



An
Bord
Pleanála

Inspector's Report ABP-303832-19

Development	Single storey extension to side and rear and attic conversion for study with rear dormer and rooflight to the side
Location	25 Greenwood Close, Donaghmede, Dublin 13
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4499/18
Applicant(s)	Fran and Grace Murphy
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	Fran and Grace Murphy
Observer(s)	None
Date of Site Inspection	23 rd May 2019
Inspector	Una O'Neill

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy and Context.....	4
5.1. Development Plan.....	4
5.2. Natural Heritage Designations	5
5.3. EIA Screening	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Planning Authority Response.....	6
6.3. Observations	6
6.4. Further Responses.....	6
7.0 Assessment.....	6
8.0 Recommendation.....	8
9.0 Reasons and Considerations.....	8

1.0 Site Location and Description

- 1.1. The subject site is located in Donaghmede, northeast of Dublin City Centre in a well-established residential area. The appeal site is located toward the end of a cul-de-sac and is on the eastern side of the street.
- 1.2. The site comprises a two storey semi-detached hipped roof dwelling with single storey rear extension. The dwelling has a rear garden depth of approx. 8m from the single storey extension to the rear boundary and a depth of approx. 10m from the two storey body of the dwelling.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Demolition of existing single storey rear extension (measuring 2.6m wide x 2.8m deep) and construction of a larger single storey extension, measuring 4.3m wide x 10m deep, with a pitched roof and an overall height of 3.5m.
 - Attic conversion from storage to study including dormer to rear and rooflight to side.
 - Widening of existing vehicular entrance.

3.0 Planning Authority Decision

3.1. Decision

Permission GRANTED, subject to 8 conditions, including the following:

C2: The development shall incorporate the following amendments

- (a) The rear extension shall have a maximum external length of 6.5m measured from the primary rear building line towards the rear boundary wall of the site.
- (b) The dormer window shall be offset at least 1m from the eaves.

Reason: In the interests of visual and residential amenity.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The Planning Officer's report generally reflects the decision of the Planning Authority.

3.2.2. Other Technical Reports

Drainage Division: No objection subject to conditions.

Transportation Division: No objection subject to conditions.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

None.

4.0 **Planning History**

None.

5.0 **Policy and 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.'
- Section 16.10.12: Extensions and Alterations to Dwellings
- Section 16.10.2, Private open space for dwellings: A minimum standard of 10 sq.m. of private open space per bedspace will normally be applied. A single bedroom represents one bedspace and a double bedroom represents two bedspaces. Generally, up to 60-70 sq.m. of rear garden area is considered sufficient for houses in the city.

- Appendix 17: Guidelines for Residential Extensions.

5.2. Natural Heritage Designations

The site is not located within or adjacent to a European site.

5.3. EIA Screening

The proposed development is not of a class for the purpose of EIA.

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has submitted an appeal against condition 2 of the decision issued by the planning authority. The grounds of appeal is summarised as follows:

- Condition 2 which reduces the depth of the extension to a maximum 6.5m will result in the omission of the shower room and garden store. The applicants are of ill health and require the downstairs facilities to future proof their house for when they get older.
- The neighbouring property, no.27, has a 6.5m rear extension. Given the applicant's existing garden shed, there is only 1.2m length of garden wall (2m high) along the boundary between the properties. The lower parapet addresses the issue of potential overbearance. The daylight and sunlight impacts were considered acceptable to the planning authority. The boundary with no. 23 is screened with semi-mature trees.
- If the condition remains, the increase in floor area will only be 27sqm.
- With regard to the concern in relation to quantum of garden space, a garden room was proposed, which can be later converted into a bedroom. The planning authority states the area of open space is 42sqm but it is 59sqm if the back and side is included. The rear area of garden is damp, even though French drains have been constructed which don't work, and it is therefore not used.

- The following amendments are proposed to address condition 2:
 - Reduce the parapet wall as much as possible.
 - Remove the gable wall at the end of the extension at the boundary with no. 3 and construct a hipped roof.

