



An
Bord
Pleanála

Inspector's Report ABP-309869-21

Development

New first floor rear extension over existing extension with modification of remaining roof covering ground floor element to include 3 roof lights; alterations to three first floor rear windows; inclusion of two new roof lights on rear roof of existing first floor side extension; partial attached garage converted to new utility, cloaks and toilet room, some general internal alterations on first floor level.

Location

97 Woodford Road, Clondalkin, Dublin 22.

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD21B/0019

Applicant(s)

Robbie & Sharon Apps

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Observation(s)

Barry Redmond

Date of Site Inspection

15th May 2021

Inspector

Paul O'Brien

1.0 Site Location and Description

- 1.1. The subject site on a stated area of 0.386 hectares, comprises of no. 97 Woodford Road, a two-storey end of terrace (five house terrace) house located to the eastern side of Clondalkin village, Co. Dublin. This terrace of houses is located at the western end of a cul-de-sac within a large housing estate consisting primarily of terraced and semi-detached units. Woodford is located to the south of the New Nangor Road and north of Monastery Road, which provide access to the eastern side of Clondalkin Village.
- 1.2. The terrace of houses appear to be an infill development, though they could also be a later phase of development of the Woodford area. The houses have the benefit of very long rear, west facing gardens, generally 20 m in depth. To the north is Castle View, a residential street of semi-detached houses, with No. 72 and 74 Castle View backing onto boundary wall of the subject site. These two houses have rear gardens of 20 m depth.
- 1.3. No. 97 is the northern most and end unit in the terrace of five houses. A garage with accommodation is on the northern side of the site. The house has been extended to the rear and there are a number of sheds/ stores to the rear.

2.0 Proposed Development

The proposed development consists of the following:

- New first floor rear extension over existing extension with modification of remaining roof covering ground floor element to include 3 roof lights.
- Alterations to three first floor rear windows.
- Inclusion of two new roof lights on rear roof of existing first floor side extension.
- Partial attached garage converted to new utility, cloaks, and toilet room.
- Some general internal alterations on first floor level.

The proposed development to provide for an additional stated 20 sq m of floor area.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to refuse permission subject to one reason as follows:

‘The proposed first floor rear extension, by reason of its excessive depth and location close to the common boundary with the attached dwelling to the south would result in an overbearing feature when viewed from the rear habitable room windows and private amenity space of the neighbouring property to the south to the detriment of the amenity of that property. Thus the proposed development would seriously injure the amenities (sic) of property in the vicinity, would contravene the RES zoning objective which seeks to protect and/or improve Residential Amenity and would contravene policy H18 of the South Dublin County Development Plan 2016 - 2022 and the proper planning and sustainable development of the area’.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Authority Case Officer’s report reflects the decision to refuse permission for the development as described. The Planning Authority Case Officer refers to a front porch and rear dormer that do not have the benefit of planning permission and may require regularisation. Concern was expressed about the depth of the first-floor extension in relation to the neighbouring property to the south. The extension would connect with the unauthorised dormer and form a structure that would be ‘visually dominant and incongruous’.

3.2.2. Other Technical Reports

Water Services Planning Report:

Surface Water: No objection subject to conditions.

Flood Risk: No objection.

3.2.3. **Prescribed Bodies Reports**

Irish Water: Reference is made to a report from Irish Water stating no objection, however it appears that only a verbal report was received.

3.2.4. **Objections/ Observations**

A single letter of objection was received from Barry Redmond of 95 Woodford Road, the occupant/ owner of the adjoining property to the subject site.

Issues include the following:

- The development would be overbearing on his property and would give rise to overshadowing to his rear patio and garden.
- The house is overshadowed by the first floor extension due to its height and also by the dormer attached to the rear roof profile.

A photograph of the current situation is provided in support of the objection.

4.0 **Planning History**

P.A. Ref. SD09B/0415 refers to a December 2009 decision to grant permission for a two-storey extension to the north west gable of an existing dwelling, comprising of a covered car-port at ground floor level with new timber gates to front of house, a bedroom with en-suite at first floor level with the provision of 1 no. roof light to the front and 1 no. roof light to rear. A single storey extension to front of existing dwelling comprising of extended lounge and extended entrance porch.

Condition no.2 removed the single-storey front extension, and the car port was to be built in line with the front elevation of the house.

P.A. Ref. S99B/0496 refers to a September 1999 decision to grant permission for a rear conservatory.

5.0 **Policy and Context**

5.1. **Development Plan**

- 5.1.1. Under the **South Dublin County Development Plan 2016 – 2022**, the site is designated with the zoning objective RES – ‘To protect and/ or improve residential amenity’.

Section 2.4.1 Residential Extensions

Policy H18 Residential Extensions states ‘It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities’.

Policy H18 – Residential Extensions.

H18 Objective 1 seeks ‘To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines)’.

Section 11.3.3(i) Additional Accommodation - Extensions.

