

An
Bord
Pleanála

Inspector's Report ABP321198-24

Development

The proposed development will consist of the construction of a two storey extension to the front of the property, repositioning of the house entrance from the front to the side of the house and all associated site works.

Location

31 Broadford Avenue, Ballinteer,
Dublin 16, D16KX32.

Planning Authority

Dun Laoghaire Rathdown County
Council.

Planning Authority Reg. Ref.

D24A/0634/WEB.

Applicant(s)

Maria Shiel & Thomas Jordan.

Type of Application

Permission.

Planning Authority Decision

Refusal.

Type of Appeal

First Party

Appellant(s)

Maria Shiel & Thomas Jordan.

Observer(s)

(1) Paul & Jacki Montgomery

(2) Eamonn Fahy & Catherine
Ryan

(3) Chandralal Hewage

Date of Site Inspection

23/01/25

Inspector

Anthony Abbott King.

1.0 Site Location and Description

- 1.1. Broadford Avenue is one of a network of suburban residential avenues comprising the Broadford estate located to the north of Ballinteer Avenue. The Broadford estate is accessed via Ballinteer Avenue from the R113.
- 1.2. No. 31 Broadford Avenue is a two-storey semi-detached house in a streetscape of similar houses. No. 31 Broadford Avenue located on the north side of the street as the streetscape curves in a convex configuration.
- 1.3. The adjoining house at no. 29 Broadford Avenue has a single-storey front extension with a pitched roof that extends across the front two-storey facade and the single-storey side extension.
- 1.4. No. 29 Broadford Avenue presents as a double fronted dwelling with centrally placed entrance at ground floor level. The first floor has a single horizontal window opening located proximate to the party wall with no. 31 Broadford Avenue.
- 1.5. There are no two-storey front extensions on Broadford Avenue or on the adjacent residential avenues in the wider estate.
- 1.6. Site area is given as 0.023 hectares.

2.0 Proposed Development

- 2.1. The proposed development will consist of the construction of a two storey extension to the front of the property, repositioning of the house entrance from the front to the side of the house and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for the following reason:

(1) It is considered that the proposed development, for a two-storey front extension with new hipped roof element by reason of its design, bulk, height and scale, would have an adverse visual impact and have an overbearing impact on adjacent property at no. 29 Broadford Avenue, and would be

incongruous when viewed along the streetscape. The proposed development would set a poor precedent for similar type development in the area. The proposed development therefore fails to comply with Section 12.3.7.1 (i) of the County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dun Laoghaire-Rathdown County Council reflects the recommendation of the planning case officer.

3.2.2. Other Technical Reports

No objection.

4.0 Planning History

There is no recent relevant planning history.

5.0 Policy and Context

5.1. Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

The area zoning objective is "A" (Map 5): *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (i) (Extensions to the Front) is relevant and *inter alia* states:

Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house. The scale, height, and projection from the front building line of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, and a more contemporary design approach can be considered.

Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities.....

5.2. EIA Screening

5.3. The proposed development is not within a class where EIA would apply.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal, prepared by Matthew Fagan B Arch, MRIAI, FHA on behalf of the applicant, are summarised below:

- The appellant requests An Bord Pleanála to overturn the decision of the planning authority given that the extension as designed doesn't constitute an adverse visual impact, doesn't have an overbearing impact on the adjacent property at no. 29 Broadford Avenue and, would not be incongruous when viewed along the streetscape.
- The Dun Laoghaire-Rathdown County Development Plan clearly outlines that front extensions at both ground and first floor level are acceptable in principle. Therefore, the proposed front extension is acceptable in principle.
- The materiality, roof shape, slope and form have been designed to harmonise with the existing streetscape including the extension of no. 29 Broadford Avenue.

- The depth of the proposed extension is determined by matching the existing ground-floor extension at no. 29 Broadford Avenue.
- The break in the front building line is acceptable over two floors unless it is “significant”, as provided for under development plan policy. The appellant claims the proposed extension is not “significant” by reason of the 1.9m dept of the extension.
- The appellant claims that as the planning authority did not reduce the dept of the extension by way of restriction rather issuing a refusal. Therefore, it can be inferred that the planning authority had an issue with the development in principle, which is contrary to the development plan policy guidelines on front extension.
- There were no objections to the development proposal submitted at the submission stage. This is tacit acknowledgement that the neighbours do not consider that the proposed development is problematic.

