



An
Bord
Pleanála

Inspector's Report ABP-304631-19

Development	Demolition of extension and erection of a two-storey extension to side with single storey projection to rear and front.
Location	91 Stillorgan Wood, Stillorgan
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D19B/0103
Applicant(s)	Edith & William Kennedy
Type of Application	Permission
Planning Authority Decision	Grant with conditions.
Type of Appeal	Third Party
Appellant(s)	Owen McCarthy
Observer(s)	None.
Date of Site Inspection	7 th August 2019
Inspector	Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site contains no. 91 Stillorgan Wood, which is a two-storey detached house located to the western side of this residential street. Stillorgan Wood is a residential development consisting of similar two-storey detached gable fronted houses which are on staggered building lines. Stillorgan Wood is located to the north of Sandyford Business Park. The main/ front door to these houses is located to the side and the front elevation is characterised by a mix of red brick and render with large windows; a distinctive feature is a projecting bay window at first floor level. There is a wide separation distance between houses which accommodates an attached single-storey, flat roofed garage. Many of the houses in Stillorgan Wood have converted this garage for habitable use.
- 1.2. No. 91 has a modest single storey extension to the rear and many of the houses in Stillorgan Wood have been extended to the rear and/ or side. The existing floor plans indicate that this is a four-bedroom house. The site area is given as 0.03633 hectares and the existing floor area is given as 77.56 sq m.

2.0 Proposed Development

- 2.1. The proposed development consists of the demolition of the single storey sunroom to the rear/ western side and an attached garage to the southern side of the existing house; total area to be demolished is given as 27.78 sq m. A two-storey extension to the side and a single-storey projection to the rear and part front is proposed. This will provide for a total of 46.30 sq m in the form of additional habitable floor area and increased bedroom floor areas.
- 2.2. External alterations include revised windows to all elevations in addition to replacement of dash finish with a nap plaster render finish. A new rooflight is proposed in the southern roof profile. An existing chimney located to the southern side of the house appears to be proposed for removal. The two-storey extension to the southern side of the house is proposed to be finished with Tegral Clad Grey panelling; no specific colour details are provided.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission subject to conditions following the receipt of further information. The conditions are standard.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning report reflects the decision to grant permission subject to conditions. Initial concerns regarding impact on residential amenity were addressed by way of a further information response received by the Planning Authority on the 18th April 2019.

3.2.2. Other Technical Reports

Drainage Planning – Municipal Services Department: No objection subject to conditions.

3.3. Objections

A single letter of objection was received in relation to the proposed development. Issues raised are similar to those listed in the grounds of appeal and include a lack of sufficient detail with regards to the design and finish of the extension, loss of residential amenity in the form of privacy, loss of daylight and potential overbearing and nuisance through dust and debris entering adjacent properties.

4.0 Planning History

P.A. Ref. D17B/0586 refers to a decision by the Planning Authority in 2018 to refuse permission for a two-storey side extension, a single storey rear extension and alterations to the front elevation of no. 91 Stillorgan Wood. The single reason for refusal referred to the scale, bulk and massing of the first-floor extension as being visually obtrusive and dominant and overbearing on the adjacent property, no 90 Stillorgan Wood.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, Stillorgan Wood including the subject site is zoned A ‘To protect and/or improve residential amenity’. Residential development is listed within the ‘Permitted in Principal’ category of the zoning objective.
- 5.1.2. Chapter 8 of the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022 refers to ‘Principles of Development’ and the following are relevant to the subject development:
- 8.2 ‘Development Management’ – with particular reference to section 8.2.3 ‘Residential Development’ and 8.2.3.4 ‘Additional Accommodation in Existing Built up Areas’.

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

The neighbour who lives in no. 90 Stillorgan Wood, the unit immediately to the south of the site, has lodged an appeal against the grant of permission. The planning issues raised include:

- Was not afforded the opportunity to comment on the submitted further information. The Planning Authority report comments on the fact that no additional responses were received with regard to the further information response, however the appellant was not notified that further information was received.

- The submitted plans are lacking in detail and in particular the external treatment in terms of material type and colour of the proposed development is not adequately described on the submitted plans and elevations.
- Loss of light to no. 90 through the height and scale of the proposed extension.
- Loss of privacy through overlooking of the rear garden of no. 90 with particular reference to the new window serving the master bedroom. The issue can be addressed through a revised window and/or use of opaque glazing.

