



An
Bord
Pleanála

Inspector's Report

ABP-309960-21

Development	Single storey extension to rear to include a bedroom and en-suite.
Location	18, Vernon Street, Dublin 8, D08 V6T3
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	2123/21
Applicant(s)	Anne Donney
Type of Application	Permission
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Joseph Wood
Observer(s)	None
Date of Site Inspection	23 rd July 2021
Inspector	Mary Crowley

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	3
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy Context.....	4
5.1. Development Plan.....	4
5.2. Natural Heritage Designations	5
5.3. EIA Screening	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Applicant Response	6
6.3. Planning Authority Response	6
6.4. Observations	7
6.5. Further Responses.....	7
7.0 Assessment.....	7
8.0 Recommendation.....	8
9.0 Reasons and Considerations.....	8
10.0 Conditions	8

1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 115m² is located on the northern side of Vernon Street. The existing dwelling is a two storey mid terrace red brick property with a pitched roof. The building has been extended to the rear and, together with an existing outbuilding, a large proportion of the back garden is developed. The rear garden of the dwelling backs on the Meath Hospital site.
- 1.2. 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 development of a single storey extension (11m²) to the rear of the existing two storey semi-detached dwelling house (96m²) to include a bedroom and en suite. The replacement of the existing lean-to-roof over the single storey rear annex (3m²) with a new flat roof and all ancillary site works and services.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council issued a notification of decision to grant planning 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 6 no conditions. The notification of decision to grant permission issued by Dublin City Council reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage Division** – No objection subject to compliance with the Greater Dublin Regional code for Practise for Drainage Works Version 6.0, design of a separate

foul and surface water system, incorporation of Sustainable Drainage Systems and all private drainage to be located within the site boundary.

3.3. Prescribed Bodies

3.3.1. **Transport Infrastructure Ireland** – No stated objection

3.4. Third Party Observations

3.4.1. There is one observation recorded on the planning file from Joseph Wood, No 18 Vernon Street. The issues raised relate to the proposed ceiling height and its associated impact on the observer's property. Requested that the design be modified to reduce the ceiling height to 2.4m.

4.0 Planning History

4.1.1. There is no evidence of any previous planning application to planning appeal on this site.

5.0 Policy Context

5.1. Development Plan

5.1.1. The appeal site is zoned **Z2 'Residential Neighbourhoods (Conservation Area)'**, where the Zoning Objective is '*to protect and/or improve the amenities of residential conservation areas*'. Section 14.8.2 Residential Neighbourhoods (Conservation Areas) – Zone Z2 states that *the overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals with affect structures in such area, both protected and non-protected.*

5.1.2. Appendix 17 – Guidelines for Residential Extensions

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

5.1.3. 17.2 General Principles

- New extensions, whether they are single or two-storey, have an effect on their immediate environment and accordingly the following general principles should be addressed in all proposals for extension. Proposals should:
 - Not have an adverse impact on the scale and character of the dwelling.
 - Have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.
 - Achieve a high quality of design

5.1.4. More detailed guidance in respect of residential amenity, privacy, the relationship to the main dwelling, sunlight & daylight, appearance and materials are set out in the remainder of Appendix 17.

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 Fitzpatrick & Mays Architects on behalf of Joseph Wood, No 17 Vernon Street and may be summarised as follows:

- Requested that a condition be attached for a lower roof parapet height to reduce the impact of the development on the appellants property.
- The proposed extension has an internal ceiling height of 3.1m which is excessive for such moderately sized rooms on a tight site. Such a ceiling height would be

typical of the principal reception rooms in large Georgian Houses but is inappropriately tall in this situation. The existing garden level rooms of the houses along this street have 2.4m ceiling heights.

- The height of the existing garden wall between Nos 17 and 18 is currently 1.57m and the width of the appellants courtyard is just 2.35m. The proposed extension to No 18 would more than double this height to 3.6m. The proposed extension would occupy over half the length of the boundary wall and would have a substantial impact on the quality, proportions and sense of openness of what is already a constrained space.
- Submitted that it would be possible to maintain the taller ceiling height in the kitchen of the proposed extension to No 18 but lower it in the bedroom where the roof height impacts directly on the appellants property. Considered that this would be a reasonable compromise.

