



An
Bord
Pleanála

Inspector's Report ABP 304909 -19

Development	Construction of two storey extension to rear, widening of vehicular access providing for one car space, demolition of shed, adjustment to gate a shared passage.
Location	No 172 Corrib Road, Terenure, Dublin 6.
Planning Authority	Dublin City Council
P. A. Reg. Ref.	2834/19
Applicant	Tom Walsh and Freda O'Donnell
Type of Application	Permission
Decision	Grant Permission
Type of Appeal	First Party x Condition No 3 (Section 139 Appeal)
Appellant.	Tom Walsh and Freda O'Donnell
Date of Site Inspection	8 th October, 2019
Inspector	Jane Dennehy

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1.0 Site Location and Description

1.1. The site of the proposed development has a stated area of 250 square metres and is that of a two-storey, mid terrace house with front and rear gardens on the west side of Corrib Road. The site frontage has a widened entrance and space for one car in the front garden. Suburban houses on Melvin Road, the rear garden of which adjoin the rear boundary of the application site are located to the rear/south east side.

2.0 Proposed Development

- The application lodged with the planning authority indicates proposals for demolition of a shed at the rear, for adjustment to a shared side passage gate and, for construction of a two-storey extension at the rear the stated floor area of which is thirty-two square metres. At ground floor level the extension is 7.2 metres in depth and at first floor level it is 4.2 metres in depth. The first-floor extension provides for an en-suite bedroom with a stated floor area of 17.3 square metres.

3.0 Planning Authority Decision

3.1. Decision

By order dated, 16th July, 2019, the planning authority decided to grant permission for the proposed development. Condition No 3, the appealed condition contains a requirement for a reduction in depth at first floor level by 1.2 metres on the southern elevation and so that the northern elevation has a maximum depth of 4.5 metres. providing for a maximum depth of three metres so that an adequate standard of residential amenity can be retained.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planning officer indicated concern as to sense of enclosure and overshadowing of a first-floor window at the adjoining property at No 170 Corrib Road whereas due to configuration of the plots, the impact on No 174 Corrib Road was considered

acceptable. Condition No 3 was attached to the decision to grant permission to address this matter.

3.3. **Technical Reports**

The reports of the Drainage Division and the Transportation Planning Division indicate no objection to the proposed development subject to conditions.

4.0 **Planning History**

There is no record of planning history for the application site.

5.0 **Policy Context**

5.1. **Development Plan**

- 5.1.1. The operative development plan is the **Dublin City Development Plan, 2016-2022** according to which the site location is within an area subject to the zoning objective: *Z2: "To protect, provide for and improve residential amenities."*

Guidance and standards on extensions and alterations are set out in section 16.10.12 and Appendix 17.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

An appeal against Condition No 3 was received from Downey Planning on behalf of the applicant on 15th July, 2019 attached to which is a sunlight and daylight study.

According to the appeal:

- The modifications required under the condition would result in a considerable reduction in attainable residential amenity at the applicant's property in that the bedroom would be smaller with poor quality living space and the viability of the proposed extension would be questionable. The proposed development accords with CDP standards including private open space servicing the dwelling. (104 square metres)

- The sunlight impact assessment report accompanying the appeal indicates confirmation that the adjoining properties with the development in place retains eighty percent of the predevelopment daylight and sunlight access which is in accordance with the recommendations in BRE Guidance. ‘*Sunlight to Neighbouring Gardens*’ and ‘*Shadow Analysis*’. There should no negligible loss of sunlight and daylight at surrounding properties.
- The proposed development is modest in scale and sensitively designed. It is compatible with the character of the existing property in design and scale and assimilates with the surrounding development whilst meeting the needs of the applicant. The proposed widening of the entrance has no adverse impact on the on the streetscape and this is accepted in the planning officer report.

It is submitted that the proposed development accords with the CDP policies and standards and the principles of the proper planning and sustainable development of the area.

6.2. Planning Authority Response

There is no submission on file from the planning authority.

7.0 Assessment

- 7.1. On review of the application it has been concluded that, with the exception of the upper floor of the proposed extension for which the modifications required by condition No 3 are subject to appeal there is no objection to proposed ground floor extension, widening of the entrance, even though the existing entrance width allows for vehicular access and adjustments to the pedestrian entrance and, demolition of the shed. It is therefore considered that *de novo* consideration of the application is unwarranted and that it is reasonable for the appeal to be determined in accordance with the provisions of section 139 of the Planning and Development Act, 2000 as amended.
- 7.2. The original terraced houses on Corrib Road, are modest ‘two up, two down’ houses with shared passageways to the rear utility space and deep gardens. Some of these properties have been extended to the rear.

- 7.3. The plot configuration and position of No 170 Corrib Road relative to No 172 Corrib Road is such that obstruction of sunlight to the rear elevation windows of the latter would be relatively insignificant as indicated in the sunlight and daylight assessment submitted with the appeal. However, the blank elevation extending over a distance of 4.2 metres beyond the rear building line at the boundary at the existing parapet height for the proposed first floor extension would have under significant adverse impact on the residential amenities of the adjoining property, especially the outlook from the rear elevation first floor bedroom window. At a minimum the reduction required under Condition 3 is essential to address this concern.
- 7.4. With regard to the remarks in the appeal as to questionable viability of the project that would be attributable to the reduction in size required under the condition, it is not accepted that the internal accommodation would be substandard in terms of functionality and attainable amenity.
- 7.5. In view of the foregoing it is recommended that Condition No 3 be attached. Revisions to the terminology in the condition are provided for in the draft condition which follows the draft Reasons and Considerations set out below.
- 7.6. **Environmental Impact Assessment – Screening.**
- 7.6.1. Having regard to the minor nature of the proposed development and its location in a serviced inner suburban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.
- 7.7. **Appropriate Assessment.**
- 7.7.1. Having regard to the scale and nature of the proposed development and to the serviced inner suburban location, no Appropriate Assessment issues arise. The proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Reasons and Considerations

It is considered that, subject to compliance with the condition set out below, the proposed development would not seriously injure the residential amenities of the

adjoining property and would be in accordance with the proper planning and sustainable development of the area.

9.0 **Conditions No 3.**

The proposed development shall be amended so that the depth of the first-floor extension is reduced by a minimum distance of 1.2 metres so that its depth beyond the rear building line of the house shall not exceed three metres. Revised plan, section and elevation drawings shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: To protect the residential amenities of the adjoining property.

Jane Dennehy
Senior Planning Inspector
9th October, 2019.