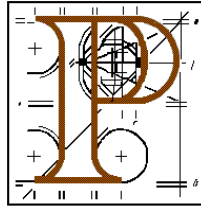


An Bord Pleanála



Inspector's Report

Appeal Reference No. **PL29N.246760**

Development: Construction of an attic room with en-suite and dormer to the rear and associated site works at 7 Iona Avenue, Drumcondra, Dublin 9.

Planning Application

Planning Authority: Dublin City Council

Planning Authority Reg. Ref.: 2590/16

Applicant: Yasmin and Kevin Lynch

Planning Authority Decision: Refuse

Planning Appeal

Appellant(s): Yasmin and Kevin Lynch

Type of Appeal: 1st Party

Observers: None

Date of Site Inspection: 02/09/2016

Inspector: **L. Dockery**

1.0 SITE LOCATION AND DESCRIPTION

1.1 The subject site, which has a stated area of approximately 180 square metres, is located on the western side of Iona Avenue, Drumcondra, Dublin 9, opposite its junction with Carlingford Road. The site contains a two-storey, terraced dwelling, with an existing stated floor area of 123.6 square metres. I was unable to gain access to the rear of the property at the time of site visit. However, the information before me was adequate to allow me undertake a comprehensive assessment of the proposal.

2.0 PROPOSED DEVELOPMENT

2.1 The proposed development comprises

- attic room with en-suite
- standing-seam metal roof dormer to rear aspect of roof
- roof-window to front aspect of roof

2.2 The stated area of the additional space is 4 square metres. The proposed en-suite has a floor to ceiling height of 2.419 metres while the proposed attic room, which is shown as a bedroom on the submitted drawings has a stated floor to ceiling height of 1.913 metres. The proposed dormer has a depth of approximately 1.8 metres out from the existing rear elevation, an overall depth of approximately 5.6 metres and is constructed out from the existing roof pitch. It extends along the length of the rear roofslope at the eaves but is tapered away from the boundary as it moves towards the existing pitch. The northern side of the dormer extends out over an existing rear return and the rear elevation of the dwelling will be extended upwards to facilitate a window on the southern side of the dormer

3.0 PLANNING AUTHORITY'S DECISION

Permission REFUSED for one reason as follows:

1. The development, by reason of its scale and location-in the case of the dormer structure extending above the pitched roof two-storey rear return already existing to this house, and in the case of the rooflight, located to the front of the house-constitutes visually obtrusive features which are out of character with the established pattern including roofscapes of residential development at this location. It is considered that the development would therefore seriously injure the amenities of residential property in the vicinity. The proposed development would be contrary to Appendix 25 of the 2011 City Development Plan and it would be contrary to the proper planning and sustainable development of the area

4.0 TECHNICAL REPORTS

Planner's Report

The Planner's Report reflects the decision of the Planning Authority

Engineering Department- Drainage Division

No objections, subject to conditions

5.0 APPEAL GROUNDS

5.1 The grounds of the first party appeal may be summarised as follows:

- Considers that proposed development substantially complies with Development Plan and that under 'Z1' zoning, proposed development is permitted in principle
- Considers that proposed development complies with Appendix 25 of operative Development Plan in relation to dormer extensions
- Acknowledges that the proposed dormer covers a substantial area of the roof, though not as an upright box- has pitched side walls and a shallow fall to the roof- will be roofed in zinc rather than sand and cement/timber
- Discreet element, unapologetic in form

- Clearly identifiable as an addition to the existing fabric- this approach totally appropriate to period dwellings- feel the local authority has not taken due consideration of this critical and candid approach
- Propose to omit the rooflight and the element projecting over the rear return to make concession to the local authority's view-image attached of proposed revised roof dormer
- Considers approach by local authority is be restrictive- dormer is situated on a terrace of roofs, not cobbled onto a semi-detached dwelling where the resulting geometry is one which is completely to that outlined in Appendix 25
- Applicants wish to remain in this dwelling with their growing family- dwelling currently has two bedrooms
- The age and character of this dwelling is of its time- will become increasingly difficult for modern families to use without the benefit of extension

6.0 RESPONSES

- 6.1 A response was receive from the planning authority which states that they have no further comment to make.

7.0 OBSERVATIONS

- 7.1 None

8.0 PLANNING HISTORY

None

9.0 DEVELOPMENT PLAN

The Dublin City Development Plan 2011-2017 is the operative County Development Plan for the area.

Zoning

The site is located within 'Zone 1' the objective for which is "to protect, provide and improve residential amenities".