‘The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards’.

‘The House Extension Design Guide, Section 4:

- Outside space
- Do not overlook, overshadow or have an overbearing impact on neighbouring properties
- Rear extension

5.1.2. South Dublin County Council House Extension Design Guide (2010)

The South Dublin County Council House Extension Design Guide contains guidance on house extensions/ domestic alterations and as per Section 11.3.3(i) of the South Dublin County Development 2016 – 2022, it is specifically referenced in the development plan.

The following are relevant to the stated development:

- Respect the appearance and character of the area;
- Provide comfortable internal space and useful outside space;
- Do not overlook, overshadow or have an overbearing impact on neighbouring properties;

In relation to Daylight and Overshadowing considerations:

- Locate and design an extension so that it will not significantly increase the amount of shadow cast on the existing windows or doors to habitable rooms in neighbouring properties.

In relation to Overbearing Impact:

- Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.
- Two-storey extensions will not normally be accepted to the rear of terraced houses if likely to have an overbearing impact due to close spacing between houses.

A significant amount of detail is provided in relation to the side extensions and the following are noted:

- Respect the style of the house and the amount of space available between it and the neighbouring property, for example:
 - if there is a large gap to the side of the house, and the style of house lends itself to it, a seamless extension may be appropriate;
 - if there is not much space to the side of the house and any extension is likely to be close to the boundary, an ancillary style of extension set back from the building line is more appropriate;
 - if the house is detached or on a large site or in a prominent location such as the corner of a street, it may be appropriate to consider making a strong architectural statement with the extension.

- Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise. Where the style and materials do not seamlessly match the main house, it is best to recess a side extension by at least 50cm to mark the change.
- Match the roof shape and slope of the existing house. In the case of houses with hipped roofs it can be particularly difficult to continue the ridge line and roof shape; however, it is more visually pleasing to do so if this will not result in a terracing effect with the adjoining house.
- Do not include a flat roof to a prominent extension unless there is good design or an architectural reason for doing so.
- The use of a 'false' roof to hide a flat roofed extension is rarely successful, particularly if visible from the side.
- Avoid locating unsightly pipework on side elevations that are visible from public view. Consider disguising or recessing the pipework if possible.
- Avoid the use of prominent parapet walls to the top of side extensions.

Advice in relation to dormers states:

- Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch; -
- Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses);

5.2. Natural Heritage Designations

None.

6.0 The Appeal

6.1. Grounds of Appeal

The applicants have appealed the decision of South Dublin County Council to refuse permission for this domestic, residential extension/ alterations.

The grounds of appeal are summarised as follows:

- The proposed extension at first floor provides for just 12.7 sq m of floor area and is of a good standard of design. It is in accordance with the RES – Residential zoning that applies to the site/ area.
- The planning history and description of the site are provided.
- The applicants have a need for additional floor space to accommodate their family.
- The extension is set back from the boundary to the south by 1.54 m.
- Additional works include the conversion of a garage to allow for new utility room and wc at ground floor level. Additional windows and rooflights are proposed.
- Alternative designs have been provided in support of the appeal:
 - Extension is provided with a hipped roof with a minimum pitch of 27 degrees. – Figure 3.2 – Option B.
 - Extension is provided with a flat roof option. – Figure 3.3 – Option C.

It is preferable that the original design be permitted.
- The development is considered in the context of the South Dublin County Development Plan 2016 – 2022 and in the context of Section 11.3.3 – in accordance with the South Dublin County Council House Extension Guide (2010).
- Overshadowing of the property to the south will not occur due to the location of the proposed extension. Any shadowing will fall within the site only.
- 91 sq m of private amenity space will be retained to serve the occupants of the house, this is approximately 20 sq m in excess of the minimum 70 sq m.
- The depth of the extension at 4.4 m is not excessive in the context of the generous depth of garden that the houses have the benefit of. The extension is influenced by the existing ground floor extension to the rear of the house.
- Overlooking does not arise as windows in the extension are west facing only.
- Addressed the comments made in the Planning Authority report regarding the unauthorised development. The porch to the front of the house is small and not similar to that omitted by way of condition. The dormer was built in accordance with advice that was incorrect. It is proposed that this issue be remedied as soon as possible. The dormer is in place over 10 years, does not break the ridgeline of the existing roof and can be reclad in a darker material to improve visual

integration. It is hoped that a retention application be submitted to the Planning Authority to address this matter.

Note: There is no record to date of a retention application having been made to the Planning Authority.

6.2. Planning Authority Response

The Planning Authority had no additional comments to make as the issues raised in the appeal were covered in the case officer's report.

6.3. Observers

A single letter of observation was received from Barry Redmond of 95 Woodford Road, the occupant/ owner of the adjoining property to the subject site.

Issues include the following:

- The development would be overbearing on his property and totally dominate the rear garden and patio.
- Quotes a section from the Planning Authority Case Officers report.

