



An
Bord
Pleanála

Inspector's Report

ABP-304229-19

Development	House Extension
Location	11 Farrenboley Cottages, Windy Arbour, Dundrum, Dublin 14.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D19B/0037
Applicant(s)	Derek and Ursula Cloonan
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Derek and Ursula Cloonan
Observer(s)	None
Date of Site Inspection	9 th July 2019
Inspector	Ronan O'Connor

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1.0 Site Location and Description

- 1.1. The site is located within the Farrenboley Cottages estate, a cul-de-sac located approximately 500m north-east of the Windy Arbour Luas stop. The immediate context is one of single storey semi-detached bungalows on relatively large sites, with larger two-storey semi-detached dwellings located in the wider area.

2.0 Proposed Development

- 2.1. House extension.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Refuse permission for one reason as follows:

Having regard to the height, scale and design of the proposed two storey split level extension in relation to the existing cottage on site it is considered that the proposed development would appear incongruous and would have a negative visual impact on the streetscape along Farrenboley Cottages seriously injuring the amenities of property in the area. The proposed development would be overbearing and visually obtrusive and set an undesirable precedent for similar type development in the area. Therefore the proposed development would be seriously injurious to the visual and residential amenities of neighbouring residents and would materially contravene the zoning objective for the area 'to protect and /or improve residential amenity' and would thereby be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

The report of the planning officer reflects the decision of the Planning Authority.

Points of note are as follows:

- Proposed extension will more than double the size of the cottage to a large 4 bed dwelling/increase the floor area from 121.11 sq. m. to 283 sq. m/introduces a large 2 storey element to the rear.

- Considered the proposed two storey extension by reason of its height, length and scale would be overbearing and visually obtrusive/would be seriously injurious to the visual and residential amenities of the neighbouring dwellings.
- Would be out of character with the existing dwelling on site and adjacent dwellings.
- Would have a negative visual impact on the streetscape.

3.2.2. Other Technical Reports

Drainage – seeks Further Information.

3.3. Prescribed Bodies

3.3.1. None.

3.4. Third Party Observations

3.4.1. None.

4.0 Planning History

4.1.1. None.

5.0 Policy Context

5.1. Development Plan

Dun Laoghaire-Rathdown County Development Plan 2016-2022

Relevant Policies are as follows:

- Land Use Zoning Objective 'A' To protect and/or improve residential amenity.
- Section 8.2.3.4 (i) refers to Extensions to Dwellings in existing built-up areas.

5.2. Natural Heritage Designations

5.2.1. None.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the development, which consists of extensions to an existing house in a built-up suburban location, 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.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A First Party Appeal was lodged on behalf of the applicants, Derek and Ursula Cloonan c/o Peter Derbyshire Architect, 61 Arnold Park, Glenageary, Co. Dublin.

The grounds of appeal are summarised as follows:

- Applicants currently renting/home has been in family ownership for two generations/wish to live within reasonable travelling distance from Enable Ireland in Sandymount/Son attends this centre due to medical conditions/medical needs have implications for the design.
- Existing house is unsuitable for the needs of a growing family
- Is considered the design provides for their needs/sympathetic architecturally to the existing house and adjoining houses/no serious impact on the amenities of adjoining houses.
- PA's decision to refuse permission is unsupportable and unreasonable particularly in the context of the established two-storey developments in the area.
- Majority of houses have single storey extensions of various sizes/large number of two-storey extensions.
- No special conservation or architectural status attached to the house or to the area
- Ground level of No. 10 is significantly higher than No. 11/Ground level of No. 12 is slightly below No. 11.
- In relation to the front extension the line and profile of the existing roof is being retained with the exception of a small portion to the rear which is flat roof.

- Two-storey portion provides for the main living areas at ground level with the three main bedrooms at first floor level – this is to ensure that supervision can be provided for the applicant’s son which is required at all times due to his medical condition.
- The set back of the two-storey extension combined with the hipped roof treatment minimise the visual impact of the proposed extension.
- Proposal will have minimal impact on the streetscape – layout of the housing estate provides for restricted views from the street to the rear of No. 11.
- Proposal will be viewed in the context of No. 12 which has a similar height and scale to the proposal/will be successfully integrated into the overall composition.
- The height of the extension at No. 12 exceeds that of this proposal and the footprint is similar in extent.
- There are only limited views from No. 10 to the rear of applicant’s property/could not be reasonably judged to be overbearing.
- Given the similarities in heights between the proposal and No. 12 it could not be reasonably be judged to be overbearing from that property.
- Owners of No. 10 and 12 have written letters stating that they have no objections to the proposal.
- Significant precedence for two-storey structures in the estate (photographs provided) – majority of these structures are much more visually obtrusive than the current proposal.

6.2. Planning Authority Response

- 6.2.1. Refer to planners report/grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

6.3. Observations

- 6.3.1. None.

