



An
Bord
Pleanála

Inspector's Report ABP 312478-22

Development	2 storey side extension
Location	35 Johnsbridge Walk, Lucan, Co. Dublin.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD21B/0465
Applicant	Orla Maguire
Type of Application	Permission
Planning Authority Decision	Grant subject to conditions
Type of Appeal	1 st Party v. condition
Appellant	Orla Maguire
Observer(s)	None
Date of Site Inspection	16/03/22
Inspector	Pauline Fitzpatrick

1.0 Site Location and Description

No.35 is a semi-detached two storey dwelling within the mature residential estate of Johnsbridge in Lucan. The site is bounded by Griffeen Avenue to the south. The roadside boundary is delineated by a low brick wall topped with a railing and backed with planting forward of the side entrance to the dwelling with a 1.8 - 2 metre high brick wall to the rear garden area. The dwelling has a hipped roof with brick and render external finishes to the front elevation. The dwelling is served by a single storey rear extension.

2.0 Proposed Development

The application was lodged with the planning authority on the 02/09/21 with further plans and details submitted 11/11/21 following a request for further information dated 28/10/21.

As amended the proposal entails a two storey extension to the side of the dwelling with a stated floor area of 57.41 sq.m.

3.0 Planning Authority Decision

3.1. Decision

Grant permission for the above described development subject to 10 conditions. Of note:

Condition 2: Revisions to southern elevation to be submitted to provide dual frontage onto Griffeen Avenue to include:

- (a) 4 no. additional windows of equal size and proportions to match the proportions and size of the south-western 1st floor bedroom window in the existing front elevation in accordance with items (b) and (c)
- (b) 2 no. windows at ground floor level, 1 serving the family room and 1 no. serving the office.
- (c) 2 no. windows at 1st floor level, 1 serving the bedroom and 1 for the wardrobe room

- (d) The southern boundary wall to be lowered to a maximum height of 1.2 metres for the length of the boundary from the rear building line to the front (western) boundary topped with a 0.6 metre high railing unless otherwise agreed.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **1st Planner's** report dated **27/10/21** notes:

- The extension respects the appearance and character of both the existing dwelling and the streetscape along Johnsbridge Walk.
- Inaccuracies in submitted plans and details
- More extensive fenestration required in the southern elevation.
- The proposed roof profile should present as full hipped.
- Alterations to the southern boundary treatment

A request for further information recommended.

The **2nd report** dated **08/12/21** following further information notes:

- The redesigned hipped roof profile will match that of the existing dwelling.
- The 1st floor window in the southern gable originally proposed has been omitted in the revised plans. The applicant has failed to provide passive surveillance to the public realm along Griffeen Avenue. This can be addressed by way of condition.
- The existing boundary arrangements are appropriate for the surrounding context. Any future changes should be subject of a planning application.

A grant of permission subject to conditions recommended.

3.2.2. Other Technical Reports

Water Services has no objection subject to conditions

3.3. Prescribed Bodies

Irish Water has no objection subject to conditions

3.4. Third Party Observations

None

4.0 Planning History

I am not aware of any previous planning applications on the site.

5.0 Policy Context

5.1. Development Plan

South Dublin County Development Plan, 2016

The site is within an area zoned RES the objective for which is to protect and/or improve residential amenity.

Housing Policy 18 - Residential Extensions

It is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

H18 Objective 1: 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).

Chapter 11 - Implementation

Section 11.3.3 (i) The design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) or any superseding standards.

5.2. Natural Heritage Designations

None in the vicinity

6.0 The Appeal

6.1. Grounds of Appeal

The 1st Party appeal is against condition 2 attached to the planning authority's notification of decision to grant permission only. The submission can be summarised as follows:

- 4 no. gable windows of the size required will be out of keeping with all other gable windows in the estate and other estates onto Griffeen Avenue.
- The addition of windows at the gable end limits the use of the rooms with privacy and security issues arising.
- Other examples in the area have a window at ground or 1st floor only.
- It was never intended to interfere with the existing boundary wall, railing and screen planting. The removal of the full height wall section as far as the rear of their property will lead to serious privacy and security issues.

