



An
Bord
Pleanála

Inspector's Report ABP315631-23

Development	Single storey granny flat extension at rear including new ground floor gable window to side of existing house.
Location	8, Annville Grove, Dundrum, Dublin 14, D14H954.
Planning Authority	Dun Laoghaire Rathdown County Council.
Planning Authority Reg. Ref.	D22A/0848.
Applicant(s)	John and Catherine Smith.
Type of Application	Permission.
Planning Authority Decision	Split. Permission granted for new ground floor gable window. Permission refused for granny flat extension.
Type of Appeal	First Party
Appellant(s)	John and Catherine Smith.
Observer(s)	None.
Date of Site Inspection	29 th June 2023.

Inspector

Des Johnson.

1.0 Site Location and Description

- 1.1. Annaville Grove is part of a mature housing development to the eastern side of Dundrum Road, and is bounded to the north and east by the grounds of the Central Mental Hospital. Access to Annaville Grove is gained via Annaville Park off the Dundrum Road, Dublin 14.
- 1.2. The appeal premises is on the northern side of Annaville Grove, and is an end of terrace, two story dwelling. There is a laneway to the rear of the site which is also bounded by the high wall of the Mental Hospital. The subject site and the adjoining site to the west (also end of terrace) are wider than other adjoining sites in the terraces.
- 1.3. There is a single-story structure at the end of the rear garden on the appeal site, which appears to be for storage and recreational uses.

2.0 Proposed Development

- 2.1. Single storey granny flat extension at the rear, including new ground floor gable window to side of existing house. The gross floor area of proposed works is stated to be 50 sqm, the gross floor area of existing buildings is stated to be 145.44 sqm, and the site area is 0.0295 ha.
- 2.2. It is proposed to connect to existing services.
- 2.3. A proposed lobby would connect the granny flat to the existing dwelling. Access to the granny flat could be gained to the side of the existing dwelling to a separate front door. Accommodation would include bedroom with en-suite, kitchen and sitting room. Proposed finishes include concrete roof tiles and pebble dash render to match existing.

3.0 Planning Authority Decision

3.1. Decision.

Split decision. Permission granted for new ground floor gable window. Permission refused for granny flat extension for reason including excessive scale, negative

impact on visual and residential amenities, overdevelopment of this limited site, contravention of zoning objective, and undesirable precedent.

3.2. Planning Authority Reports

3.2.1. Planning Reports

This is an established residential area. The streetscape in the vicinity of the site is characterised by terraced dwellings. No submissions or observations are recorded. The site is zoned A – to provide residential development and improve residential amenity while protecting the existing residential amenities. The proposed floor area of 50 sqm would exceed the minimum requirement of 45 sqm as set out in Quality Housing for Sustainable Communities. Private open space of 75 sqm would remain. It is considered that there is valid justification for the granny flat in terms of CDP policy. The proposed extension would result in excessive visual impacts in the rear garden space and adjoining sites, and result in loss of privacy for the new unit and for neighbouring residential property. The proposed development is not appropriately designed and would constitute overdevelopment.

3.2.2. Other Technical Reports

Drainage Division raises no objection subject to recommended conditions.

4.0 Planning History

91B/1508 – permission granted by the planning authority at subject site for demolition and reconstruction of existing two storey extension to side.

D14B/0432 – permission granted by the planning authority at 10, Annville Grove for a two-storey extension to the side and a single storey bay window extension to the rear.

5.0 Policy and Context

5.1. Development Plan

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

Section 12.3.7.1 refers to extensions to dwelling. In respect of extensions to the rear considerations include length, height, proximity to mutual boundaries and quantum of remaining rear private open space.

Section 12.3.7.3 refers to Family Member/Granny Flat Extension. Proposals are assessed against criteria applied to normal domestic extensions. Proposals should be capable of being readily subsumed back into the primary dwelling, should be subsidiary in scale relative to the main dwelling, and there should be valid justification for the proposal in use terms.

5.2. Natural Heritage Designations

None relevant.