6.2. Applicant Response

Includes:

- Request that the appeal be dismissed as the submitted grounds are without substance. Notes that there is no requirement for the applicant to be notified of the submitted further information response and to be afforded the opportunity to comment on it. The applicant has also made this appeal based on issues raised in his original observation, even though these issues were addressed by way of the further information response.
- The building line established by no. 91 is not broken as the staggered building line is not uniform. Currently, no. 90 overlooks no. 91.
- The applicant has identified no. 10 Stillorgan Wood which has been extended in the form of a two-storey addition to the side and no. 60a which is a two-storey contemporary designed house. These are provided as examples of infill development that have not been identified as having a negative impact on neighbouring properties.
- A shadow analysis has been undertaken and no cause for concern has been raised.
- Concern regarding the actual specification/ colour of the Tegral grey cladding can be addressed by way of condition.

6.3. Planning Authority Response

- No additional comment to make.

7.0 Assessment

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Design, Impact on the Character of the Area and Residential Amenity
- Other Issues
- Appropriate Assessment Screening

7.2. Design, impact on the Character of the Area and Residential Amenity

- 7.2.1. Stillorgan Wood is characterised by the gable fronted detached two-storey house on an irregular staggered building line. Generous separation distances are provided between the houses, allowing for the attached single-storey garage which is set back from the front building line. The location of this garage ensures that it is not a dominant feature and as already noted in this report, many of these garages in Stillorgan Wood have been converted for additional residential use.
- 7.2.2. The extension is of a contemporary design and it is proposed to finish it with Tegral cladding to be of a grey colour. No specific details have been provided regarding the material type and colour other than it will be from the Tegral range. The Tegral website indicates that a number of finishes and colours are currently available.
- 7.2.3. The extension is to be two-storey to the southern side of the house and will include the footprint of the existing garage. The ground floor of this extension will project approximately 1.1 m forward of the garage doors and there will be an overhang/ canopy beyond this of an additional 1.5 m. The extension to the western elevation projects by 2.7 m beyond the existing rear of the garage and the single storey element extends by 1.38 m beyond the rear of the house. The second floor element is set back 7.9 m from the existing front of the house/ 15.2 m from the back of the public footpath. The first-floor element will provide for a large master bedroom with en-suite. This allows for a configuration of the existing first floor to provide for increase bedroom and ancillary space. Room sizes comply with minimum standards set out in the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022.

7.2.4. From the planning history of the area and the site visit, it is evident that two-storey extensions to the side of the houses in Stillorgan Wood are rare. The garages have been converted in a number of cases and in a variety of designs. Good design principles suggest that an extension should be subordinate to the main body of the house, retaining the existing character of the house and not dominating the immediate area. I consider that the applicant has achieved this. The design and proposed material finish of this extension is different to the main house, however it does not dominant the streetscape and this is primarily due to the location of the extension on site. The staggered streetscape has been retained through ensuring that the extension does not project forward of the neighbouring property, no. 90 to the south. The relocated main door and proposed fenestration are considered to be visually acceptable. The design of the extension to the side and to the rear is also visually acceptable.

7.2.5. The proposed development does not give rise to any significant additional overlooking of adjoining properties as the design has considered this. The large window serving the Master Bedroom has been identified by the appellant as a matter of concern; it is considered that the staggered rear building line whereby no.90 projects beyond the rear elevation of no.91 will reduce the potential for overlooking. However, this window is exceptionally large, and a smaller window would be more appropriate; this can be addressed by way of condition. Adequate separation distances between the first-floor window and the rear boundary of the site are provided. Significant overshadowing leading to a loss of daylight is not foreseen from the two-storey extension as this is due north of the appellants house. First floor windows on the northern elevation of no. 90 are serving bathrooms/ an en-suite and do not receive sunlight for any significant period of time. Overall any loss of daylight will be minimal, and loss of sunlight is not foreseen.

7.3. **Other Issues**

7.3.1. The appellant has made clear in their appeal that they were not satisfied with the Planning Authority regarding the lack of notification of receipt of further information. This issue cannot be assessed under the appeal process.

7.4. **Appropriate Assessment Screening**

- 7.4.1. Having regard to the nature and scale of the proposed development 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 would be likely to give rise to a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dun Laoghaire-Rathdown County Development Plan 2016-2022 and the 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.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 26th day of February 2019 as amended by the further plans and particulars received on the 18th day of April 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The development shall be amended as follows:</p> <p>a) The west facing window serving the Master Bedroom shall be reduced in size such that the cill height is raised to a minimum of 1.1 m above floor level.</p>

	<p>b) The finish of the extension shall be a light to mid grey colour with matching flashing.</p> <p>Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.</p> <p>Reason: In the interest of residential amenity.</p>
3.	<p>The existing dwelling and proposed extension shall be jointly occupied as a single residential unit and the extension shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p>Reason: To restrict the use of the extension in the interest of residential amenity.</p>
4.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and to ensure a proper standard of development.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>

Paul O'Brien
Planning Inspector

23rd August 2019