6.2. Planning Authority Response

The response states that the issues raised in the appeal have been covered in the planner's report.

6.3. Observations

None

7.0 Assessment

I am satisfied, having examined the details of the application and having visited the site, that the determination of the application by the Board as if it has been made to it in the first instance, would not be warranted. Accordingly, I consider that it is appropriate to use the provisions of Section 139 of the Planning and Development Act 2000, as amended, and to consider the issues arising out of the disputed condition only.

Condition 2 requires the provision of windows in the proposed southern gable of the extension at both ground and 1st floors so as to provide for dual frontage onto Griffeen Avenue and passive surveillance to the public realm.

As per objective H18 of the current County Development Plan house extensions are to be favourably considered subject to compliance with the standards set out in chapter 11 of the plan (Implementation) and the guidance set out in South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

The said design guide in addressing extensions to the side states that on a corner plot it should be designed to take into account that it will be visible from the front and side. The use of blank elevations will be unacceptable and a privacy strip behind a low wall, hedge or railings should be provided along those sections of the extension that are close to the public pavement or road.

The existing dwelling has windows in the gable at both ground and 1st floor level serving a WC and the landing in addition to a side entrance. As per the plans that accompanied the application a window to the roof space was proposed to be installed with opaque glazing. This is omitted in the plans submitted following the further information request with a blank gable elevation proposed, possibly arising from the requirement to provide for a hipped roof.

Condition 2 requires 2 no. windows to be provided at ground floor with a further 2 no. at 1st floor. The applicant is concerned that the requirements are excessive, will impact on the use of the rooms and will give rise to privacy and security issues.

I submit that design guide is quite clear as to the requirements on such a site and some provision should have been made to comply with same. Notwithstanding, the basis for the dual frontage requirement as referenced in the condition is unclear. I note that the dwelling and comparable dwellings both within the Johnsbridge Estate and other estates in the area were not originally designed to be dual frontage and I could not identify any examples in the area where comparable extensions were required to provide for such fenestration detail. I submit that the number of window openings required in the southern elevation is onerous and recommend that it be reduced to 1 no. serving the proposed bedroom at 1st floor level. This would

provide for an appropriate level of passive surveillance to the public realm whilst being visible from same.

The existing site boundary to Griffeen Avenue is delineated by a low brick wall topped with a railing and backed by planting forward of the existing side entrance to the dwelling with a 1.8-2.0 metre wall along the remainder. The applicant is clear in the further information response that no alterations are proposed to same.

There appears to be a disconnect between the view of the Area Planner who considered this to be appropriate and the requirements of subsection (d) of condition 2. The said boundary would have been constructed when the estate was being developed, provides for a level of privacy to the side of the dwelling and is reflective of comparable locations throughout the estate. I consider that the requirement to reduce the wall to a maximum of 1.2 metres topped with a 0.6 metre railing from the rear building line to the front (western) boundary is excessive and would have a negative impact on the property's privacy. I therefore recommend that this requirement be omitted.

Appropriate Assessment – Screening

Having regard to the location of the site and the nature and scale of the proposed development it is concluded no appropriate assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

Having regard to the documentation on file, the grounds of appeal, my site inspection, and the assessment above I recommend that the planning authority be directed to **AMEND** condition 2 as follows for the following reasons and considerations.

Condition 2: A window serving the proposed bedroom at 1st floor level shall be provided in the southern elevation. Revised plans and elevations drawings with the necessary alterations shown thereon shall be submitted to the planning authority for written agreement prior to commencement of development.

Reason: In the interest of visual amenity.

9.0 Reasons and Considerations

It is considered that the proposed amendments would provide for an appropriate level of passive surveillance and would comply with guidance set out in the South Dublin County Council House Extension Design Guide, 2010 as required by development plan objective H18.

Pauline Fitzpatrick
Senior Planning Inspector

March, 2022