7.0 Assessment

7.1. The following assessment covers the points made in the appeal submissions, and also encapsulates my *de novo* consideration of the application. The main planning issues in the assessment of the proposed development are as follows:

- Principle of Development
- Design and Visual Amenity
- Residential Amenity
- Other Issues
- Appropriate Assessment

7.2. Principle of Development

7.2.1. The appeal site is wholly contained within an area zoned Objective A 'Residential', where residential extensions and alterations to an existing dwelling for residential purposes is considered a permissible use. I am satisfied that that the principle the development is acceptable at this location subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance.

7.3. Design and Visual Amenity

7.3.1. The one reason for refusal refers to the visual impact of the proposed extension from the streetscape and the impact of the proposed extension on the amenities of neighbouring properties, having regard to visual amenity and overbearing.

7.3.2. The proposed extension will be visible from limited viewpoints from the street, although the nature of the site, and the screening provided by neighbouring dwellings limits the visual impact of the extension. The drop in site levels as one approaches the site from the south further reduces the visual impact of the development, and it will appear as a similar height to the dwelling at No. 12 Farrenboley Cottages. I am cognisant, too, of the screening provided by the large tree to the front of the dwelling but recognise that this is not necessarily a permanent feature and could be removed at any point.

7.3.3. While the scale of the extensions is relatively large, relative to the existing dwelling house, I am mindful of the fact that the existing dwelling is single storey, has a relatively small floor area, and sits on a site that can accommodate additional development. In my view the existing dwelling does not make the most efficient use of a relatively large site.

- 7.3.4. The extensions to the front are relatively minor in nature, and they do not disrupt the building line to such a degree so as to warrant a refusal. It does not appear that the Planning Authority had any major concerns with this element of the proposal.
- 7.3.5. In conclusion, having regard to the particular characteristics of the site, which is at a lower level than the neighbouring dwelling at No. 12 Farrenboley Cottages, the screening provided by existing development, and having regard to the nature of the existing dwelling on the site, I am satisfied that the scale and design of extensions will not have a significant negative impact on the character or visual amenity of this established residential area or the overall streetscape.

7.4. Residential Amenity

- 7.4.1. The reason for refusal states that the proposal would be overbearing and visually obtrusive with an adverse impact on amenity.
- 7.4.2. In relation to the impact on No. 12 Farrenboley Cottages, I note that this site is at a higher level than the appeal site, with the result that the height of the proposed development is broadly similar to the height of No. 12. I also note the significant setback of the proposed extension from No. 12. Having regard to these factors I do not consider the proposal would be overbearing or visually dominant when viewed from No. 12. Furthermore there would little impact on the daylight or sunlight levels to this property given the orientation of the proposed development relative to No. 12. While there are windows facing towards No. 12, the setback is such that no material overlooking of this property will result.
- 7.4.3. In relation to the impact on No. 10 Farrenboley Cottages, I note the significant setback from this property, and also note the significant amount of foliage and planting on the boundary which provides a large degree of screening between the two properties. Again, having regard to these factors I do not consider the proposal would be overbearing or visually dominant when viewed from No. 10. The setback is such there would be little impact on the sunlight received to No. 10 Farrenboley Cottages. There are no windows facing towards No. 10 and as such no overlooking of this property will result.
- 7.4.4. Overall I am satisfied that the design, scale, form and positioning of the proposed rear extension strikes a reasonable balance between the provision of improved amenity to the existing dwelling and the protection of neighbouring residential amenity, and does not result in any unreasonable loss of amenity to neighbouring residential properties.

7.4.5. **Other Issues**

7.4.6. Drainage - I note that the Drainage Department of the Planning Authority sought Further Information in relation to drainage and the proposed surface water and foul connections. I consider that this issue can be dealt with by way of a standard condition.

7.4.7. Development Contributions - Dun-Laoghaire Rathdown County Council has adopted a Development Contribution scheme under Section 48 of the Planning and Development Act 2000 (as amended) and is in place since 14th December 2015. Section 10 Exemptions and Reduction of the scheme states that the first 40 square metres of any residential extension, shall be exempt from the contribution scheme. The proposed development exceeds this limitation and as such does not fall under the exemptions listed in the scheme. Therefore a Section 48 Development Contribution is applicable in this case.

7.5. **Appropriate Assessment**

7.5.1. Having regard to the nature and scale of the proposed development, extensions to an existing dwelling, within an established urban area, and its distance 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. It is recommended that permission be granted subject to conditions for the reasons and considerations set out below

9.0 **Reasons and Considerations**

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and its zoning for residential purposes, to the location of the site in an established residential 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, 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, 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. Site development and building works shall be carried only out between the hours of 08.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

4. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

Reason: In the interest of visual amenity

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, as amended. 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 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.

Rónán O'Connor
Planning Inspector

10th July 2019