



An
Bord
Pleanála

Inspector's Report

ABP-307558-20

Development	Construction of two storey extension to the side and single storey extension with rooflight to the rear.
Location	53, Iveagh Gardens, Dublin 12 (D12 XH94)
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	2427/20
Applicant(s)	Louise Morgan & Simon McCabe
Type of Application	Permission
Planning Authority Decision	Grant with Condition
Type of Appeal	Third Party
Appellant(s)	Margaret Mason & Others
Observer(s)	None
Date of Site Inspection	3 rd September 2020
Inspector	Mary Crowley

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports.....	4
3.3. Prescribed Bodies	5
3.4. Third Party Observations	5
4.0 Planning History.....	5
5.0 Policy Context.....	5
5.1. Development Plan.....	5
5.2. Natural Heritage Designations	6
5.3. EIA Screening	6
6.0 The Appeal	6
6.1. Grounds of Appeal	6
6.2. Applicant Response	7
6.3. Planning Authority Response	8
6.4. Observations	8
6.5. Further Responses.....	8
7.0 Assessment	8
7.2. Principle	8
7.3. Visual Impact.....	8
7.4. Residential Amenity	9
7.5. Appropriate Assessment	9

7.6. Other Issues..... 9

8.0 Recommendation..... 10

9.0 Reasons and Considerations..... 10

10.0 Conditions 10

1.0 Site Location and Description

1.1. The appeal site with a stated area of 167.7sqm comprises a two-storey dwelling (91.2sqm) at the end of an existing terrace on a corner site dwelling at Iveagh Gardens with heavy screening along its roadside boundaries. The immediate area is characterised by similar residential dwellings. A set of photographs of the site and its environs taken during the course of my site inspection is attached. I also refer the Board to the photos available to view on the appeal file. These serve to describe the site and location in further detail.

2.0 Proposed Development

2.1. Planning permission is sought for the following:

- The construction of two storey (stairwell) extension to the side and single storey extension with rooflight to the rear (22.1 sqm)
- Alterations to existing roof to include new rooflight to the site roof slope
- All associated internal alterations, site, landscaping, drainage and ancillary works

2.2. The application was accompanied by a cover letter and a design report.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. DCC issued a notification of decision to grant permission subject to 6 no generally standard conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- **Case Planner** – Recommended that permission be granted subject to conditions. The notification of decision to grant permission issued DCC reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage Division** – No objection subject to conditions relating to drainage, separate foul and surface water system and SUDs

3.3. **Prescribed Bodies**

3.3.1. None

3.4. **Third Party Observations**

3.4.1. There are 3 no observations recorded on the planning file from (1) Margaret Mason & Others, (2) Eileen Spillane and (3) Norah Mason. The issues raised relate to impact on existing architectural quality, visual impact, proposal is out of character, precedent, loss of intrinsic symmetry, existing screening can be removed and the overbearing design for such a small change as proposed. Requested that permission be refused.

4.0 **Planning History**

4.1. There is no evidence of any previous planning application or subsequent appeal on this site.

5.0 **Policy Context**

5.1. **Development Plan**

5.1.1. The operative plan for the area is the **Dublin City Development Plan 2016 – 2022**. The site is Zoned Z1 Sustainable Residential Neighbourhoods where the objective is *to protect, provide and improve residential amenities*.

5.1.2. **Section 16.2.2.3 Extensions and Alterations**

5.1.3. Dublin City Council will seek to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context, the amenity of adjoining occupiers and integrated with the surrounding area.

5.1.4. **Section 16.10.12 Extensions and Alterations to Dwellings**

5.1.5. The section states that the development should integrate with the existing building in terms of form and finishes. Extensions should be subordinate in terms of scale to the

main unit. Applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal will:

- Not have an adverse impact on the scale and character of the dwelling
- Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

5.1.6. **Appendix 17 – Guidelines for Residential Extensions**

5.1.7. Appendix 17 provides general advice and design principles for residential extensions. The guidelines should be interpreted in the context of the Development Plan Core Strategy, which promotes a compact city, sustainable neighbourhoods and areas where a wide range of families can live.