5.3. EIA Screening

5.4. Having regard to the nature and modest scale of the proposed development, its location in a built-up urban area and the likely emissions therefrom it is possible to conclude that the proposed development is not likely to give rise to significant environmental impacts and the requirement for submission of an EIAR and carrying out of an EIA may be set aside at a preliminary stage.

6.0 The Appeal

6.1. Grounds of Appeal

These relate to the decision to refuse permission and key issues raised may be summarised as follows:

- The applicants have medical problems which will progress over time. Medical records can be provided if required. It is intended that they will occupy the granny flat while their daughter will occupy the main dwelling and set up her own family.
- There will be only one family unit and the applicants' daughter can look after her parents.

- The proposed floor area is the maximum area set down in the current CDP. The applicants are prepared to reduce the floor area by 5 sqm if required.
- The back garden is not narrow as it is twice the width of the average semi-detached garden.
- The entire roof is a tiled pitched roof.
- The boundary wall between nos. 8 and 10 is 2.6m high. The extension parapet will be 600mm above the height of the boundary wall. Boundary screening is intended to protect the privacy of the applicants as well as their neighbours.
- Privacy is already compromised by the granting of a 4 storey block on the western side of the subject site. This development overlooks the gardens on Annaville Grove. There is a current proposal for development on the Central Mental Hospital site which will result in overlooking.
- The issue of precedent does not arise due to the size of the site.

6.2. **Planning Authority Response**

None on file.

6.3. **Observations**

None on file.

7.0 **Assessment**

This is a first party appeal against the decision of the planning authority to refuse permission for a proposed granny flat extension to the rear of 8, Annaville Grove. This was part of a split decision as permission was granted for a proposed ground

floor gable window. This assessment addresses all elements of the proposed development.

Ground Floor Gable Window

The proposed ground floor gable window is a high level window serving a lounge. It measures 700mm high and 1650mm wide and the cill level is 1750mm above ground level. It would face on to a side passage bounded by a party wall, and would not give rise to overlooking. I submit that this element of the proposal is acceptable.

Granny Flat

The proposed granny flat is single storey and is stated to have a floor area of 50 sqm. It would extend the full length of the rear garden and adjoins the western party wall between nos. 8 and 10 Annville Grove. It is designed with a proposed lobby adjoining to the main dwelling, and with a separate front door which could be accessed along an existing passageway along the western gable of the existing dwelling.

The proposed development is predominantly single aspect facing east, with windows providing light to proposed sitting room and bedroom, and sliding doors lighting a proposed kitchen. The bedroom and sitting room would also have glazing facing south. The proposed granny flat would face on to a private open space area stated to be 77.55 sqm. This roughly corresponds to the eastern side of the existing rear garden.

I consider that the proposed development, by reason of its design and scale would represent overdevelopment of this site. It would have a significant visual impact on adjoining residential property. The proposed private open space would lack privacy due to overlooking and would be contrary to the zoning objective for the area which, while providing for residential development, seeks to improve residential amenity while protecting existing residential amenities. By reason of its design and layout the proposed granny flat would not be capable of being readily subsumed back into the

primary dwelling contrary to Section 12.3.7.3 of the current Development Plan, which requirement is reasonable.

Appropriate Assessment

- 7.1. The proposed development is not directly connected with or necessary to the management of any designated site. Having regard to the nature and scale of the proposed development, the nature of receiving environment as a mature urban area and to the absence of a pathway between the application site and any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an EIA at an initial stage.

8.0 Recommendation

- 8.1. I recommend that permission be granted for the ground floor gable window, and that permission be refused for the single storey granny flat extension

9.0 Reasons and Considerations

First Schedule

Having regard to the design and siting of the ground floor high level gable window, it is considered that the proposed development would be consistent with the zoning objective for the area as set out in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, and would be in accordance with the proper planning and sustainable development of the area.

Second Schedule

Having regard to the nature, size and orientation of the site, the design and scale of the proposed single storey granny flat, and to the zoning objective for the area as set out in the Dun-Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the proposed development would represent overdevelopment of the site, would be seriously injurious to the visual and residential amenities of property in

the vicinity, would contravene the zoning objective for the area as set out in the Development Plan, and would be contrary to the proper planning and sustainable development of the area.

Des Johnson
Planning Inspector

19 July 2023

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.