



An
Bord
Pleanála

Inspector's Report

ABP-307192-20

Development	Demolition of garage and replacement of same, construction of two storey extension to rear and single storey porch to front of dwelling.
Location	60, Offington Avenue, Dublin 13
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F19B/0329
Applicant(s)	Charles & Maebh Coyle
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	Charles & Maebh Coyle
Date of Site Inspection	07 th July 2020
Inspector	Colin McBride

1.0 Site Location and Description

1.1. The appeal site, which is located on a site with an area of 0.0895 hectares, is located within an existing housing development at Offington Park (no.60). The site is located west of Sutton and the housing development is accessed from Howth Road to the north and Carrickbrack Road to the south. The appeal site is occupied by a detached dormer style dwelling. To the west of the site is no. 62, which is a single-storey dwelling and is at an angle relative to no. 60. To the east of the site is no. 54, also a single-storey detached dwelling and also located on a near perpendicular axis relative to the dwelling on the appeal site. The appeal site backs onto the side (southern) boundary of no. 50 Offington Drive.

2.0 Proposed Development

2.1. Permission is sought for the demolition of single-storey garage and replacement of same, construction of two storey extension to the rear and single storey porch to front of existing dwelling; external insulation to existing facades; internal alterations to the existing layout; the development also include ancillary site development works necessary to facilitate the development.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 9 conditions. Of note is the following condition.

Condition no. 2: Prior to the commencement of development the applicant shall submit for the written agreement of the Planning Authority revised drawings which show the reduction in the depth of the first floor element of the proposed extension so that it does not extend 3.5m from the existing dwelling along the western elevation.

Reason: In the interest of visual and residential amenity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning report (10/02/19): Further information required including measures to deal with concerns regarding the scale of the two-storey extension.

Planning report (09/02/19): A grant of permission was recommended subject to alteration of the first floor extension to reduce the projection of the portion at first floor level to no more than 3.5m from the existing dwelling.

3.2.2. Other Technical Reports

Water Services (20/12/19): No objection subject to conditions.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

4.1 PL06F.212336: Permission granted for extension to rear of house and a porch extension.

5.0 Policy Context

5.1. Development Plan

5.1.1 The relevant development plan is the Fingal County Development Plan. The appeal site is zoned RS with a stated objective 'to provide for residential development and protect and improve residential amenity'.

5.1.2 Objective DMS41

Dormer extensions to roofs will only be considered where there is no negative impact on the existing character and form, and the privacy of adjacent properties. Dormer extensions

shall not form a dominant part of a roof. Consideration may be given to dormer extensions proposed up to the ridge level of a house and shall not be higher than the existing ridge height of the house.

5.2. Natural Heritage Designations

5.2.1 None in the vicinity.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal was lodged by Crawford Architecture on behalf of Charles & Maebh Coyle, 60 Offington Avenue, Sutton, Dublin 13. The grounds of appeal are as follows.

- The appeal is against condition number 2 with it noted that it is an onerous condition that would seriously compromise the development sought.
- It is noted that a number of alterations were made in response to further information and that no objection was received from the any of the neighbouring properties to the proposal.
- Condition no. 2 compromises the level of accommodation achievable at first floor level reducing a bedroom in floor area by a significant amenity and would not facilitate the provision of a bathroom. The applicants wish to improve the level of accommodation to suit their family needs. It is requested that this condition be omitted.
- The applicants/appellants have submitted an alternative proposal for consideration, which reduces the first floor extension in depth by 1.2m over that originally sought if deemed necessary and such would facilitate a bedroom of adequate size and a bathroom at first floor level.
- It is noted that this condition appears to be dictated by condition no. 2 attached to a previous proposal granted for an extension on site under (PL06F.212336). It is noted that current proposal is significantly different from

the previous proposal and has a lesser impact in relation to the adjoining dwelling at no. 54.

