



An
Bord
Pleanála

Inspector's Report ABP-306137-19

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| Development | Construction of extension to the side and rear of the existing part two storey, part single storey semi-detached dwelling; |
| Location | 30, Church Gardens, Rathmines, Dublin 6 |
| Planning Authority | Dublin City Council South |
| Planning Authority Reg. Ref. | 2626/19 |
| Applicant(s) | N. Fitzmaurice & M. Kennedy |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | Third Party |
| Appellant(s) | Phillip O'Reilly |
| Observer(s) | None |
| Date of Site Inspection | 29/01/2020 |
| Inspector | Gillian Kane |

1.0 **Site Location and Description**

- 1.1. The subject site is located on the western side of Church Gardens, a mature residential street running parallel to the main street in the south Dublin suburb of Rathmines.
- 1.2. The site currently accommodates a two-storey semi-detached dwelling with a single storey extension to the side and rear.

2.0 **Proposed Development**

- 2.1. On the 28th March 2019 planning permission was sought for the construction of a two-storey extension to the side and rear of an existing dwelling (38sq.m.), plus the installation of a rooflight to the rear.

3.0 **Planning Authority Decision**

3.1. **Planning Authority Reports**

- 3.1.1. Drainage Division: No objection subject to standard conditions.
- 3.1.2. Planning Report: No objection in principle however first floor element is excessive in scale and would result in overlooking. Recommendation that it be reduced by 3.8m and not to project beyond the ground floor flat roofed area. This will also reduce the chimney height. Larch cladding should be removed and replaced with render finish. Recommendation to seek further information

3.2. **Prescribed Bodies**

- 3.2.1. **Irish Water:** Further information is required as the proposed development may be impinging on or around IW assets.

3.3. **Further Information**

- 3.3.1. The applicant was requested to address the submission of Irish Water, to revise the proposed extension and to amend the proposed finish.
- 3.3.2. The applicant responded stating that the revised proposal no longer impinged on Irish Water assets, that the proposed first floor has been reduced by 2.8m, that the proposed first floor window in the rear elevation serving the master bedroom has been reduced to a maximum width of 1.5m and the proposed larch cladding has

been replaced with a render finish. The overall extension now comprises 6sq.m. at ground level with a reduced footprint of 26sq.m. at first floor.

3.3.3. **Planning Report:** Applicant has satisfactorily addressed the concerns of the Planning Authority. Recommendation to grant permission subject to conditions,.

3.4. **Decision**

3.4.1. On the 27th November 2019, the Planning Authority issued a notification of their intention to GRANT permission subject to 6 no. standard conditions.

4.0 **Planning History**

4.1.1. Planning Authority reg. ref. **3357/14**: Planning permission granted for the retention of the front entrance to the side extension

5.0 **Policy Context**

5.1. **Dublin City Development Plan 2016-2022**

5.1.1. In the Dublin City Development Plan 2016 -2022 plan, the site is zoned '**Z2 Residential Conservation**' which has the stated objective "to protect and improve the amenities of residential conservation areas". Within Z2 zones 'Residential' is a permissible use.

5.1.2. **Chapter 16** includes the Development Management Standards and has regard to Design, Layout, Mix of Uses and Sustainable Design.

5.1.3. **Section 16.2.2.3** of the development plan refers to Alterations and Extensions. The section states that DCC will seek to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context and the amenity of adjoining occupiers. In particular, alterations and extensions should:

- Respect any existing uniformity of the street, together with significant patterns, rhythms or groupings of buildings
- Retain a significant proportion of the garden space, yard or other enclosure
Not result in the loss of, obscure or otherwise detract from architectural features which contribute to the quality of the existing building
- Retain characteristic townscape spaces or gaps between buildings

- Not involve the infilling, enclosure or harmful alteration of front lightwells.

5.1.4. **Section 16.2.2.3** also states that extensions should be confined to the rear in most cases, be clearly subordinate to the existing building in scale and design and incorporate a high standard of thermal performance and appropriate sustainable design features.

5.1.5. **Appendix 17** of the development plan provides general principles for residential extensions.

5.2. **EIA Screening**

5.2.1. Having regard to nature of the development comprising extension to and alteration of an existing dwelling and the urban location of the site there is no real likelihood of significant effects on the environment arising from the proposed development. 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 to grant permission has been lodged by the householder of no. 18 Grosvenor Place, Rathmines. The grounds of the appeal can be summarised as follows:

- The proposed development fails to meet the zoning objective which is to protect and improve the residential amenity of this residential conservation area.
- The use of metal is not appropriate in such a large roof. All roofs in the area are slate. The proposed roof should match.
- The finish of the proposed development would detract from the character and setting of the area and would not serve to improve the residential amenities of the area.
- Notwithstanding that the proposed extension is set back, it is of significant size and would have a negative impact.

6.2. Applicant Response

- The scale, height, massing and proportion of the proposed extension respects and enhances the character of the street.
- It is respectful of building lines, eaves and apex heights.
- The use of contrasting material clearly distinguishes the proposal as a new and contemporary addition.

7.0 Assessment

7.1.1. I have examined the file and the planning history, considered national and local policies and guidance and inspected the site. I have assessed the proposed development including the various submissions from the applicant, the planning authority and the Observer. I am satisfied that the issues raised adequately identify the key potential impacts and I will address each in turn as follows:

- Principle of development
- Impact on Visual Amenity

7.2. Principle of Development

7.2.1. The subject site is located in an area zoned for residential development. The proposed extension to an existing dwelling, subject to compliance with all other planning considerations, is acceptable in principle.

7.3. Impact on Visual Amenity

7.3.1. The single issue raised by the appellant is the use of metal on the proposed roof and that the scale of the roof is such that the impact of the proposed development would be contrary to the zoning objective to protect residential amenity.

7.3.2. The use of metal cladding on roof profiles is not unusual. The use of a material demonstrably different from the main roof profile serves to clearly articulate the new and the old elements of the building.

7.3.3. The proposed extension is set back from the front elevation, over the footprint of the existing flat roof ground floor extension. The visual impact of the proposed metal cladding will not be significant nor will it injure the residential or visual amenity of the area.

7.3.4. I am satisfied that the proposed two storey extension complies with section 16.2.2.3 of the development plan in that it respects the uniformity of the street, retains a significant proportion of the garden and does not result in the loss of any architectural features. The proposed extension which is not visible from the front is entirely subordinate to the building in scale and design.

7.4. **Appropriate Assessment**

7.4.1. Having regard to the nature and scale of the proposed development in a fully serviced built-up urban area, no appropriate assessment issues arise and it is considered that 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 **Recommendation**

8.1. I recommend permission be GRANTED for the following reasons and considerations and subject to the following conditions:

9.0 **Reasons and Considerations**

9.1.1. Having regard to the Z2 zoning objective for the area which seeks to “To protect and/or improve the amenities of residential conservation areas” in the Dublin City Development Plan 2016-2022 and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the character or setting of the existing house or adjoining dwelling in the terrace and would not seriously injure the residential 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**

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| 1. | The development shall be retained in accordance with the plans and particulars lodged with the application, as amended by the drawings submitted to the Board on the 10 th day of November 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 |
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| | <p>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>Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of the proposed dwelling without a prior grant of planning permission.</p> <p>Reason: In order to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwelling and to protect the residential amenities of adjoining properties</p> |
| 3. | <p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: To ensure adequate servicing of the development, and to prevent pollution.</p> |

Gillian Kane
Senior Planning Inspector

03 February 2020