6.2. Applicant Response

N/A

6.3. Planning Authority Response

The planning authority refer the Board to the previous planners report. It is considered that the grounds of appeal do not raise any new matters that would justify a change of attitude.

6.4. Observations

There are 3 number observations, which are summarised below:

(1) Paul & Jacki Montgomery

- The proposed development of a two-storey front extension with a new hipped roof to no. 31 Broadford Avenue would have an adverse visual and overbearing impact on their property at no. 33 Broadford Avenue, next door, by reason of its design, bulk, height and scale.

- The extension would be incongruous when viewed along the streetscape.
- The extension would have an adverse impact on residential amenity depreciating daylight penetration and outlook to the front and side of their dwelling, including light to the bedroom, sitting room, bathroom and landing.
- The proposal would set a poor precedent for similar type development in the area, as two-storey front extension is not in keeping with the established pattern of development in the area, and would adversely affect the character of the Broadford estate.

(2) Eamonn Fahy & Catherine Ryan

- The proposed development of a two-storey front extension with a new hipped roof to no. 31 Broadford Avenue would have an adverse visual and overbearing impact on their property at no. 29 Broadford Avenue, adjacent, by reason of its design, bulk, height and scale.
- The extension would be incongruous when viewed along the streetscape.
- The extension would have an adverse impact on residential amenity depreciating daylight / sunlight entering the bedroom and the living room having *inter alia* an adverse impact on the mental health of the residents due to a drastic reduction of light in the bedroom.
- The two-storey construction would depreciate outlook. Furthermore the observers are concerned in regard to fire spread.
- The effects of rain run-off from the observers roof is also a concern, as there is a one shared gutter.
- The development would set a poor precedent as the proposal would render the building inconsistent with its neighbours, would have an adverse impact on the overall composition of the terrace and the character of the estate.

(3) Chandralal Hewage

- The observer is the resident of no. 60 Broadford Avenue opposite the proposed development.

- The two-storey extension would be out of character with the neighbourhood and would give an unpleasant character to the houses setting a poor precedent.
- The observer considers that the proposal is inconsistent with the established pattern of development and has not seen any two-storey front extensions in the Broadford estate.
- The proposal is inconsistent with the planning authority guidance, which has been mis interpreted by the applicant architect.

7.0 Assessment

- 7.1. The following assessment covers the points made in the appeal submission and is my *de novo* consideration of the application. It is noted there are no new substantive matters for consideration.
- 7.2. The appellant proposes to build a two-storey front extension comprising a floor area of approximately 17 sqm. (17.4sqm). The gross floor area of the existing house is given as 107 sqm. The extension would accommodate at ground floor level additional reception space and a WC & store. The first floor level would accommodate an ensuite bathroom and additional bedroom floor area.
- 7.3. The reconfiguration of internal accommodation would facilitate the relocation of the main entrance to the dwelling house to the side of the house on the ground floor of the east gable elevation. The extension would have a pitched roof to match the existing pitched roof of the house. The material finish of the extension would match the existing elevation finish.
- 7.4. The planning authority refused planning permission as the proposed development would have an adverse visual impact and would have an overbearing impact on the adjacent property at no. 29 Broadford Avenue. Furthermore, the two-storey front extension would represent an incongruous element in the streetscape. Therefore, the proposal would set a poor precedent for similar type development in the surrounding area inconsistent with development plan policy for front extensions.
- 7.5. The appellant claims that the proposed two-storey front extension as designed would not have an adverse visual impact, would not be overbearing, including its potential

impact on adjoining properties, and would not represent an incongruous development when viewed along the streetscape. The appellant notes that two-storey front extensions are acceptable in principle, as provided for by development plan policy dependent on scale.

