



An
Bord
Pleanála

Inspector's Report ABP-303258-18

Development	Construction of extension and alterations to house, demolition of a single storey lean-to kitchen return, the construction of extension to side and rear of existing house
Location	90 Carysfort Park, Carysfort, Blackrock, Co Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D18B/0420
Applicant(s)	Jerry Grant
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Niall Keyes and others
Observer(s)	None
Date of Site Inspection	28 th February 2019

Inspector

Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site is located in a mature and established suburban estate in Blackrock, Co. Dublin.
- 1.2. The existing house on the site is a detached two storey dwelling with a single storey kitchen and side entrances on both sides. The density for the estate was high for a 1980's development and there are two storey dwellings to the north, south, and east of the site.

2.0 Proposed Development

- 2.1. Permission is sought to demolish the existing single storey extension and construct a single storey extension with a portico feature to the rear.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission subject to 8 No. conditions. Noteworthy conditions include the following:

Condition No. 2:

The 1.3m length external portico/ veranda frame and pillars element on the east end of the proposed extension shall be omitted and not constructed, and therefore the remaining proposed rear extension structure shall have a maximum length of 4.5m, when measured externally from the existing main rear building line.

Reason: To protect the residential amenities of the area and in the interests of visual amenity and harmony.

Condition No. 8:

The roof of the proposed extension shall not be used as a balcony/ terrace.

Reason: In the interest of residential amenity.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- The planner's report considered that the proposed development would not have a significant impact on the residential or visual amenities of the area subject to a condition to reduce the length and bulk of the extension by omitting the 1.3m length veranda / portico element, for a remaining extension length of c. 4.5m.

3.2.2. Other Technical Reports

Transportation: No objection subject to conditions.

Drainage: No objection subject to conditions.

3.3. **Prescribed Bodies**

- No submissions.

3.4. **Third Party Observations**

A total of 13 No. submissions were made within the prescribed period. The issues raised are similar to those in the grounds of appeal.

4.0 **Planning History**

None on site.

5.0 **Policy and Context**

5.1. **Development Plan**

The operative Development Plan is the Dun Laoghaire Rathdown County Development Plan 2016 – 2022.

The subject site is zoned A: "*To protect and/or improve residential amenity.*" The principle of a residential extension is acceptable under this zoning objective.

Section 8.2.3.4 of the Plan addresses additional accommodation in existing built up areas. This notes the following key points:

- Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining.

5.2. Natural Heritage Designations

- None applicable.

6.0 The Appeal

6.1. Grounds of Appeal

The main grounds of appeal raised can be summarised as follows:

- Concerns regarding impact on residential amenity.
- It is important that the height of the boundary fence is maintained and not increased.
- In the event that the Board grants permission conditions are suggested including the set back of the extension 1m from the southern boundary fence, the omission of the parapet from the roof of the extension and working hours between 0800 and 1700 Mondays to Fridays inclusive.

6.2. Applicant Response

The response submitted on behalf of the applicant can be summarised as follows:

- The increase in height of the southern boundary is 1.35m which is not considered to be intrusive or overbearing.
- The portico is essential to transitioning the kitchen into the garden, however, in the interests of alleviating concerns of neighbours, we are willing to accept this condition. However, a lighter and shallower lateral overhang is still

required to address practical issues and it is requested that the redesign is subject to the agreement with the Planning Authority.

- Condition 1 (a) of the contingency submission would be nonsensical as the development would be developed as exempted development.

6.3. **Planning Authority Response**

- The Planning Authority consider that the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

6.4. **Observations**

- None.

6.5. **Further Responses**

The response submitted by the third parties in relation to the Section 131 Notice can be summarised as follows:

- Concerns raised regarding impact on residential amenity.
- It is stated that any addition to No. 90 is bound to have a knock on effect on its neighbours.
- It is necessary to retain the side passage at No. 90 Carysfort Park and a condition is required in this regard for the proposed extension to be set back one metre from the boundary fence.

7.0 **Assessment**

- 7.1. The main issues in this appeal are those raised in the grounds of appeal. Appropriate Assessment also needs to be addressed. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Impact on Residential Amenity
- Appropriate Assessment
- Environmental Impact Assessment

7.2. Impact on Residential Amenity

- 7.2.1. The subject development comprises a single storey extension to an existing detached dwelling. The overall size of the extension is very modest (32m² in total and 25m² net excluding the redevelopment of the existing 7m² kitchen extension). The existing detached dwelling has two side entrances and it is proposed that in order to maximise the width of dining/ living area, one of these will be incorporated into the proposed extension.
- 7.2.2. The main issues raised in the appeal relate to the precedent this would set in the area and negative impacts on residential amenity including the height and overbearing nature of the extension, impacts on daylight and sunlight, the skewed and lob-sided appearance of the extension, and the absence of separation from adjoining dwellings.
- 7.2.3. In the event that the Board grant permission, it is requested that a condition be included requiring a 1m setback from the southern boundary fence.
- 7.2.4. I consider that the proposed development is modest in size and scale and appropriate for the area. The proposed wall on the southern side of the extension would be inside the existing boundary wall. The existing boundary wall is 1.9m in height and the proposed height of the extension is c. 3.25m resulting in an increase of c.1.35m. No windows are proposed in this elevation and I consider that the design proposed is acceptable and would not detract from the residential amenities of the area.
- 7.2.5. I note that the Planning Authority have conditioned that the applicants omit the external portico frame and pillars element from the extension (Condition No. 3). The applicants state in their response that they are willing to redesign this element. I am of the view that this is an important element of the design in terms of transitioning the dining/ living area to the garden and the impact on neighbouring houses would be

minimal. As such, should the Board be minded to grant permission, I am of the view that this condition is unnecessary.

7.2.6. I consider that the proposed finishes are acceptable and that the design including the portico element to the rear would not be detrimental to the residential or visual amenities of the area.

7.3. **Appropriate Assessment**

Having regard to the location of the subject site within an established and built up area, together with the nature and scale of the proposed development, I am satisfied that there is no potential for impact on any Natura 2000 site, warranting AA.

7.4. **Environmental Impact Assessment**

Having regard to the nature and scale of the proposed development, 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**

It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

9.0 **Reasons and Considerations**

9.1 Having regard to the provisions of the current Dun Laoghaire Rathdown County Development Plan 2016-2022, the pattern of development in the area and to the nature, form, scale and design 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 residential or visual amenities of the area. The

proposed development 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. The external finishes of the proposed extension, including roof tiles/slates, shall harmonise with 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 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.

4. Site development and building works shall be carried out only 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.

Emer Doyle

Planning Inspector

11th March 2019