



An
Bord
Pleanála

Inspector's Report

ABP-310629-21

Development

Demolition of side single storey room along with the first-floor extension over part of this room. (B) Construction of one and two storey side extensions to main dwelling which will convert the house from 3 bedroom to 4-bedroom dwelling.

Location

8, Seafield Road, Booterstown, Blackrock, Co Dublin, A94YK63.

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D20A/0768

Applicant(s)

Con and Sarah Fleming

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant(s)

Sharon Murphy and Eamon Drea

Observer(s)

None

Date of Site Inspection

4th October 2021

Inspector

Emer Doyle

1.0 Site Location and Description

- 1.1. The subject site is located at No. 8 Seafield Road, Booterstown, Co. Dublin. The site itself contains a semi-detached two storey dwelling on a plot with a stated area of 0.05 hectares. The dwelling has previously been extended to the side and rear.
- 1.2. The area is a mature residential area where many of the houses have been previously extended with a great variety of different types of extensions.

2.0 Proposed Development

- 2.1. Permission is sought to demolish the existing extension to the side of the dwelling and replace same with a new extension together with modifications to the existing dwelling to include a dormer window and elevational and floor plan layout changes. The total area of proposed extension is c. 82 m². The area of demolitions proposed is 19m².
- 2.2. Revised drawings were submitted to the Planning Authority dated the 4th of May 2021. The drawings submitted provided for a number of alterations to the elevations and floor plans in order to address the Planning Authorities concern in relation to the bulk and visual dominance of the proposed extension.
- 2.3. The revised details also provide details in relation to surface water run-off and proposals for a wayleave either side of the existing sewer at this location.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Permission granted subject to 10 No. Conditions. All conditions are of a standard nature for a development of this type.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The initial planning report expressed concerns in relation to the proposed design and considered that it would be out of character and have a negative

impact on the streetscape and visual amenities of the area. The second report considered that the revised drawings submitted addressed the concerns raised and recommended permission.

3.2.2. Other Technical Reports

Transport: No objection.

Drainage: First Report required Further Information. Second report recommended permission subject to conditions.

3.3. Prescribed Bodies

3.3.1. **Irish Water:** First report required Further Information in relation to the proposed building over the sewer line. The second report considered that the revised proposals were acceptable and recommended permission subject to conditions.

3.4. Third Party Observations

3.4.1. Three third party observations were submitted to the Planning Authority. The issues raised are similar to those raised in the grounds of appeal.

4.0 Planning History

PA D11A/0066/ ABP PL06D.239682

Permission granted by Planning Authority and refused on appeal by the Board for a new two storey, semi-detached dwelling with a total floor area of 84 sq.m., with a new and separate driveway and the general refurbishment of the existing house. The reason for refusal related to the restricted size, configuration and location of the site at a prominent corner and the extent of engineering measures required to divert the sewer.

PA D10A/0033

Refers to a proposal for planning permission to erect a new two storey, detached dwelling of a total floor area of 84.3sq.m., with new and separate driveway, where

the roof ridge height is to match that of the existing house and the general refurbishment of the existing house including the demolition of existing garage and conversion of roofspace of existing house to habitable accommodation and the construction of a single storey kitchen of 15sq.m. to rear. Permission was refused by the PA for one reason as follows:

“Having regard to the character of the surrounding area and the prominent corner location of the site at a road junction, it is considered that the proposed development, by reason of the roof design, would appear out of character with the pattern of development and would seriously detract from the visual amenities of the streetscape and neighbouring properties. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

PA D09A/0273

Refers to a proposal for a new two-storey plus roof/attic accommodation, detached dwelling of a total floor area of 116sq.m., with new and separate driveway, where the roof ridge height is to match that of the existing house, and the general refurbishment of the existing house including the demolition of existing garage and conversion of roofspace of existing house to habitable accommodation and the construction of a single storey kitchen extension of 15sq.m. to rear of 8 Seafield Road. Permission was refused for two reasons on the grounds of the roof design which was considered to visually detract from the area and the overlooking of the adjacent property to the north.

