



An  
Bord  
Pleanála

## Inspector's Report ABP-304633-19

### Development

Permission for the demolition of the existing garage and the existing single storey rear extension, provision of a new single storey extension to the rear and to the side of the existing house, alterations to the attic conversion, including the provision of new roof lights and a new rear dormer window with associated alterations to all elevations.

### Location

47 Woodlawn Park, Churchtown,  
Dublin 14.

### Planning Authority

Dun Laoghaire-Rathdown County  
Council

### Planning Authority Reg. Ref.

D19B/0145

### Applicant(s)

Anthea & David O'Sullivan

### Type of Application

Permission

### Planning Authority Decision

Grant Permission with Conditions.

### Type of Appeal

Third Party

<b>Appellant(s)</b>	Dermot & Julie Dolan
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	7 <sup>th</sup> August 2019
<b>Inspector</b>	Paul O'Brien

## 1.0 Site Location and Description

- 1.1. The subject site contains a single-storey detached house located on the western side of this residential street at 47 Woodlawn Park, Churchtown, Dublin 14. The area is characterised by similar single-storey detached houses with generous amounts of rear private amenity space. Off street car parking is available to each house in addition to garages.
- 1.2. The houses within Woodlawn Park have hipped roofs and the external finish is generally either dash or render. Front boundaries consist of a low wall. It is noted that a significant number of houses in the immediate area have been extended and/or modernised such as no.72 opposite/ east of the subject site. Dormers at first floor level have been provided in several locations to provide for additional floor area.
- 1.3. The subject unit is typical of the houses in Woodlawn Park and includes a detached garage located to the north west of the main body of the house. A low hedge of under 1 m provides a boundary between no. 47 and the house to the north no. 49. The subject site area is given as 0.0734 hectares and the floor area of the existing house is given as 180 sq m.

## 2.0 Proposed Development

- 2.1. The proposed development consists of:
  - Demolition of an existing garage and a single-storey rear extension – with a total stated total floor area of 51 sq m to be demolished.
  - New single-storey extension to the rear/ western side and to the side/ north of the house.
  - The extension of an existing attic space through the provision of a dormer to the western roof profile.
  - Additional rooflights are proposed in the north, east and west roof profiles.
  - There is no increase in the number of bedrooms which remains at four, however the habitable floor area is increased with a total of 76 sq m of new floor area to be provided on the ground and attic floor levels.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The Planning Authority decided to grant permission subject to conditions. The conditions are standard referring to compliance with submitted details, development, surface water drainage requirements, protection of public infrastructure and financial contributions.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planning Authority report reflects the decision to grant permission subject to conditions.

#### 3.2.2. Other Technical Reports

**Drainage Planning – Municipal Services Department:** No objection subject to condition with regard to surface water drainage and the use of soakpit.

#### 3.2.3. Objections

A single letter of objection was received. The issues raised include impact on the visual amenity of the area through the loss of symmetry of the two conjoined garages and impact on the residential amenity of the area through overshadowing, loss of visible sky, overbearing and overlooking leading to a loss of privacy. Other issues raised include impact due to the difference in ground levels, concern about surface water disposal, overdevelopment of the site, depreciation of value of neighbouring property and setting of an undesirable precedent for similar developments. It is recommended that in the event of a grant of permission that the front extension be omitted and the height of the rear extension to be limited to align with those of the front parapets of the existing garages.

## 4.0 Planning History

- 4.1. **P.A Ref. D17B/0182** refers to a 2017 grant of permission at 47 Woodlawn Park for:

- a) The demolition of an existing single storey rear extension and the removal of a chimney stack.
- b) A new single-storey extension to the rear of the house.
- c) To modify the roof to provide for habitable floor area by providing a flat roof dormer extension to the rear and a pitched roof dormer extension to the side.
- d) A new pitched roof extension to the front of the house and new rooflights to the front and side of the roof.
- e) New windows at ground floor level, associated elevational alterations and internal amendments to provide for a four-bedroom house.

The development subject to this permission has not been constructed to date.

- 4.2. A significant number of houses in the Woodlawn Park area have been extended/ modified over time and the following are noted:

**P.A Ref. D17A/0124** refers to a grant of permission for the widening of the existing vehicular entrance and a separate pedestrian entrance within the front boundary wall and for the retention of the extension to the rear of the existing attic dormer accommodation at first floor level with modification of existing pitched roof at 45 Woodlawn Park, the property to the south of the subject site.

**P.A Ref. D15A/0413** refers to a grant of permission for new front and rear dormer windows and a new front pedestrian entrance gate at 72 Woodlawn Park, to the east/ opposite side of the street to the subject site. This has been constructed to a contemporary design.