7.6. The zoning is objective "A": *To provide residential development and improve residential amenity while protecting the existing residential amenities.* The extension of an existing dwelling house is permissible subject to compliance with the overall policy objectives for the zone, would not have undesirable effects and, would otherwise be consistent with the proper planning and sustainable development of the area.

7.7. Section 12.3.7.1 (i) ('Extensions to Dwellings-Extensions to the Front') of Dun Laoghaire-Rathdown County Development Plan 2022-2028 provides guidance in the matter of front extensions. Section 2.3.7.1 (i) *inter alia* states:

Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. A break in the front building line will be acceptable, over two floors to the front elevation, subject to scale and design however a significant break in the building line should be resisted unless the design can demonstrate to the Planning Authority that the proposal will not impact on the visual or residential amenities of directly adjoining dwellings. Excessive scale should be avoided.

7.8. The appellant states that the proposed extension would be appropriate in scale. It would project by 1.9m (1600mm internal dimension) beyond the established building line and would match the projection of the existing single-storey extension to the front of no. 29 Broadford Avenue. However, I note that the proposed extension would also project at the same dept (1.9m) beyond the front building line at first floor level.

7.9. The two-storey extension would extend across the full frontage of the street elevation of the house. The proposal would provide for a two storey oblong extension to the front of the dwelling house where the long side of the oblong would attach to the front elevation and the short side of the oblong would project beyond the building line.

- 7.10. The planning case officer considers that a two-storey extension of this size, scale and height would have an adverse impact on the residential and visual amenities of no. 29 Broadford Avenue *inter alia* given the proximity of the extension to the first-floor window of the abutting property at no. 29 Broadford Avenue. I would concur with the planning case officer.
- 7.11. The planning case officer notes that there is no other example of a two-storey front extension in the surrounding area. I can confirm that I walked the adjacent streets on the day of my site visit and that no other two-storey front extension is evident. I concur with the planning case officer that the two-storey front extension would be incongruous in the streetscape and would set a poor precedent.
- 7.12. I note the observations of third parties, including the observations of the resident of the abutting house at no. 29 Broadford Avenue. I have considered these observations in detail.
- 7.13. I conclude notwithstanding that the proposed development would provide a reasonable upgrade of accommodation on site, the proposed two-storey massing of the front extension would have a significant adverse visual impact on the Broadford Avenue streetscape given the uniformity of the existing housing stock on Broadford Avenue above ground floor level. Furthermore, the two-storey element of the development would have an overbearing impact on the front façade of the abutting semi-detached property at no. 29 Broadford Avenue. The development should be refused permission.

7.14. Appropriate Assessment Screening

The proposed development comprises a front extension in an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

8.0 Recommendation

- 8.1. I recommend the refusal of planning permission for the reasons and considerations outlined below.

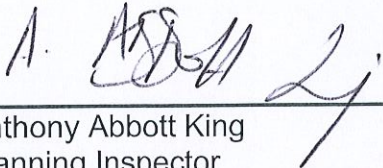
9.0 Reasons and Considerations

Having regard to the grounds of appeal, the reason for refusal, the observations of third parties, the residential zoning objective, which seeks to improve residential amenity while protecting existing residential amenities, and the policy framework provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028 for domestic extension, it is considered that the proposed two-storey front extension would in terms of its overall size, scale and height represent a discordant two-storey element in the streetscape, which would have overbearing impacts on the abutting semi-detached house at no. 29 Broadford Avenue, inconsistent with Section 2.3.7.1 (i) (Extensions to the Front) of Dun Laoghaire-Rathdown County Development Plan 2022-2028 and, as such, would be inconsistent with the proper planning and sustainable development of the area.

10.0 Reason for Refusal

1.	<i>It is considered that the proposed development, for a two-storey front extension with new hipped roof element by reason of its design, bulk, height and scale, would have an adverse visual impact and have an overbearing impact on adjacent property at no. 29 Broadford Avenue, and would be incongruous when viewed along the streetscape. The proposed development would set a poor precedent for similar type development in the area. The proposed development therefore fails to comply with Section 12.3.7.1 (i) of the County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.</i>
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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.



Anthony Abbott King
Planning Inspector

27 January 2025