopment of the site.
- Several examples are given of planning permission for extensions in the Hadden Road/ Victoria Road area.

6.4. **Planning Authority Response**

No comments received to the grounds of appeal.

6.5. **Observations**

None

7.0 **Assessment**

7.1. I note that no objections are raised to the proposed garage and I likewise have no objection to this element of the proposal. I consider that the key issues relate to the proposed rear extension and are as follows:

- Residential amenity of neighbouring properties
- Impact on Architectural Conservation Area
- Other matters

Residential amenity

7.2. The pattern of development on Hadden Road is that of a traditional Victorian terrace of large 2-storey houses with substantial 2-storey returns to the rear. The scale of the returns creates a gap which are often narrow, dark spaces of limited amenity value and it has become fairly common for extensions to be constructed at ground level. For example, the neighbouring property at No.15 has erected a glazed roof conservatory in this space adjoining the appeal site. The current proposal is, however significantly larger in scale (both length and height) and the appellant at

No.15 has raised concerns regarding loss of light and an overbearing impact. The proposed development also includes a two-storey extension to the existing rear return (3.4m in length) which is similar in length to the existing extension at No.15. It is, however, also proposed to increase the width of the extension by 866mm, resulting in the extension being closer to the boundary with No.15 (c.1.5m). The appellants have expressed similar concerns regarding loss of light and overbearing impact in relation to this element.

- 7.3. In relation to the two-storey extension, I consider that although this will result in some loss of outlook from the first floor rear windows of No.15 due to the increased proximity, I do not consider that it would be of a magnitude to warrant a refusal of planning permission having regard to established pattern of rear returns and extensions in both in the vicinity and in residential areas such as this one. The height and form of the extension is traditional and reflects the existing architectural design of substantial 2-storey rear returns. With the exception of two rooflights, no windows are proposed in the side elevation that would overlook adjoining properties.
- 7.4. The proposed single storey element fills the gap between the existing return and the boundary wall with the appellant's property to the south. The proposed ground floor extension would extend 8.5m from the rear of the extension to No.15, which was constructed in the equivalent gap between the return and the boundary with the appeal site. The grounds of appeal express concern regarding the impact of the height (3.4m) and length of the extension on their adjacent conservatory. Of particular concern is loss of light to the conservatory and to ground floor windows in the side elevation of the return which serve habitable accommodation and face the proposed extension.
- 7.5. The appeal site is, however, located to the north of No.15 and the potential for overshadowing and loss of light is, therefore, limited. The main impact in my view arises from a potential sense of overbearing given the height and length of the ground floor extension along the common boundary, particularly in the conservatory and side windows of the return which are stated to serve a living room. I also note that the height of the extension would be equivalent to the ridge height of the conservatory, meaning that the entire glazed roof on the northern side would be affected by the new structure. While a reduction in the length would have less beneficial effect as the main impacts arise from that part of the extension closest to

the house, I do consider that a reduction of even 400mm (2 blocks equivalent) in the height of the extension to 3m would have a less overbearing and enclosing impact on No.15 having regard to the extent of the structure along the boundary. I note that the response to the grounds of appeal state that the height was determined by the desire to maintain the existing opening (a door) between the dining room and the new extension. Although alterations to this opening may be required, these are internal works and would, in my view, be justified by the consequent reduction in impact to the neighbouring property.

- 7.6. The proposed development would have limited impact on the adjacent property to the north (No. 17) given the existing structures along the common boundary and the relatively limited length of the 2-storey extension along the boundary (3.4m).

Impact on ACA

- 7.7. The houses on Hadden Road were recently removed from the record of protected structures and the area designated as an ACA. This reflected the fact that these buildings are of local rather than regional significance, and that the architectural value of such buildings primarily relates to the front facades and the contribution the buildings to the character and appearance of the streetscape. Objective FCO32 states that the primary purpose of this designation is to protect the front facades and streetscape character within the area. Policy CHC1 also seeks to protect the character, appearance and quality of local streetscapes, and CHC4 seeks to protect the special interest and character of Dublin's conservation areas. It is reasonable, to conclude, therefore, that the rear elevations of these properties are of significantly less importance than the front.
- 7.8. I note that no changes are proposed to the front elevation of the house, and the proposed extension and garage would not be visible from the ACA.
- 7.9. The appellant has argued that the long garden plots is a feature of the ACA and that the scale of the proposed extension is excessive and would be detrimental to the character of the ACA. Although larger than existing development, the design, form and materials of the proposed extension reflects the existing pattern of rear returns and would not appear incongruous. In addition, a generous rear garden area (95m²) will be retained following the development.

7.10. I am satisfied, therefore, that the proposal would not adversely affect the character or appearance of the streetscape and the ACA and would not be contrary to development plan policy.

Other Matters

7.11. The grounds of appeal raise concern regarding the lack of a report from the conservation officer. This is, however, a matter for the planning authority and I have addressed the substance of the impact on built heritage above.

7.12. Having regard to the nature and scale of the proposed development, its location in a serviced urban area, the distance to the nearest European sites, I am of the view that no **appropriate assessment** issues arise, and that the proposed development would not 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 that planning permission should be granted, subject to conditions, as set out below.

9.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development and the existing pattern of development in the area, 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 and would not adversely affect the character or appearance of the Architectural Conservation Area. 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, 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 proposed development shall be amended as follows:

- (a) The height of the ground floor rear extension shall be reduced to 3m.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. 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.

4. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

6. Site development and building works shall be carried out between the hours of 0700 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.

7. . 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.

Anne Marie O'Connor
Planning Inspectorate

10 February 2018