## 5.0 Policy and Context

### 5.1. Development Plan

- 5.1.1. Under the Dun Laoghaire-Rathdown County Development Plan 2016 – 2022, Woodlawn Park 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**

5.2.1. None.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

6.1.1. The neighbours who reside in the adjoining property to the north, no. 49 Woodlawn Park, have appealed the decision of the Planning Authority to grant permission. The issues raised in the appeal include:

- Impact of the single-storey utility room located on the northern side of no. 47 on the amenity of the adjoining property with particular reference to the use of their kitchen area. The utility room is to be provided with double-panel glazed doors and a rooflight over on the flat roof. The design and location of the utility room allied with the difference in ground levels will allow for overlooking of the appellants house. Consequently, there will be a loss of privacy and residential amenity.
- The separation between the extended no.47 as proposed and no.49 will reduce to only 5.6 m.
- Recommend that the single-storey utility room be omitted.

6.1.2. The submission was made by Dixon McGaver Nolan architects on behalf of the appellants and the appellants have included their own personal submission with the appeal.

## 6.2. Applicant Response

6.2.1. The applicants have engaged the services of Tom Phillips and Associates who have provided a detailed response which includes:

- The appeal refers primarily to the single-storey utility room to the northern side of the house.
- There will no adverse impact on the existing Woodlawn Park streetscape.
- Overlooking and overshadowing of the neighbouring property is not foreseen. The existing hedgerow will continue to provide screening and the referenced 22 m separation does not apply in this context.
- The proposed development was adequately assessed by the Planning Authority.

## 6.3. Planning Authority Response

No further comment to make.

## 6.4. Observations

None received.

## 7.0 Assessment

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

- Principle of Development
- Design, Impact on the Character of the Area and Residential Amenity
- Appropriate Assessment Screening

## 7.2. Principle of Development

7.2.1. The proposed development consists of the demolition of a rear single storey extension and the removal of a number of chimneys and for the construction of a single-storey rear extension, the conversion and extension of an attic for habitable

floor space with dormer to rear/ west, the integration/ extension of an existing garage to provide for habitable floor space and for the provision of a single-storey utility room to the side/ northern elevation. Internal modifications to the floor plan are proposed in addition to external alterations.

- 7.2.2. The site is zoned A 'To protect and/or improve residential amenity' and residential development of the nature proposed is acceptable in principle.

### **7.3. Design, Impact on the Character of the Area and Residential Amenity**

- 7.3.1. The design of the extensions to the house are considered to be acceptable and will ensure a high-quality integration with the existing and neighbouring houses. The alterations to the front elevation are minor and consist of two rooflights and a single-storey extension to the side. It is noted that a number of houses in the Woodlawn Park area have installed rooflights and/or dormers in the front elevation, so such alterations to the front roof profile have become a common feature in the area.
- 7.3.2. The provision of a large dormer window with a glazed area circa 8.8 sq m is unusually large. However, the layout of the site and the large rear garden with a separation of 30 m between the dormer and the rear boundary of the garden, will ensure that overlooking leading to a loss of privacy does not arise. The dormer and rear extensions do not give rise to any negative impact on the visual amenity of the area. The design has been carefully considered and the fact that the dormer does not project over the existing roof ridgeline is desirable in terms of good architectural design.
- 7.3.3. Overshadowing leading to a loss of daylight/ sunlight has been raised by the appellant as an issue. It is very difficult to ascertain what, if any loss of daylight/ sunlight will occur due to the development. There is no loss of morning sunlight as the proposed extensions do not give rise to any through their location. Similarly, evening light is not impacted upon. The location of the single-storey extension forming the utility room is 3.5 m high and the existing shadow from the subject house is likely to be more significant. The extension and raising in height of the garage is also designed such as to not give rise to significant loss of daylight or sunlight.
- 7.3.4. Overlooking leading to a loss of privacy is not foreseen as already stated with regards to the proposed rear/ western side dormer. The concerns regarding



overlooking associated with the utility room are noted. The submitted floor plans (Drawing no. GA02) indicate an inward opening door and window on the northern elevation of the utility room whilst the elevations (Drawing no. GA06) suggest a two-panel glazed sliding door on this side. It is considered that the indicated separation of between 1.2 m and 1.6 m to the facing boundary is sufficient to address issues of overlooking, especially for a ground floor extension.

- 7.3.5. It is considered though that a more traditional form of window and door should be provided here as the proposed door and window appear to be excessive for a utility room with a north facing elevation and which is also provided with a rooflight as well as an east facing window. Whilst a revised door and window may not overcome the concern of the appellants, it may reduce the perception of overlooking that they are currently concerned about.

#### **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 an 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, 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><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The development shall be amended as follows:</p> <p>An inward only opening door and a side window with a minimum cill height of 800 mm shall be provided on the northern elevation of the proposed utility room. The window and door to be permanently fitted with obscured glazing.</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><b>Reason:</b> In the interest of residential amenity.</p>
3.	<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><b>Reason:</b> In the interest of public health and to ensure a proper standard of development.</p>
4.	<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><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<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</p>

	<p>the course of the works.</p> <p><b>Reason:</b> To protect the amenities of the area.</p>
6.	<p>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.</p> <p><b>Reason:</b> 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.</p>

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Paul O'Brien  
 Planning Inspector

21<sup>st</sup> August 2019