PA D07A/01637

Refers to a proposal for a new two storey plus roof/attic accommodation detached dwelling of a total floor area of 126sq.m. with new and separate driveway, where the roof ridge height is to match that of the existing house, and the general refurbishment of the existing house including the demolition of the existing garage and conversion of roofspace of existing house to habitable accommodation and the construction of a single storey kitchen extension of 15sq.m to rear. Permission was

refused on the grounds that the proposal would involve building over an established public sewer serving residential properties in the immediate vicinity.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The relevant Development Plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022. The site is zoned Objective 'A' with a stated objective 'to protect and/or improve residential amenities.'

Other Relevant Sections/ Policies

- 5.1.2. Section 8.2.3.4 Additional Accommodation in Existing Built-up Areas.

5.2. Natural Heritage Designations

- 5.2.1. The nearest European sites are South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary c. 0.8km from the site.

5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed development in a serviced urban area 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. The main grounds of the third party appeal can be summarised as follows:
- No objection to principle of development.

- The element of concern is with the principle of breaking the eaves lines which has been granted.
- The proposed raising of the eaves is entirely out of keeping with Development Plan requirements.
- It is requested that the Board include a condition to reduce the eaves height to the front to site in line with the existing eaves height.

6.2. Applicant Response

- None.

6.3. Planning Authority Response

- The Board is referred to the previous planner's report. It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.4. Observations

- None.

7.0 Assessment

7.1. Having inspected the site and associated documents, the main issues can be assessed under the following headings:

- Design
- Appropriate Assessment

7.2. Design

- 7.2.1. The primary issue raised in this appeal relates to design and visual impact. The appellant has no objection to the principal of the development and objects to one element of the design only – i.e. breaking of the eaves line. It is considered that this element of the design is contrary to Development Plan policy, has the potential to have a significant and long lasting effect on the visual continuity, harmony, and character of the area and is not in-keeping with the precedent schemes referred to in the appeal (Nos. 2 and 4 Seafield Crescent). It is requested that the Board remove this element by condition.
- 7.2.2. The site is located in a mature residential area where there is a great variety of house types and extensions. The site is a corner site straddling the junction at this location and I would consider it to be a very prominent and open site.
- 7.2.3. Permission is sought for extensions to the side and front and for alterations to the elevations. A revised design was submitted to the Planning Authority in response to a further information request which simplified the overall design and elevations and reduced the scale of the proposed development.
- 7.2.4. I note that there is already a precedent in the area for extensions to the front of the existing house including Nos. 2 and 4 Seafield Crescent opposite the site.
- 7.2.5. Having regard to the residential zoning of the site and the precedent set in the area, I consider that the principle of development is acceptable at this location. I am of the view that the extensions proposed are modest in size and in line with previous extensions granted in the area. There is a great variety of extensions in the area with some examples better than others in terms of the visual impact.
- 7.2.6. In terms of the design, I concur with the appellant that the proposed breaking of the eaves line is not in keeping with the Development Plan and would break the harmony of the pair of semi-detached dwellings at this location. I note that Section 8.2.3.4 of the plan requires that roof alterations are assessed against a number of criteria including the character and size of the structure together with its position on the streetscape, existing roof variations on the streetscape, and harmony with the rest of the structure. I consider that the extension as proposed would detract from the visual amenities of the area at this prominent junction and would set an unwelcome precedent for the area. I noted on the site inspection that there were no

examples of this type of extension to the front breaking the eaves line and the introduction of same to the area would have a negative impact on the area in my view.

- 7.2.7. Should the Board be minded to grant permission, I consider that a condition should be included to reduce the eaves height to the front to sit in line with the existing eaves height. Provided that this matter is addressed by condition, I am satisfied that the proposed extension would have no significant adverse visual impact at this suburban location.

7.3. **Appropriate Assessment**

- 7.3.1. Having regard to the nature and scale of the proposed development, the availability of public services, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

8.1. I recommend a grant of permission.

9.0 Reasons and Considerations

Having regard to the pattern of development in the area and the design and scale of the proposed extensions and to the provisions of the Dún Laoghaire-Rathdown County Council Development Plan 2016-2022 it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the character of the streetscape and would not seriously injure the amenities of nearby dwellings. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

9.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted to the planning authority on the 4th of May, 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 development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

(a) The eaves height to the front shall be reduced so that it sits in line with the existing eaves height.

A complete set of revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority/ An Bord Pleanála prior to commencement of development.

Reason: In the interest of visual amenity.

3. 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.

Reason: In the interest of public health.

4. Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0700 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. 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 matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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.

Emer Doyle

Planning Inspector

5th November 2011