6.2. Applicant Response

6.2.1. The first party response to the appeal was prepared and submitted by Declan J Kirwan, Interior Architect / Designer on behalf of the applicant and may be summarised as follows:

- Contrary to the appellants claim the applicant has contacted the appellant on several occasions to discuss the proposed rear extension and allay their concerns. Details of dates of meetings, content of discussions and correspondence is attached with the appeal.
- The proposed extension would occupy a third of the boundary wall and not half as stated by the appellant.
- The applicant would welcome an opportunity for an oral hearing.
- Board is requested to review and uphold the current and first notification of decision to grant permission by Dublin City Council.

6.3. Planning Authority Response

6.3.1. None

6.4. Observations

6.4.1. None

6.5. Further Responses

6.5.1. None

7.0 Assessment

- 7.1.1. The applicant proposes a replacement rear extension to the existing dwelling to provide for a new enlarged kitchen living area and a new double bedroom with WC. The proposed extension would be single storey in height and extend along the full depth of the plot, along the eastern boundary with No. 19 Vernon Street and for part of the boundary with No. 17 Vernon Street. Having regard to the Z2 'Residential Neighbourhoods (Conservation Area)', zoning objective for the site where the objective is 'to protect and/or improve the amenities of residential conservation areas' I am satisfied that the principle of a residential extension is acceptable at this location.
- 7.1.2. With regard to private amenity space, it is noted that a courtyard is to be provided on the western part of the site facing No. 17 Vernon Street. The size of the courtyard which is the only area of private open space for the dwelling is approximately 9sqm. Section 16.10.2 of the CDP states that a standard of 5–8 sq.m of private open space per bedspace will normally be applied for inner city houses, which in this case would equate to a minimum of 30sqm. However, I agree with the Case Planner that given the existing extent of development on the site, similar permitted extensions in the vicinity of the site and the inner city location, the proposed provision is adequate in this instance.
- 7.1.3. With regard to the scale and height of the scheme I refer to Drawing No DJ 103 and DJ 109 that provide cross sections of the existing and proposed development. The proposed rear extension will be a flat roofed structure, with a maximum height of 3.385m extending across the full width of the rear of the property. The appellants at No 17 Vernon Street have raised detailed concerns about the impact of the proposed scheme by reason of height on the amenity of their property. Site inspection photos refer. Having regard to the compact nature of these sites together with the proximity

of the appellants property to the proposed extension I share the concerns raised. It is therefore recommended that the overall height of the extension adjoining the boundary with No 17 Vernon Street be reduced to 2.721m in line with the lower height of the existing extension already on site at No 18 Vernon Street. Drawing No DJ 109 refers. I am satisfied that this matter can be dealt by way of suitable worded condition with amended plans and particulars demonstrating a sloping roof from the boundary with No 19 Vernon Street to the boundary with No 17 Vernon Street to be agreed in writing prior to commencement of work on site.

8.0 Recommendation

8.1. It is recommended that permission be **GRANTED** subject to the reasons and considerations set out below.

9.0 Reasons and Considerations

9.1. Having regard to the site's location on serviced urban lands and the policy and objective provisions in the Dun Laoghaire Rathdown County Development Plan 2016-2022 in respect of residential development; the nature, scale and design of the proposed development; the pattern of existing and permitted development in the area, 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 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.	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.
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	Reason: In the interest of clarity
2.	<p>The overall height of the extension adjoining the boundary with No 17 Vernon Street shall be reduced to 2.721m. Amended plans and particulars demonstrating a sloping roof from the boundary with No 19 Vernon Street to the boundary with No 17 Vernon Street shall be submitted to the Planning Authority for written agreement prior to commencement of work on site.</p> <p>Reason: In the interest of residential amenity.</p>
3.	<p>Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, no further structures or patios shall be erected and no alteration in site levels shall take place within the overall site without the benefit of a separate grant of planning permission.</p> <p>Reason: To protect the residential amenities of adjoining properties and to allow the Planning Authority to assess the impact of any such development through the statutory planning process.</p>
4.	<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>
5.	<p>The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, 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 adjoining property in the vicinity</p>
6.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance</p>

	<p>with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.</p> <p>Reason: In the interest of sustainable waste management.</p>
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Mary Crowley

Senior Planning Inspector

6th August 2021