



An
Bord
Pleanála

Inspector's Report ABP-312982-22

Development

Demolish existing garage to front of dwelling, single storey extension and external sheds/WC to rear of dwelling, construct new single storey and 2 storey split level extension and all associated site works

Location

11 Farrenboley Cottages, Windy Arbour, Dublin 14 (D14 P867)

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D21A/1100

Applicant(s)

Susie O'Nestor and Conor O'Byrne

Type of Application

Permission

Planning Authority Decision

Split Decision

Type of Appeal

First Party

Appellant(s)

Susie O'Nestor and Conor O'Byrne

Observer(s)

None

Date of Site Inspection

20/07/2022

Inspector

Lorraine Dockery

1.0 Site Location and Description

- 1.1 The site is located within the Farrenboley Cottages estate, a cul-de-sac located approximately 500m north-east of the Windy Arbour Luas stop. The immediate context is one of single storey semi-detached bungalows on relatively large sites, with larger two-storey semi-detached dwellings located in the wider area.

2.0 Proposed Development

- 2.1 Permission is sought for demolition of existing single storey garage to front of dwelling, single storey extension and external sheds/WC to rear of dwelling, construct new single storey and 2 storey split level extension and all associated site works

3.0 Planning Authority Decision

3.1. Decision

The planning authority issued a SPLIT DECISION for the proposed development. Permission was REFUSED for the proposed two-storey rear extension for the following reason:

1. Having regard to the height, scale and design of the proposed two storey rear extension in relation to the existing single storey cottage on site, it is considered that the proposed development would appear as an overly dominant and incongruous addition and would have a negative visual impact on the streetscape, significantly detracting from the area in terms of visual amenity. The proposed development would appear overbearing and visually obtrusive when viewed from adjoining properties, significantly detracting from adjoining residential amenity and would set an undesirable precedent for similar type development in the area. The proposed development would therefore be seriously injurious to the visual and residential amenities of neighbouring property, materially contravene the zoning objective for the area which is 'to protect and/or improve residential amenity;' and Section 8.2.3.4(i) 'Extensions to Dwellings' of the Dun Laoghaire Rathdown County

Development Plan 2016-2022 and would thereby be contrary to the proper planning and sustainable development of the area

Permissions was GRANTED for the front porch extension and widening of vehicle entrance, subject to conditions.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The main points of the planner's report include:

- Principle of proposed development considered acceptable
- Significant concerns regarding current design of proposed rear addition, particularly the significant increase in roof height and its relationship with existing single storey cottage
- Overall reduction in building depth from that previously permitted is welcomed, however notes ridge height 2.5m higher than single storey cottage
- Would present as an overbearing and incongruous addition when viewed from the streetscape and adjoining properties
- Little regard has been had to the relationship with the existing single storey cottage in the treatment of the roof profile
- Proposal has not had special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures- would detract from streetscape character and visual amenity

3.2.2. Other Technical Reports

Transportation Planning Division- No objections, subject to conditions

Drainage Division- Further Information requested; applicant requested to locate the existing private foul drain serving the property and submit a design drawing showing the final discharge point of the private foul network into the public combined/foul network.

4.0 Planning History

Subject Site:

ABP-304229-19 (D19B/0037)

Permission GRANTED on appeal for demolition of existing single storey structures and construction of single storey structures to the front, side and rear, together with two-storey split level structure to rear of dwelling together with associated works

5.0 Policy and Context

5.1. Development Plan

The Dun Laoghaire County Development Plan 2022-2028 is the operative County Development Plan.

The site is in an area zoned 'Objective A' which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

Section 12.3.7 Additional Accommodation in Existing Built-Up Areas

12.3.7.1 Extensions to Dwellings

5.2. Natural Heritage Designations

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

5.3. EIA Screening

Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure and outside of any protected site or heritage designation, the nature of the receiving environment and the existing pattern of residential development in the vicinity, and the separation distance from the nearest sensitive location, 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**

The main points of the appeal are:

- Proposal will have negligible impact on streetscape
- Proposed extension is of appropriate scale, height and massing when viewed from adjoining properties
- Precedent for two-storey development in surrounding area
- Submitted design variation (Variation A) for roof profile
- Proposal consistent with zoning objective
- Extant permission for larger extension on this site

6.2. **Planning Authority Response**

None

6.3. **Observations**

None

6.4. **Further Responses**

None

7.0 **Assessment**

7.1. I have read all the documentation attached to this file including inter alia, the appeal, the report of the Planning Authority, in addition to having visited the site. The primary issues, as I consider them, are the impact of the proposed rear extension on the visual and residential amenity of the area.

- 7.2. I acknowledge the concerns of the planning authority in this regard. However I note that permission was previously granted on appeal for a larger extension to the rear of this property (ABP-304229-19). The principle of a substantial extension to the rear of this property has therefore been previously established by the Board. This current rear extension has a significantly reduced floor area and lesser height than that previously permitted on the site. I consider that the current proposal is a better design solution for the site than that previously proposed and permitted. It is smaller in scale and integrates well with other constructed extensions in the immediate vicinity.
- 7.3. The proposed works would not unduly overbear, overlook or overshadow adjoining properties, and would not seriously injure the amenities of property in the vicinity of the site. It would not be unduly visible on the streetscape- to no greater extent than other constructed extensions on neighbouring properties.
- 7.4. Adequate private open space remains for the proposed dwelling to comply with Development Plan standards.
- 7.5. Matters relating to drainage concerns can be adequately dealt with by means of condition, if the Board is disposed towards a grant of permission.
- 7.6. Having regard to the limited extent, height and design solution put forward, I am satisfied that the proposed development is in accordance with the zoning objective of the operative County Development Plan, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

8.0 **Appropriate Assessment Screening**

- 8.1 Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites

arising from the proposed development, alone or in combination effects, can be reasonably excluded.

9.0 Recommendation

9.1. I recommend permission be GRANTED subject to conditions.

10.0 Reasons and Considerations

10.1 Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and its zoning for residential purposes, to the location of the site in an established residential area 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.

11.0 Conditions

1.	<p>The development shall be carried out 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> <p>Reason: In the interest of visual amenity.</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 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>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>All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.</p> <p>Reason: In the interests of visual and residential amenity.</p>
5.	<p>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. Prior to the commencement of any works on site, the applicants shall ascertain and comply with all requirements of the planning authority in this regard.</p> <p>Reason: In the interest of public health and surface water management.</p>
6.	<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>
7.	<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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Lorraine Dockery
Senior Planning Inspector

26th July 2022