Section 17.9 Standards for Residential Accommodation

Section 17.9.8 Extensions and Alterations to Dwellings

Appendix 25 Guidelines for Residential Extensions

10.0 ASSESSMENT

10.0.1 In my mind, the main issues relating to this appeal are

- Principle of proposed development
- Impacts on amenity of area
- Other issues

10.1 PRINCIPLE OF PROPOSED DEVELOPMENT

10.1.1 The subject site is located within 'Zone 1' of the operative City Development Plan, which seeks to 'to protect, provide and improve residential amenities'. This objective is considered reasonable. The proposed development provides for the construction of dormer extensions to an existing dwelling. I note that extensions have been constructed to other properties in the vicinity. I consider that the appropriate alteration and extension to an existing dwelling house to be acceptable in principle. I shall assess the individual merits of this case below.

10.2 IMPACTS ON AMENITY

10.2.1 This is the main issue of concern, namely the impacts of the proposed works on the amenity of the area. I note that the property forms part of a terrace of properties. I have a number of reservations regarding the proposal in its current form. I have serious reservations about the scale and extent of the proposed dormer, which essentially leads to the creation of a three storey element to rear. The bulk, scale and extent of this extension is considered excessive, in particular when viewed from neighbouring properties. While it would not be visible from the streetscape, I would have concerns regarding its impacts on the visual amenity of the area when viewed from surrounding properties. It is considered excessive in nature and visually unpleasing. The proposal in its current form is considered to be overdevelopment of the site and if permitted would set an undesirable precedent for other similar type

10.2.2 However, notwithstanding the above, I do consider that the roofslope may have the capacity to accommodate a scaled down version without detriment to the amenities of the area. I refer to Section 17.9.8 and Appendix 25 of the City Development Plan in this instance. I also acknowledge the difficulty of trying to adapt such dwellings to current standards for modern living. The appellants in their appeal submission have submitted images of a revised proposal for the proposed dormer to rear. They have essentially omitted the rooflight and element projecting over the rear return. I consider this to be a fair compromise. No scaled drawings have been submitted. However, I consider that this reduction in scale would largely address many of my concerns outlined above. I consider that the proposed scaled back proposal would be acceptable and consistent with the proper planning and sustainable development of the area. It would result in the omission of the proposed en-suite. It is a modern interpretation of a traditional dormer and would integrate acceptably with the existing property, which has no special designations pertaining to it. If the Bord is disposed towards a grant of permission, I recommend that the issue of omitting the element over the rear return and its associated rooflight be

dealt with by condition. I also recommend that the remaining opening be fitted with opaque glazing to at least 1.8m above finished floor level to avoid any issues of overlooking of adjoining properties.

10.2.3 I do not have issue with the proposed rooflight in the front roofslope. I consider that its size, scale and location on the roofplane is such that it would not be excessively dominant nor detract from the amenity of the streetscape.

10.3 OTHER ISSUES

10.3.1 I note the floor to ceiling heights of the proposed attic room is only 1.913 metres. The applicants are advised of the need to comply with all current Building Regulations. While shown as a bedroom, I recommend that it be used for storage purposes only. This matter should be dealt with by means of condition.

10.3.2 The subject site is located in an established residential area and is not located adjacent to nor in close proximity to any European sites, as defined in Section 177R of the Habitats Directive. Having regard to the nature and scale of the proposed development and/or the nature of the receiving environment and/or 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.

11.0 RECOMMENDATION

11.1 I recommend that the decision of the planning authority be OVERTURNED and that permission be GRANTED for the said works, for the reasons and considerations listed below.

REASONS AND CONSIDERATIONS

Having regard to the provisions of the provisions of the Dublin City Development Plan 2011-2017 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 adversely affect the residential or visual amenities of the area, would not lead to the depreciation of property values and would integrate well with other properties in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the appeal submission received by An Bord Pleanala on 20th day of June 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 development shall be amended such that:
 - a) Prior to the commencement of any works on site, the applicants shall submit revised drawings for the written agreement of the planning authority outlining the omission of the proposed dormer

element projecting over the rear return which accommodates the en-suite bathroom and its associated rooflight

- b) The remaining ope in the proposed dormer shall be fitted with opaque glazing to at least 1.8m above finished floor level
- c) The room at attic level shall be used for storage purposes only
- d) All elevations; fascias/soffits; rainwater goods, window frame glazing bars shall be finished in a dark colour so as to blend with the existing roof
- e) The rear dormer shall not accommodate solar panels whether or not they would be exempted development under the Planning & Development Act 2000 (as amended)

REASON: In the interests of visual and residential amenity

- 3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

- 4. The entire dwelling shall be used as a single residential unit

REASON: In the interests of clarity

- 5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

REASON: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development.

6. Site development and building works shall be carried only out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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 property in the vicinity.

L. Dockery

Planning Inspector

12th September 2016