



An
Bord
Pleanála

Inspector's Report

Development	Attic conversion & extension to rear of dwelling including additional fenestration at 25 Haddington Park, Glenageary, Co. Dublin.
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D16A/0207
Applicant	David Lucas
Type of Application	Permission
Planning Authority Decision	Grant
Appellant	Hazel & Leonard Sheil
Type of Appeal	3 rd Party v. Grant
Observer(s)	None
Inspector	Colin McBride
Date of Site Inspection	03 rd October 2016

1.0 Site Location and Description

- 1.1 The appeal site, which has a stated area of 0.0548 hectares, is located in the residential development of Haddington Park, which is located to the east of Glenageary and accessed off Albert Road Upper. The site is occupied by a single-storey semi-detached dwelling with the other dwelling part of the pair located to the south (no. 24). Immediately to the north is a detached single-storey dwelling (no. 26 Haddington Park) and to the west is a detached two-storey dwelling that backs onto the site and fronts onto Marlborough Road. Existing boundary treatment on site consists of 1m high walls around the front garden and 1.8m high walls to the rear.

2.0 Proposed Development

- 2.1 Permission is sought for a one and a half storey extension to the rear of an existing dwelling, together with an attic conversion including 2 no. dormer windows to the front, 1 no. dormer window to the side and 1 no. dormer window to the rear. The proposal also entails widening of the existing vehicular access. The proposed extension/increase in habitable floor space is 139.38sqm. The vehicular entrance is to be widened to 4.8m in width; however such was reduced to 3.5m in response to further information.

3.0 Planning Authority Decision

3.1 Decision

- 3.1.1 Permission granted subject to 13 no. conditions. Of note are the following conditions...

Condition no. 2: Glazing in rear facing dormer and dormer on north facing roof plane to be obscure glazing.

Condition no. 3: The vehicular entrance is to be a maximum of 3.5m in width.

3.2 Planning Authority Reports

3.2.1

- (a) Drainage Planning (25/04/16): No objection.
- (b) Transportation Planning (12/05/16): No objections subject to conditions including restricting the maximum width of the vehicular entrance to 3.5m.
- (c) Planning Report (19/05/16): Further information including clarification of the plans in regards to the dimensions and position of dormer windows,

which do not correspond on all the drawings submitted. The applicant was also requested to submit contiguous elevations and a revised plan showing the vehicular entrance reduced to 3.5m in width.

(d) Planning Report (15/06/16): The response to further information was considered acceptable. The design and scale of the proposal was considered to be acceptable in the context of the visual amenities of the area and the residential amenities of adjoining properties. A grant of permission was recommended subject to the conditions outlined above.

4.0 Planning History

4.1 D15B/0459: Permission refused for a single-storey extension to the side, one and a half storey to the rear, together with attic conversion with 3 no. dormer windows to front and 2 no. dormer windows to the rear. Refused based on one reason which is as follows....

1. The proposed extension to the side of the existing dwelling would be located within the required 6 metres wide wayleave of a 225mm diameter combined public sewer. The proposed development would, therefore, be prejudicial to public health and would not be in accordance with the proper planning and sustainable development of the area.

5.0 Development Plan

5.1 The relevant plan is the Dun Laoghaire Rathdown County Development Plan 2016-2022.

The site is zoned Objective 'A' with a stated objective 'to protect and/or improve residential amenity'.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A third party appeal has been lodged by Helen Murray Architects on behalf of Hazel & Leonard Sheil, 24 Haddington Park, Glenageary, Co. Dublin. The grounds of appeal are as follows...

- The appellants raise concerns regarding the proximity of the proposed dormer windows to the rear and front to the boundary the existing dwelling shares with their property, no. 24. It is considered their proximity would have a visually overbearing impact and requests for them to be setback further to reduce impact in regards to noise pollution and fire hazard.
- The appellants question the accuracy of the plans in regards to the actual dimensions of the proposed dormer windows noting that the applicant was requested to clarify such as per further information. The appellants question whether this has been adequately clarified and note that the dormers shown in the plans submitted as per further information would be out of scale and character with the existing and adjoining dwellings at this location. The appellants noted that the size and position of the dormers relative to no. 24 would have an overbearing impact and result in overlooking as well being at odds with Development Plan policy regarding dormer extensions set down under Section 8.2 (Development Management) of the County Development Plan.
- The appellants raise concerns about the size and proximity of the rear extension to the boundary with no. 24. The extension is described as a two-storey extension and is considered to have an overbearing impact relative to no. 24 due to its mass and proximity to the boundary. The appellants also question the level of separation in regards to the dimensions from the boundary with their property.

7.0 Planning Authority Response

7.1 Response by Dun Laoghaire Rathdown County Council.

7.1.1

- It is considered that the proposed development revised by way of further information is acceptable and would not seriously injure the residential amenities of the area or property in the vicinity.

7.2 Response by Vincent JP Farry & Co Ltd on behalf of the applicant David Lucas.

7.2.1

- It is noted there are numerous examples of front facing dormer windows permitted in the area and the scale, number and position of the proposed dormer windows on the front elevation would be acceptable in the context of visual and residential amenity. It is also noted that the dormer window

projecting to the side would be acceptable and was not raised in the appeal submission.

- The applicant clarifies the dimensions of the proposed dormer windows and notes the rear facing dormer window would not have an overbearing impact on the appellants' property as well as noting that condition no. 2 requires fitting of obscure glazing.
- The applicant notes that the scale of the rear extension is acceptable and has adequate regard to the amenities of the appellantss property and would not impact adversely on such.