5.2. **Natural Heritage Designations**

5.2.1. The site is not located within a designated Natura 2000 site.

5.3. **EIA Screening**

5.3.1. Having regard to the nature and scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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. The third-party appeal has been prepared and submitted by Margaret Mason & Others and may be summarised as follows:

- The architectural significance of Iveagh Gardens should be respected
- The proposed extension significantly alters the appearance of three elevations of the building as seen from two different streets
- Disrupts the architectural line of the front, side and rear of the house

- Makes that property unduly imposing and out of character with the other corner sites
- Reduces the open space which corner sites were designed to provide
- Disrupts the visible architectural intent and integrity common to other houses
- Compromises the aesthetic harmony and architectural unity of Iveagh Gardens
- Destroys the essential symmetrical architectural features of Iveagh Gardens
- Negatively affects the integrity of design and overall appearance of the area
- Would establish an irreversible and bad precedent

6.2. Applicant Response

6.2.1. The first party response to the appeal has been prepared and submitted by Bright Design Architects on behalf of the applicant and may be summarised as follows:

- The application is generated from a unique situation whereby the clients house is an end of terrace dwelling with little or no rear garden space. These conditions do not create a situation where similar widespread proposals will occur.
- It is the corner site location that provides the opportunity for this sensitive addition to the streetscape without detracting from the overall streetscape.
- The proposal respects the existing eaves level and in conjunction with the proposed brick finish will ensure a close visual continuity with the existent houses.
- The proposal picks up on the subtle change in the geometry of the street to ensure that the proposals is neatly inserted into the streetscape and as such is a bespoke and tailored solution to the area.
- There are already subtle differences within the existing development. As such the proposed works would therefore not detract from the existing.
- The massing is subordinate to the overall dwelling massing and the proposed materials are intended to match the existing
- The applicants went through a number of design options before coming to the proposal to ensure that only the best solution was established before making the planning application.

6.3. **Planning Authority Response**

6.3.1. There is no response recorded on the appeal file.

6.4. **Observations**

6.4.1. There are no observations recorded on the appeal file.

6.5. **Further Responses**

6.5.1. There are no further responses recorded on the appeal file.

7.0 **Assessment**

7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle
- Visual Impact
- Residential Amenity
- Appropriate Assessment
- Other Issues

7.2. **Principle**

7.2.1. The appeal site is wholly contained within an area Zoned Z1 Sustainable Residential Neighbourhoods where residential extensions and alterations to an existing dwelling for residential purposes is considered a permissible use in principle.

7.3. **Visual Impact**

7.3.1. The third-party appeal centres on the impact of the proposed scheme on the architecture of both the parent building and the wider streetscape and the impact on the overall character of the area.

- 7.3.2. The appeal site is not located within a designated architectural conservation area nor is the house itself a protected structure. However as observed on day of site inspection Iveagh Gardens is a carefully designed housing scheme nearly 100 years old with a distinguished urban character and quality and where there have been no obvious inappropriate interventions to date.
- 7.3.3. Given the sensitive location of the proposed scheme I consider the proposed extension is architecturally compatible in design, scale and materials with the original house and its surrounding area and that it would not overwhelm or dominate the original form, or appearance, of the parent house or detract from the character of the area. I consider that the scheme demonstrates a clear understanding of its context and that the contemporary design response would complement the existing building without detracting from the original integrity of the building. Further the sensitively designed extension is compatible within this area in terms of its subordination, design, scale and height and I am satisfied that the scheme will not detract from the visual amenities or character of the area.

7.4. **Residential Amenity**

- 7.4.1. I am satisfied that the proposed design has had due regard to the amenities of its neighbours and in particular the need for light and privacy and by reason of its scale and location will not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

7.5. **Appropriate Assessment**

- 7.5.1. Having regard to the nature and scale of the development and its distance to the nearest European site, 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.

7.6. **Other Issues**

- 7.6.1. **Development Contributions** – I refer to the Dublin City Council Development Contribution Scheme 2020-2023. Section 11 outlines circumstances where no contribution or a reduced contribution apply. It is stated that the first 40sq metres of

extensions to a residential development will not be required to pay development contributions under the Scheme. The proposed development has a stated area of 22.1 sqm and is therefore exempt.

8.0 Recommendation

8.1. I have read the submissions on file and visited the site. Having due regard to the provisions of the Development Plan, together with all other issues arising, I recommended that permission be **GRANTED** for the following reasons and considerations.

9.0 Reasons and Considerations

9.1. Having regard to the residential zoning of the site in the Dublin City Development Plan 2016 – 2022, the pattern of development in the area and the layout and design of the scheme, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity. 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>Reason: In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p>

	Reason: In the interest of visual amenity.
3.	<p>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: In the interest of public health.</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>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste including any excess soil arising from the proposed excavation of the site.</p> <p>Reason: In the interests of public safety and residential amenity</p>

Mary Crowley

Senior Planning Inspector

12th October 2020