



An
Bord
Pleanála

Inspector's Report ABP-313503-22

Development

Demolition of existing single storey sun room to rear and boiler house and chimney to side, new single storey extensions to rear and side conversion of roof to attic accommodation with dormer windows to rear and side, front porch roof and internal alterations

Location

131 Hillside, Dalkey, Co Dublin

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D22A/0137

Applicant(s)

Claire and Jonathan Harte

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

John and Claire Brandon

Observer(s)

None

Date of Site Inspection

21st September 2022

Inspector

Lorraine Dockery

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 330 square metres, contains a two-storey, semi-detached dwelling with hipped roof profile. This is an established residential area.

2.0 Proposed Development

- 2.1. Permission is sought for demolition of existing single storey sun room to rear and boiler house and chimney to side, new single storey extensions to rear and side conversion of roof to attic accommodation with dormer windows to rear and side, front porch roof and internal alterations.

3.0 Planning Authority Decision

3.1. Decision

Permission GRANTED, subject to five standard conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points of the planner's report include:

- Proposal in accordance with relevant policy and provisions of operative County Development Plan and in accordance with proper planning and sustainable development of the area
- Recommends grant of permission

3.2.2. Other Technical Reports

Municipal Services Department- No objections, subject to conditions

3.3 Prescribed Bodies

None

4.0 **Planning History**

D17A/0388

Permission GRANTED for widening of the existing vehicular access, together with associated site works.

5.0 **Policy and Context**

5.1. **Development Plan**

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

Zoning: Objective A' which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

Section 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:

- Appeal against decision to grant permission for the side dormer extension
- Will result in significant overlooking and loss of residential amenity
- Significant negative visual impact and overbearance
- Contrary to requirements of Dun Laoghaire-Rathdown County Development Plan 2022-2028

6.2. **Planning Authority Response**

A response was received in which no new issues raised. Refers to Planner's Report

6.3. **Observations**

None

6.4. **Further Responses**

A response was received on behalf of the first party which states that proposal is sensitively designed and will not cause serious overlooking of adjoining property or appear incongruous when viewed from adjoining property so as to detract seriously from the amenities of adjoining property.

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 and further responses, in addition to having visited the site. I note that the new County Development Plan 2022-2028 has been adopted since the decision in relation to this application issued from the planning authority.

- 7.2. The primary issues, as I consider them, are the impact on the visual and residential amenity of the adjoining property arising from the proposed dormer extension.
- 7.3. The operative County Development Plan is generally favourable to such extensions, subject to normal planning criteria and I note section 12.3.7.1(iv) in this regard.
- 7.4. In terms of visual amenity, I do not have issue with the extent or scale of the proposed dormer extension and consider that it would integrate satisfactorily with the existing dwelling and other properties in the vicinity. I do not consider it to be visually incongruous or excessively overbearing in its context.
- 7.5. In terms of impacts on residential amenity, I consider that any impacts would not be so great as to warrant an alteration to its design or its omission from the proposal. It is of a scale and design appropriate to its urban location. I note the subject site is at a lower ground level than the appellant's property. Given the use of the dormer space as a stairwell and not a habitable room, I do not anticipate levels of overlooking to be excessive and I am satisfied in this regard.
- 7.6. Having regard to the above, I am satisfied that the proposed development is in accordance with the provisions 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

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. 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>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>
3.	<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.</p> <p>Reason: In the interest of public health and surface water management.</p>

4.	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. Reason: To protect the amenities of the area
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Lorraine Dockery
Senior Planning Inspector

26th September 2022