6.2. **Planning Authority Response**

None.

6.3. **Observations**

None.

6.4. **Further Responses**

None.

7.0 **Assessment**

7.1. This is a first party appeal against planning condition 2(a) of the Planning Authority which states:

C2: The development shall incorporate the following amendments

- (a) The rear extension shall have a maximum external length of 6.5m measured from the primary rear building line towards the rear boundary wall of the site.

7.2. Having regard to the nature of the development proposed and the condition subject of this appeal, I consider a de novo consideration of the proposal is not warranted and I recommend the Board should use its discretionary powers under Section 139 of the Planning and Development Act 2000 (as amended), and restrict its consideration to the terms of condition no. 2(a).

7.3. The primary issue for assessment relates to the design & impact on residential amenity of the extent of the single storey extension.

Design and Impact on Residential Amenity

- 7.4. Condition 2 of the Planning Authority's decision requires the rear single storey extension to have a maximum external length of 6.5m so that the extension is not visually overbearing and to maintain a higher level of private open space.
- 7.5. The grounds of appeal argue the extension will not be overbearing given the existing context with no. 23 whereby there is at present only 1.2m of garden wall free due to the presence of an existing garden structure to the rear of the garden and also existing screening with no. 23. Ground level facilities of a bathroom and spare room are required to future proof the dwelling, particularly given the health issues of the applicants. The area of private open space is considered adequate.
- 7.6. The proposed single storey rear extension is 10m long, along the boundary with 27 Greenwood Close and adjoins the rear boundary wall of the garden. The overall height of the extension is 3.57m, with the applicant proposing by way of appeal a hipped end to the extension at the rear to minimise its impact. The parapet height at the boundary is indicated on the appeal drawings to be 3m in height.
- 7.7. The extension, given its position north of the adjoining dwelling no. 27 will not impact on that dwelling in terms of overlooking or overshadowing. I note the existing context whereby the rear section of the boundary is at present occupied by an existing garden structure, however, given the limited rear garden depth to these properties, I consider the proposal to building along the entire shared boundary would have an overbearing impact given its extent and scale on the adjoining property and would seriously injure the amenities of that property.
- 7.8. I have also considered the property to the rear. The proposed extension is approx. 4m across the width of the rear boundary. However this is the northwest corner of the property to the rear which has a garden width of approx. 11m. I do not consider the proposed extension, with the hipped roof proposed by way of appeal, would seriously injure the visual or residential amenities of the property to the rear.
- 7.9. With regard to private open space, the development plan states a minimum standard of 10 sq.m. of private open space per bedspace will normally be applied. The planning authority considers the provision of remaining open space at 42sq.m. to be low and would have a negative impact on residential amenity. The applicant argues the area is 57sq.m. if the area to the side of the dwelling is included. I do not consider the side passage of a dwelling contributes to the rear functional private

open space of a dwelling when calculating private open space. However, having viewed the site, I consider the open space while limited with the extension in place would be sufficient in terms of functionality

- 7.10. Having regard to the scale and extent of the proposed rear single storey extension, I consider that the proposed development would be overbearing on the property to the south and I consider retention of condition 2(a) appropriate to protect those residential amenities, in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment

- 7.11. 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. Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, I am satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 as amended, to RETAIN condition number 2(a) as follows:

- (a) The rear extension shall have a maximum external length of 6.5m measured from the primary rear building line towards the rear boundary wall of the site.

Reason: In the interests of visual and residential amenity.

9.0 Reasons and Considerations

Having regard to:

- (a) the provisions of the Dublin City Development Plan 2016-2022,

- (b) the height and extent of the single storey rear extension proposed, and
- (c) the existing pattern of development in the area,

The Board considered that the inclusion of those amendments required in condition no. 2(a) necessary for the protection of the residential amenities of the neighbouring properties and the proper planning and sustainable development of the area.

Una O'Neill
Senior Planning Inspector

23rd May 2019