8.0 Assessment

8.1 Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Principle of the proposed development
Design, scale, visual/residential amenity
Traffic/access
Other Issues

8.2 Principle of the proposed development:

8.2.1 The proposal is for a two-storey (first floor within the roof space) extension to the rear of an existing dwelling. The proposal includes an attic conversion with two new dormer windows on the front elevation, a new dormer window on the side elevation to facilitate a set of stairs and a dormer window on the rear elevation. The site is zoned Objective 'A' with a stated objective 'to protect and/or improve residential amenity'. The proposed development is an extension of an existing dwelling in an established residential area. The principle of the proposed development is acceptable. The overall acceptability of the development is contingent on it being satisfactory in regards to the visual amenities of the area and the residential amenities of adjoining properties.

8.3 Design, scale, visual/residential amenity:

8.3.1 In regards to visual amenity the bulk of the development is not visible in the surrounding area/public realm consisting of a two-storey extension to the rear. The visible element includes 2 no. dormer windows on the front elevation and a new dormer window on the side (north facing roof plane). The new dormer windows on the front elevation are acceptable in the context of the proportions relative to the existing roof profile and would not be out of scale with the existing dwelling. I would also consider that the dormer window on the side

elevation is of an acceptable scale and would not be out of scale or character with the proportions of the existing dwelling and roof profile. I am also satisfied that the applicant has clarified by way of further information the extent, scale and positioning of the dormer windows proposed. Having regard to such facts I would consider that the proposal would be acceptable in regards to the visual amenities of the area and would not have a disproportionate visual impact at this location.

8.3.2 There were issues with the dimensions on the drawings that have been corrected with the revised plans submitted by way of further information the ones that should be considered. The extension to the rear projects 4.885m beyond the rear building line of the existing dwelling and has ridge height of 6.012m. The first floor level of the extension is entirely in the roof space so the ridge height of the extension decreases moving north and south as it gets closer to adjoining properties. The level of separation between the proposed extension and shared boundary with no. 24 (appellants' property) is 2.5m, however the roof overhangs by 1.5m beyond the southern elevation of the extension and ends 1m away from the boundary (not 1.4m as shown in the originally submitted plans). I would consider that the overall scale and design of the extension relative to the appellants' property (no. 24) is satisfactory. Although featuring first floor accommodation, the extension reduces in ridge height as it gets closer to the boundary with no. 24 to the extent that it is of scale that would be acceptable in the context of residential amenity. In addition the proposed extension is located to the north of the appellants' property and would have no significant impact in regards to loss of light or an overbearing impact of any kind. I would note that the extension appears closer due to the large roof overhang and is actually setback 2.5m from the boundary. The roof overhang could be removed by way of condition if considered necessary and appears to be included to provide some balance with the height of eaves on the northern side of the extension.

8.3.3 The appellants' also raise concerns regarding the impact of the dormer window on the rear elevation with it considered to have an overbearing impact due to its scale and proximity to their rear garden. I am satisfied that the provision of dormer window on the rear elevation would not be out of character at this location. The existing dwelling is a suburban location with a wide variety of dwellings types and the provision of first floor accommodation is acceptable and would provide for a pattern of development that is typical of a suburban area such as this. In terms of scale of proximity the dormer window would not be out of scale with the existing dwelling and fits well into the roof profile and is orientated to the rear as per the orientation of existing dwellings in the vicinity. The window serves a bathroom and a condition was attached requiring it to be fitted with obscure glazing. I would have no issue with this window having normal glazing but would note that the applicant has

not raised any issue regarding this condition. In this regard I would retain this condition in the event of a grant of permission. I would consider also that the front facing dormer windows would have no adverse impact on the residential amenities of the appellants' property and that the design of all dormer windows would be acceptable in the context of Development Plan policy for such under Section 8.2 (Development Management).

8.3.4 In regards to impact on the residential amenities of the existing properties, the level of separation between the rear extension and the dwelling to the west backing onto the site (fronting Marlborough Road) and the dwelling immediately to the north (no. 26 Haddington Park) are sufficient to protect the residential amenities of such properties. The dormer window on the side faces towards the side elevation of no. 26 (owner made a submission at application stage regarding concerns in relation to overlooking of his garden). This dormer window is required to provide a set of stairs to facilitate access to the first floor. Condition no. 2 requires it to be fitted with obscure glazing. I am satisfied that subject to such a condition that the dormer would be satisfactory in the context of the residential amenities of no. 26. Subject to some conditions regarding glazing I would consider that the overall design and scale of the extension has adequate regard to the amenities of adjoining properties and would not be injurious to such.

8.4 Traffic/access:

8.4.1 The proposal entails the widening of the existing vehicular access from 2.515m to 4.8m. In response to a further information request this has been revised to 3.5m in width. This amendment to the existing access would be acceptable in the context of traffic safety and convenience.

8.5 Other Issues:

8.5.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

9.1 I recommend a grant of permission subject to the following conditions.

10.0 Reasons and Considerations

10.1 Having regard to the provisions of the current Dun Laoghaire Rathdown County Development Plan 2016-2022, to the pattern of development in the 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. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and as amended by the further plans submitted on the 30th day of May 2016, 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.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:

(a) The dormer windows on the rear plane and north facing plane of the roof are to be fitted with obscure glazing and maintained as such permanently.

Reason: In the interests of residential amenity.

3. The external finishes of the proposed extension, including roof tiles/slates, shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

4. 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. All surface water generated within the site boundaries shall be collected and disposed of within the curtilage of the site. No surface water from roofs, paved areas or otherwise shall discharge onto the public road or adjoining properties.

Reason: In the interest of public health and to ensure a proper standard of development.

5. The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 to 1400 hours on Saturdays and not at all on Sundays and Public Holidays.

Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of adjoining residential occupiers.

6. 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 the 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 matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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.

Colin McBride
06th October 2016