



An
Bord
Pleanála

Inspector's Report

ABP-305786-19

Development

Single storey extension to front and rear and first floor extension over garage at 22 Brookwood Rise, Dublin 5.

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

3955/19

Applicant

Kate and Paul McGovern

Type of Application

Permission

Planning Authority Decision

Grant Permission

Appellants

Kate and Paul McGovern

Observers

None

Date of Site Inspection

7th December 2019

Inspector

Mairead Kenny

1.0 Site Location and Description

The subject site comprises a semi-detached house in a mature residential area located close to Harmonstown DART station in north Dublin city.

The subject dwellinghouse at 22 Brookwood Rise is one of a row of two-storey semi-detached houses in this part of the low density estate. In the immediate vicinity to the north-east at 32-42 Brookwood Rise is a small two-storey commercial terrace.

The subject site backs onto the DART line and the north-eastern boundary adjoins a lane which provides access to a workshop and to a substation. The substation is adjacent the garage of the dwellinghouse no. 24 to the north-east. The workshop adjoins the rear gardens of the two houses and the DART line.

I noted on site that the original house has been extended to the side and rear. The rear garden area is surrounded by high concrete block walls.

Photographs of the site and surrounding area which were taken by me at the time of my inspection are attached.

2.0 Proposed Development

Permission is sought for extensions to the house to comprise:

- A single storey extension to the front and rear
- A first floor extension over the garage and kitchen to the side
- Modification to the access door to the lane
- The overall floor area of the extension is stated to be 67m²
- The overall house would be 167m².

3.0 Planning History

The planning authority references two planning application related to this site for a widening of the vehicular entrance and relating minor extensions to the house including to the front. Reg. refs. 2503/11 and 4127/07 refer.

There is no information on file to suggest that a pre-planning meeting took place.

4.0 Planning Authority Decision

4.1 Planning and Technical Reports

Planner's report –

There is no objection in principle to the single storey extension to the front and rear.

The dwelling is located adjacent to the lane accessing a substation and any addition to the side does not create the potential for a terracing effect. However, there appears to be no other first floor side extensions. In general the planning authority promotes a subordinate approach to side extensions to prevent a terracing effect. If considered on its own merits there would be no terracing effect, which would be reason enough to permit the development as is but the proposal would set a precedent for other sites where similar conditions do not occur.

Drainage Division – No objection subject to conditions.

4.2 Third party submissions

None received.

4.3 Decision

The planning authority decided to grant permission for the proposed development subject to a range of standard conditions relating to construction phase matters, external finishes and financial contribution.

In addition the following was required:

- Set back the front elevation of the first floor side extension by 500mm (condition 3a).
- Lower the new section of the roof by 500mm below the ridge of the main roof (condition 3b).

There was also a condition relating to fenestration (condition 3c).

5.0 Grounds of Appeal / Observations

5.1 Grounds of Appeal

The main points of the first party appeal relates to the conditions 3a and 3b.

The condition to set back the front elevation and drop the roof ridge height is not appropriate from a visual or construction point of view. It would not be in keeping with established roof lines or pitches and would result in an angular valley.

There is no objection to condition 3c.

5.2 Planning Authority response

No substantive comments are provided.

5.3 Observation

None.

6.0 Policy Context

Under the provisions of the **Dublin City Development Plan** policy the site is in an area zoned Z1 'to protect and improve residential amenities'. The policy relating to extensions to residential development is set out in section 16.10.12.

There are no conservation objectives related to the site or the immediate surroundings.

7.0 Assessment

I consider that the single issue which should be considered by the Board is this case relates to conditions 3a and 3b and whether they should be attached or removed.

I have considered all other matters in the case and am satisfied that the decision of the planning authority is appropriate. *De novo* assessment of this case is not warranted.

The planning authority decision is based not on the merits of the subject development itself rather than on the precedent which it would set. The planning report notes the need to avoid a terracing effect in dealing with applications for first floor extensions at semi-detached houses. The planner also notes that such conditions, which would give rise to a terracing effect do not arise in this case as the site adjoins a laneway.

It is not reasonable in my opinion that the planning authority impose the modifications required under condition 3a and 3b while at the same time clearly indicating no substantive issue with the design of the proposed extension at this house. I have no objection to the extension as proposed in terms of its contribution to the streetscape.

In the circumstances of this case I consider that conditions 3a and 3b are unnecessary and unreasonable and should be omitted.

Appropriate Assessment

Having regard to the nature of the proposed development, which comprises modifications to a suburban dwellinghouse on serviced lands I am satisfied that 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.

Recommendation

I recommend that the Board issue a decision as follows.

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 3(a) and condition 3(b) and the reason therefor.

Reasons and Considerations

Having regard to the pattern of development in the area and the site layout, it is considered that the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be in accordance with the proper planning and sustainable development of the area.

Mairead Kenny

Senior Planning Inspector

8th December 2019