A photograph of the current situation is provided in support of the Observation.

7.0 Assessment

7.1. The main issues that arise for assessment in relation to this appeal can be addressed under the following headings:

- Nature of Development
- Design and Impact on the Character of the Area
- Impact on Residential Amenity
- Other Issues
- Appropriate Assessment Screening

7.2. Nature of the Development

7.2.1. The proposed development is located on lands zoned for residential development in accordance with the South Dublin County Development Plan 2016 – 2022. No. 97 Woodford Road is an existing house that has been extended previously.

- 7.2.2. The proposed development will provide for additional floor space at first floor level to provide for an additional bedroom. In addition, it is proposed to convert part of the existing garage for use as a utility room, utility and storage area. The only additional floor area to be built is in the form of the first floor extension; the works within the garage are existing floor space in use as garage storage space on the day of the site visit. In addition, additional windows and external alterations are proposed to facilitate the described development.
- 7.2.3. I note the comments made in the Planning Authority Case Officer's report regarding unauthorised development. Enforcement is not an issue for the Board and I will only refer to such works were they impact on the subject development/ appeal.

7.3. Design and Impact on the Character of the Area

- 7.3.1. The existing house is a two-storey terraced unit located in an established residential area. I note the contents of the 'South Dublin County Council House Extension Design Guide' which provides guidance on how extensions should be carried out.
- 7.3.2. The proposed development will not have any impact on the front elevation of this house and therefore the development does not impact on the character of the area when viewed from the public street. The alterations within the garage are acceptable and do not impact on the visual amenity of the area.
- 7.3.3. The primary reason for refusal refers to the first-floor rear extension and this is also referred to in the letter of observation. From a design assessment, I consider it to be visually acceptable. This part of the development is built over an existing ground floor extension and is set back by 1.7 m from the boundary with the adjoining property to the south. This set back is considered to be acceptable, and I will consider the impact on residential amenity further in this report.
- 7.3.4. The revised windows in the existing ground floor extension and to the rear/ west elevation are visually acceptable. These will ensure a good visual integration with the existing house design.

7.4. Impact on Residential Amenity

- 7.4.1. The proposed additional bedroom at first floor level is acceptable in terms of size etc. The alterations to the garage will also provide for improvements to the residential amenity of this house.

- 7.4.2. The Planning Authority were primarily concerned with the depth and extent of the first-floor extension. There is no issue with overshadowing giving rise to a loss of sunlight/ daylight. The extension is due north of no. 95, so loss of sunlight does not occur. Similarly, I do not foresee any significant increase in overlooking leading to a loss of privacy. The existing windows in the first-floor rear elevation give rise to a greater potential for overlooking/ loss of privacy. I note that the proposal provides for a window with a lower cill height at 0.95 m above the finished floor level. This high-level window will reduce the potential for excessive overlooking.
- 7.4.3. The concern is that the development may be overbearing on the adjacent property. Once again, I consider this concern to be overstated. The extension is set off the boundary by 1.7 m. The existing single storey has and will continue to have the greater impact on the rear garden of no. 95. I therefore consider the proposed extension to be acceptable. Some loss of outlook from the rear window of no. 95 is likely, but this will be marginal and I do not expect it to adversely impact on the residential amenity of the house.
- 7.4.4. As already reported, this house and the adjoining no. 95 have the benefit of rear gardens of circa 20 m depth and the rear of the extension to the rear boundary will be circa 16.515 m. This allows for extensions to these houses to be proportionate to the available open space. The subject site is provided for a generous site width which is also clearly of benefit and permitting this development does not set a precedent for similar development. The development does not reduce the quantity of available private amenity space.
- 7.4.5. I note the alternative designs provided by the applicants. I do not foresee that these will significantly alter/ improve the design from that submitted and I therefore consider the original submitted design to be acceptable.

7.5. Other Issues

- 7.5.1. The Water Services Planning Report did not raise any concerns regarding surface water drainage. Any revisions to water supply and/ or foul drainage will have to comply with the requirement of Irish Water.
- 7.5.2. The issue of unauthorised development remains a matter between the applicants and the Planning Authority. The potential removal of the elements of unauthorised development, indicated in the Planning Authority Case Officers report/ the applicants'

appeal statement, does not physically prevent or impede the carrying out of the proposed development.

7.6. Appropriate Assessment Screening

- 7.6.1. Having regard to the nature and scale of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the following conditions and reasons.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the South Dublin County Development Plan 2016 – 2022, and the zoning of the site for residential purposes, to the location of the site in an established urban area within walking distance of public transport and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual 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

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application submitted on the 15 th January 2021, 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
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	<p>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>Water supply and drainage arrangements, including the 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>
3.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between the hours of 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 amenities of property in the vicinity.</p>
4.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>
5.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the</p>

	<p>matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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Paul O'Brien

Planning Inspector

15th May 2021