- The proposal has no adverse impact on the residential amenities of adjoining dwellings on either side with adequate level of separation and no adverse impact on light levels with shadow analysis produced in accordance with the BRE guidelines.
- There is precedent for a similar level of development at existing dwellings in the area with ref no. F13B/0145 at no 28 cited.
- The design and scale of the extension as proposed has adequate regard to the character of the area is not highly visible from the public area.

6.2. Planning Authority Response

6.2.1 Response by Fingal County Council.

- The Planning Authority have no objection to amendment of condition no. 2 of the grant of permission to allow for the amended proposal submitted by the appellants to the Board that provides for an extension that extend 4.377m from the rear roof slope with a width that does not exceed 7.6m

7.0 Assessment

7.1. At the outset, I wish to point out that following consideration of the documentation on the appeal file and the site location and context, I am satisfied consideration of the proposal on a de novo basis, (that is as if the application had been made to the Board in the first instance), is unwarranted and that it is appropriate to determine the appeal in accordance with the provisions of Section 139 of the Planning and Development Act, 2000 as amended. Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Condition no. 2

7.2 Condition no. 2:

7.2.1 Permission was granted for the development with condition no. 2 requiring that prior to the commencement of development the applicant shall submit for the written agreement of the Planning Authority revised drawings which show the reduction in the depth of the first floor element of the proposed extension so that it does not extend 3.5m from the existing dwelling along the western elevation.

7.2.2 The issue of the scale of the extension at first floor level was raised during the application and was the subject of a further information request requiring review of the design and scale based on Objective DMS41 of the County Development Plan and the assessment associated with ref no. PL06F.212336. The original proposal features an extension at first floor level that projects 7m from where it connects to the existing roof. The amended scheme submitted in response to further information reduces this dimension to 5.577m (and also revises the external finishes of the proposed extension). The appellant notes that if this dimension is reduced to 3.5m it will compromise the level and quality and accommodation attainable at first floor level. The appellants have submitted a revised proposal that provides for a design in which this dimension is 4.377m.

7.2.3 Having inspected the site and noted the existing pattern of development, I can see no logic in a reduction the scale of the proposed development as per condition no. 2. This condition is far too onerous and would compromise the level of accommodation that could be facilitated at first floor level. The dwelling on site and on the adjoining sites are detached dwellings with a large curtilages and also the pattern of development means that the nearest house to the west (no. 62) is running on a different axis and is forward of the building line of no. 60. The bulk of the extension and first floor portion is concentrated on the western side and adjoining no. 62. I would consider that the overall scale of the original proposal was satisfactory in the context of adjoining amenities and would neither result in a level of overlooking or overshadowing that would be unacceptable in the context of residential amenity. The extension proposed is to the rear and would not be highly visible from the surrounding area given it is lower than the ridge height of the existing dwelling. I

would consider that the design of the proposed extension is acceptable in the context of the visual amenities of the area and the amenities of adjoining properties. The original proposal would be satisfactory in the context of Development Plan policy and Objective DMS41.

7.2.4 The alternative proposal submitted in response to further information and the alternative proposal submitted with the appeal submission are both satisfactory in the context of visual and adjoining amenity and in my view are better in terms of architectural character due to the varied use of external finishes. I do however consider that the original proposal sought is acceptable in terms of design and scale and should be permitted. In this regard I would recommend that condition no. 2 be omitted and condition no. 1 to be amended to allow for the original proposed plans to be permitted.

8.0 Recommendation

Having regard to the nature of the conditions 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 OMIT Condition No 2 and amend Condition no. 1 as follows...

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 20th day of December 2019. 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.

Reason: In the interests of clarity.

9.0 Reasons and Considerations

(a) Having regard to the nature and scale of the development as proposed, the pattern of development at this location, it is considered that the proposed development would be satisfactory in the context of the visual amenities of the area and the amenities of adjoining residential properties and that the alterations required under Condition no. 2 are onerous, unnecessary and would severely compromise the quality accommodation achievable.

Colin McBride
Planning Inspector

05th August 2020