



An
Bord
Pleanála

Inspector's Report ABP-304400-19

Development	Retain alterations to previously permitted extension, including double-doors to front and revised windows
Location	11 Celtic Park Road, Beaumont, Dublin 9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB1098/19
Applicant(s)	Bernard & Antoinette O'Dowd
Type of Application	Retention Permission
Planning Authority Decision	Grant
Type of Appeal	Third-Party
Appellant(s)	Sean Mooney
Observer(s)	David Keogh
Date of Site Inspection	24 th June 2019
Inspector	Colm McLoughlin

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1.0 Site Location and Description

1.1. The appeal site is located on a corner site at the junction of Celtic Park Road and Celtic Park Avenue in the residential area of Beaumont, approximately 4km north of Dublin city centre. It is triangular in shape and measures a stated 413sq.m. It contains a two-storey semi-detached four-bedroom house with a single and two-storey side extension, as well as single-storey front and rear extensions. Vehicular access is available from the front off Celtic Park Road onto a hardsurfaced parking area adjoining lawn areas. The external finishes to the front of the house primarily include white-painted render walls, cream upvc windows and concrete profile roof tiles. The surrounding area is generally characterised by rows of two-storey terraced and semi-detached dwellings of similar styles, many of which feature extensions. Ground levels in the vicinity are relatively level with only a slight drop in a south-easterly direction.

2.0 Proposed Development

2.1. The proposed development for retention comprises the following:

- alterations to the front and side extensions previously permitted under Dublin City Council (DCC) Ref. WEB1238/18, comprising revised elevation treatments, including new windows and double-doors.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority decided to grant retention permission for the proposed development, subject to four conditions of a standard nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer (April 2019) noted the following:

- an enforcement case under DCC Ref. E0022/19 was served on the subject property owners in relation to a breach of condition no.1 to the planning

permission granted for extensions to the house under DCC Ref. WEB1238/18;

- it is not considered that the windows proposed to be retained do not result in undue overlooking of neighbouring properties;
- the double-doors proposed for retention do not detract from the character or visual amenity of the area.

3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection, subject to conditions.

3.3. Prescribed Bodies

- Irish Water – no response.

3.4. Third-Party Submissions

- 3.4.1. Two third-party submissions were received from the neighbouring residents of Nos.13 & 14 Celtic Park Road and the issues raised are covered in the grounds of appeal and the observation below.

4.0 Planning History

4.1. Appeal Site

- 4.1.1. As mentioned above, the Planning Authority has referred to a recent enforcement case (DCC Ref. E0022/19) regarding a potential breach of planning permission on the appeal site. The following recent planning application relates to the appeal site:

- DCC Ref. WEB1238/18 – permission granted in August 2018 for the demolition of an attached flat-roof side garage, the construction of a part single and two-storey side extension and a single-storey front extension, and the widening of the vehicular access. Condition no.3 of the permission required the proposed brick finish to be omitted and replaced with a render finish.

4.2. Surrounding Sites

- 4.2.1. Reflective of the surrounding established residential context, there have been numerous applications for extensions and alterations to houses in the immediate vicinity, none of which are of particular relevance to this appeal.

5.0 Policy & Context

5.1. Development Plan

- 5.1.1. The appeal site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022, with a stated objective 'to protect, provide and improve residential amenities'.
- 5.1.2. Relevant planning policies and objectives for residential development are set out under Section 5 (Quality Housing) and Section 16 (Development Standards) within Volume 1 of the Development Plan. Appendix 17 (Volume 2) of the Development Plan provides guidance specifically relating to residential extensions.

5.2. Environmental Impact Assessment - Preliminary Examination

- 5.2.1. Having regard to the existing development on site, the limited nature and scale of the proposed development for retention and the absence of any connectivity to any sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development for retention. 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 third-party appeal against the decision of the Planning Authority was received by the Board from the adjacent resident of No.13 Celtic Park Road. The appeal was accompanied by photographs and raised the following:

- the double doors are out of character with housing within the terraced streetscape, as well as being obtrusive in appearance and unnecessary;
- the windows on the rear elevation directly overlook the appellant's property;
- the development was undertaken without adhering to the original permission and may result in the house being used for multiple occupancy, which would place further constraints on local services and would result in increased noise emissions;
- the development restricts the ability to service and maintain the appellant's property.

