



An
Bord
Pleanála

Inspector's Report

ABP-304228-19

Development	House Extension
Location	12 Bellevue Park, Booterstown, Co. Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D19A/0072
Applicant(s)	Claire Kelly and Garry Kavanagh
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Patrick and Cariosa Kearns
Observer(s)	None
Date of Site Inspection	2 nd July 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 semi-detached two storey dwelling with part single storey to the side. I note that many of the houses in the area have extended both to the front over the single storey element and to the rear.

2.0 Proposed Development

Permission is sought for the following:

- Single storey extension to rear
- First floor extension to side over converted garage
- Attic floor including velux rooflights to front and dormer to rear
- Alterations to porch with new canopy
- Insulation to all external walls and modifications to existing fenestration
- Removal of chimney to rear
- Detached shed to rear
- Widening of existing vehicular entrance

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 12 No. conditions. Condition 4 required the applicant to plant a semi-mature tree in the immediate vicinity of the existing verge tree adjacent to the proposed widened entrance. All other conditions are of a standard nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

3.2.2. The planning report considered that the proposed alterations and extensions would not adversely impact on the residential amenity of adjacent properties by reason of overshadowing, overlooking or overbearing appearance.

3.2.3. Other Technical Reports

Transportation Dept.: No objection subject to conditions.

Drainage Dept.: No objection subject to conditions.

3.3. Prescribed Bodies

No reports.

3.4. Third Party Observations

3.4.1. One third party observation was submitted to the Planning Authority. The issues raised are similar to those raised in the grounds of appeal.

4.0 Planning History

No recent planning history.

5.0 Policy 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.

5.2. Natural Heritage Designations

None relevant.

5.3. EIA Screening

- 5.3.1. Based on the information on the file, which I consider adequate to issue a screening determination, it is reasonable to conclude that there is no real likelihood of significant effects on the environment arising from the proposed development and an environmental impact assessment is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- Concerns raised in relation to overlooking, overshadowing, and overbearing impact.
- It is suggested that the current plans be amended to reduce the scale of the rear extension to be more sympathetic with the surrounding neighbourhood.

6.2. Applicant Response

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

- It would not be possible for the occupiers to view into neighbouring properties from the proposed high level clerestory glazing.
- The two windows mentioned in the appeal are at ground level location and do not impact on the privacy of No. 11.
- There is a strong established pattern of single storey rear extensions along this particular road as can be demonstrated by an extract from google maps included in the appeal.

6.3. Planning Authority Response

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

6.4. Observations

- None.

7.0 Assessment

7.1. Having inspected the site and reviewed the file documents, I consider it appropriate to assess the development under the following headings:

- Impact on Residential Amenity
- Appropriate Assessment

7.2. Impact on Residential Amenity

7.2.1. This site is located in an area which is zoned as 'A' with a stated zoning objective to protect and/or improve residential amenity in this area.

7.2.2. Concern is raised in the appeal regarding overlooking and overshadowing of the neighbouring property. The appeal states the following:

'We live at 11 Bellevue Park which is the house adjoining No. 12 to the east. The proposed plan for remodelling No. 12 has a rear extension which is our main objection. We would like An Bord Pleanála to recommend reducing the scale of this first floor extension particularly its length.'

7.2.3. From the outset, it is necessary to point out that is clear from the appeal that the main issue relates to the proposed rear extension. However, no first floor extension is proposed to the rear. The only first floor element proposed is a bedroom extension to the front of the house. The appeal does not appear to have any difficulty with this element and I note from the site inspection that many similar extensions have been carried out at this location.

7.2.4. The appeal considers that the rear extension would be overbearing in size and scale in relation to the houses and gardens in the near vicinity especially No. 11.

7.2.5. I note that the proposed rear single storey extension is modest in size with a gross floor area of c. 46m². The roof is split into two elements: - a higher flat roof over the dining area and lower flat roof over the kitchen and living area. The higher flat roof provides for clerestory glazing around the perimeters of the raised roof. The clerestory glazing is located at high level of c. 2.8m high and as such, I do not consider that the proposed window would unduly detract from the residential amenities of properties in the vicinity by reason of overlooking. I note that the appeal also expresses concern in relation to the impact on privacy from ground floor windows. Glazing is proposed for a substantial part of the ground floor rear elevation, however whilst some of this is located in close proximity to No. 11, I do not consider that it will unduly impact on the privacy of this dwelling having regard to the ground floor location, the orientation of windows and the boundary treatment between existing houses.

7.2.6. I note that the appellants have expressed concern in relation to the size of the proposed rear extension. I consider that the proposed extension is proportionate to the size of the existing dwelling which is a large semi-detached dwelling with a stated floor area of c. 143m². I refer the Board to the photographs on file and the images from google maps attached to the appeal response which indicate the type of development in the vicinity in the site and similar extensions in the area. The appellants have asked that the Board recommend reducing the scale and length of the extension. Having regard to the site context, including the location in a built up area, the number of similar extensions in the vicinity of the site, the limited scale of the proposed development, and the length and size of the existing rear garden, I do not consider that the proposed development would give rise to any significant impacts on the neighbouring properties. As such, I do not consider that a reduction in either the scale or length of the proposed extension is necessary in this instance.

7.3. **Appropriate Assessment**

7.3.1. 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.

8.0 Recommendation

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

Reason: In the interest of visual amenity.

3. 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.

4. 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.

Emer Doyle

Planning Inspector

9th July 2019