



An
Bord
Pleanála

Inspector's Report ABP-303862-19

Development	Demolition of single storey extension to rear and erection of three storey extension to rear.
Location	103, Aughavannagh Road, Crumlin, Dublin, D12 X279
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	4706/18
Applicant(s)	Greg Buckley
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Mary Hynes
Date of Site Inspection	27 th May 2019
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which has a stated area of 0.136 hectares, is located approximately 4km to the south west of Dublin city centre. The site is located at no. 103 Aughavannagh Road. The site is occupied by a two-storey mid terrace dwelling with a single-storey flat roof extension to the rear. The dwelling on the site is a mid-terrace dwelling with no. 105 to the south east and no. 101 to the north west. The site backs onto a cemetery.

2.0 Proposed Development

2.1. Permission is sought for the demolition of an existing single-storey extension and for the construction of a three-storey extension to the rear and single-storey living room and porch extension to the front and conversion of the attic storeroom.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 9 conditions. Of note is the following condition...

Condition no. 3: The extension at attic level/second floor to be omitted, the rear extension shall project a maximum of 3.5m from the rear elevation and the proposed front extension is to be omitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning report (06/02/19): The extension above roof level is contrary Development Plan policy and would be visually obtrusive. The proposal was considered acceptable subject to a number of revisions including omission of the attic level/second floor level extension and restriction of the depth of the extension to 3.5m as well as omission of the front extension. A grant of permission was recommended subject to the conditions outlined above.

3.2.2. Other Technical Reports

Drainage Division (29/01/19): No objection subject to conditions.

Transportation Planning (07/02/19): No objection subject to conditions.

3.3. Third Party Observations

Submission were received from...

Mary Hynes, 105 Aughavannagh Road, Crumlin, Dublin12.

Angela Hayes, 25 Fairfield Way, Hayward Heath, West Sussex, RH16 1UT, England
(co-owner of no. 101 Aughavannagh Road).

Emmett Hayes (executor of estate of owner of no. 101).

Anne Flanagan, No. 6 Block D, Iveagh Trust, Kevin Street, Dublin 8 (co-owner of no. 101 Aughavannagh Road).

The issues raised can be summarised as follows...

- The design and scale of the extension is inappropriate and would be obtrusive and overbearing relative to adjoining properties with an adverse impact on light levels.
- The front extension is out of character with the existing streetscape, will impact the ability to park a car to the front and block light to the front windows of the adjoining properties.

4.0 Planning History

No Planning history.

5.0 Policy and Context

5.1. Development Plan

The relevant Development Plan is the Dublin City Council Development Plan 2016-2022.

The site is zoned Z1 with a stated objective 'to protect, provide residential amenities'.

Section 16.2.2.3 Alterations and Extensions

Dublin City Council will seek to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context and the amenity of adjoining occupiers.

17.4 Privacy

Extensions should not result in any significant loss of privacy to the residents of adjoining properties. Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided. Where essential, the size of such windows should be kept as small as possible and consideration should be given to the use of high-level windows and/or the use of obscure glazing where the window serves a bathroom or landing.

17.11 Roof Extensions

The roofline of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of a roof is carefully considered. If not treated sympathetically, dormer extensions can cause problems for immediate neighbours and in the way a street is viewed as a whole.

When extending in the roof, the following principles should be observed:

- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.

- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.
- Roof materials should be covered in materials that match or complement the main building.
- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

5.2. **Natural Heritage Designations**

None in the vicinity.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A third party appeal has been lodged by Mary Hynes, 105 Aughavannagh Road, Crumlin, Dublin 12.

- The appellant is concerned about condition no 3 and the fact that the extension can project to 3.5m in depth. It is considered that the two-storey extension would impact adversely on light and subsequently on residential amenity.
- The extension is considered to be very high and long for such a small back garden in a terrace of dwellings with a significant impact on natural light. The fact it will be right up against the boundary with the appellant's property would mean it would have an overbearing impact.

6.2. Applicant Response

A response has been submitted by Paul Redmond Architectural Services Limited on behalf of the applicant Greg Buckley.

- The applicant has submitted revised drawings that take into account the requirements of condition no. 3. The applicants consider that such amendments would address the appellant's concerns.

6.3. Planning Authority Response

No response.

6.4. Further Responses

Further response from the appellant, Mary Hynes, 105 Aughavannagh Road, Crumlin, Dublin 12.

- The appellant reiterates concerns regarding the scale and proximity of the existing to the boundary with her dwelling. The extension would have an overbearing impact and result in loss of light
- The front extension is out of character with the existing streetscape, will impact the ability to park a car to the front and block light to the front windows of the adjoining properties.

7.0 Assessment

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

Design, scale, adjoining amenity

Appropriate Assessment

7.2. Design, scale, adjoining amenity:

7.2.1 The proposal sought permission to demolish an existing single-storey extension and construct a three-storey extension to the rear including conversion of the attic and the provision of a single-storey extension to the rear. The proposed extension exceeded the existing ridgeline with part of it visible from the public road. The Planning Authority granted permission subject to a number of modifications which were motivated by concerns regarding impact on visual amenity and adjoining amenities. Condition no. 3 was applied which omitted the attic level/second floor level extension and restricted the depth of the extension to 3.5m as well as omission of the front extension.

7.2.2 I would concur with the assessment of the proposal in that the provision of a three-storey extension is excessive and does not respect the existing ridge height of the dwelling with the roof profile of the rear extension visible above the existing ridgeline. I would consider that it is wholly appropriate in event of a grant of permission to omit the second floor level. The first and second floor element of the extension projects 3.715m beyond the rear building line. Condition no. 3 reduced the depth of the first floor portion of the extension (second floor portion omitted) to 3.5m. Subject to the omission of the second floor level, I would consider that a depth of 3.5m for the first floor extension is an acceptable depth for a first floor extension. The applicant in response to the appeal has submitted a set of revised drawings implementing the terms of condition no. 3 (omission of second floor level and a first floor extension projecting 3.5m).

7.2.3 The revised plans provide for a single-storey extension that projects 5m from the rear building line (replaces existing single-storey extension). The existing dwellings on either side both have single-storey extensions with windows located on the rear elevation of such extensions and such will not be impacted by the revised extension. The extent of the first floor extension if restricted to 3.5m in depth is not excessive in scale and would have no significant or adverse impact on regards to loss of

light/overshadowing. The revised design has adequate regard to the pattern of development and is of an acceptable design and scale. It is notable that the revised drawings still include the extension to the front of the dwelling, whose footprint coincides with the scale of the existing canopy on the front of the dwelling. This canopy was omitted as part of condition no. 3. I would consider that overall design and scale of the front extension is acceptable in terms of visual amenity and is small in scale and would not be out of character with the existing streetscape at this location. I would consider that the proposal should be granted subject to implementation of the revised plans submitted to An Bord Pleanála on the 27th March 2019. Having regard to such I am satisfied the proposed development is acceptable in regards to the visual amenities of the area, the residential amenity of adjoining properties and would be in accordance with the proper planning and sustainable development of the area.

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

Having regard to the design and scale of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual amenities of the area and would not seriously injure the amenities of adjoining property. 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 and as amended by the revised plans submitted by the applicant to An Bord Pleanála on the 27th day of March 2019, 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 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.

Colin McBride
Planning Inspector

27th May 2019