6.2. Applicants' Response

6.2.1. The applicants' response to the grounds of appeal can be summarised as follows:

- the personal circumstances of the applicants and their family are initially outlined;
- the double doors were the original doors to the garage that previously existed on site and these were reused subsequently in the new extension;
- 'frosted' glazing is installed in the rear-facing windows;
- services are all contained within the site and are operated properly.

6.3. Planning Authority Response

6.3.1. The Planning Authority did not respond to the grounds of appeal.

6.4. Observations

6.4.1. An observation was received from a neighbouring resident of No.14 Celtic Park Road, which is directly opposite the appeal site to the east. The observation raised similar issues to those covered in the grounds of appeal above.

7.0 Assessment

- 7.1.1. The Dublin City Development Plan 2016-2022 sets out the general principles for consideration when assessing proposals for extensions to houses, such as residential amenity issues, privacy, relationship between dwellings and extensions, daylight and sunlight, appearance, the subordinate approach and materials.
- 7.1.2. Planning permission was granted on this site for a part single and two-storey side extension and a single-storey front extension, as well as other elements, under DCC Ref. WEB1238/18. Condition no.3 of the permission required the brick finish to be omitted and replaced with a render finish. The development was commenced and the Planning Authority opened an enforcement case (DCC Ref. E0022/19) in relation to a breach of condition no.1 to planning permission under DCC Ref. WEB1238/18. Condition no.1 of this previous permission required the 'development to be carried out in accordance with the plans, particulars and specifications lodged with the application'. The proposed development was submitted in order to retain alterations to the extensions previously permitted (DCC Ref. WEB1238/18), including the two revised windows featuring obscure glazing on the rear elevation and double doors on the front elevation serving the shed element of the extension. As such, it is only necessary to assess those revised material elements of the extensions that were not subject of the previous permission (DCC Ref. WEB1238/18) and it is not necessary to assess the extensions in their entirety.
- 7.1.3. The grounds of appeal assert that the two revised windows on the rear elevation result in direct overlooking of the appellant's property to the north of the site. The original permission had provided for two similar size 'frosted' windows in the same position as these windows. I note that the two windows serve a kitchen area at ground floor and an ensuite bathroom at first-floor, they feature 'frosted' obscure glazing and generally face onto the side elevation of the appellant's house at No.13. The appellant's house features single-storey side, front and rear extensions and there is a 1.5m-high boundary wall on the boundary with the appeal site. I am satisfied that the position of the windows and the use of a 'frosted' obscure glazing restricts excessive undue and direct overlooking from the extension to the appellant's property. In addition, the potential for overlooking from these windows is further restricted by virtue of the extent, orientation and position of existing

extensions on the appellant's property. I also note that the first-floor window serves an en-suite bathroom, which is not a habitable room. In conclusion, the proposed development for retention would not result in excessive undue overlooking of neighbouring properties and would not give rise to an unacceptable impact on residential amenity. Retention permission should not be refused for this reason.

- 7.1.4. The proposed development for retention includes timber double doors installed on the front elevation of the shed element to the previously permitted extension. The grounds of appeal assert that these double doors are out of character with housing along the immediate streetscape and they have an adverse impact on the visual amenities of the area. In response, the applicants highlight that these double doors had originally been installed in the garage that was demolished to make way for the recently-constructed extension.
- 7.1.5. The appeal site is not located in an area with conservation status and there is a wide variety of extensions to existing properties in the immediate area, including side garages with similar size doors to the appeal site, on the adjoining house at no.99 Celtic Park Avenue and the house opposite to the east at no.12 Celtic Park Road. I am satisfied that the double doors are complementary to the scale of the extension, as well as the host house, and are a feature that is typical of housing in the immediate area. In conclusion, I consider that the proposed development for retention would not have a detrimental impact on the visual amenities of the area and retention permission should not be refused for this reason.

8.0 Appropriate Assessment

- 8.1. Having regard to the minor nature of the proposed development for retention and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development to be retained would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

- 9.1. I recommend that retention planning permission should be granted, subject to the condition, as set out below.

10.0 Reasons and Considerations

10.1. Having regard to the nature and design of the proposed development and to the existing pattern of development in the vicinity, it is considered that, subject to compliance with the condition set out below, the proposed development would not be out of character with development in the area and would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Condition

1. The development shall be retained in accordance with the plans and particulars lodged with the application.

Reason: In the interest of clarity.

Colm McLoughlin
Planning Inspector

8th August 2019