



An
Bord
Pleanála

Inspector's Report

Development

Construction of new two-storey extension to side and single-storey extension to the rear of existing house, with a new dormer attic extension and conversion of attic space at 51 The Rise, Mount Merrion, Blackrock, Co. Dublin.

Planning Authority

Dun Laoghaire Rathdown County
Council

Planning Authority Reg. Ref.

D16A/0265

Applicant

Colm & Fiona O'Connor

Type of Application

Permission

Planning Authority Decision

Refuse

Appellant

Colm & Fiona O'Connor

Type of Appeal

1st Party v. Refusal

Observer(s)

None

Inspector

Colin McBride

Date of Site Inspection

27th September 2016

1.0 Site Location and Description

- 1.1 The appeal site, which has a stated area of 0.0497 hectares, is located to the north of Stillorgan and just east of the N11 dual carriageway. The appeal site is within an established residential area. The site is on the western side of The Rise. The site is occupied by a two-storey dwelling part of a pair semi-detached dwellings. The area is characterised by two-storey semi-detached dwellings, which are attractive in character having been constructed in the 1930's. The semi-detached dwellings in the area do exhibit a mix of designs. Immediately to the north of the site is no. 49, which is also a two-storey semi-detached dwelling (located at a lower level), to the south is the other dwelling that makes up the pair of semi-detached dwellings, no. 53 and to the west the site adjoins the rear garden of no. 32 Greenfield Road (boundary meets at an angle).

2.0 Proposed Development

- 2.1 Permission is sought for the construction of for the demolition of existing single-storey extension to rear and garage to the side with partial conversion of garage to utility, demolition of existing chimney to the side and partial replacement. Construction of new two-storey extension to the side and single-storey extension with roof light and chimney to the rear. New dormer attic extension and conversion of attic space with roof lights to the rear roof plane. The proposal also entails removal of existing windows and increased width of existing vehicular gateway to 3.5m. The proposed extensions have a gross floor area of 77sqm.

3.0 Planning Authority Decision

3.1 Decision

- 3.1.1 Permission refused based on one reason...

1. The proposed two-storey side extension results in the removal of the chimneystack and loss of detail of the chimney breast which would conflict with Policy AR8 Nineteenth and Twentieth Century Buildings, Estates and Features of the Dún Laoghaire Rathdown County Development Plan, which states: ' . . . to encourage the appropriate development of exemplar nineteenth and twentieth century buildings to ensure their character is not compromised' and to 'Encourage the retention of features that contribute to the character of exemplar nineteenth and twentieth century buildings and estates such as roofscapes, boundary treatments and other features considered worthy of retention.' This is contrary to the proper planning and sustainable development of the area.

2. It is considered that the design of the proposed dormer window is excessive in bulk and would be visually dominant in the roofscape and discordant when viewed in the context of the existing dwelling and the proposed rear extension. This is contrary to Section 8.2.3.4 (i) of the Dún Laoghaire Rathdown County Development Plan, 2016-2022. The proposed dormer would be seriously injure the visual amenities of property in the vicinity. This is contrary to the proper planning and sustainable development of the area.

3.2 Planning Authority Reports

3.2.1

- (a) Drainage Planning (19/04/16): No objection.
- (b) Transportation Planning (31/05/16): No objection subject to conditions.
- (c) Conservation Officer (01/06/16): The architectural significance of the existing dwellings is noted with concerns regarding impact of the removal of the chimney on the gable wall in terms of overall character and its conflict with policy AR8.
- (d) Planning Report (03/06/16): The design of the proposal would be inappropriate and contrary development plan policy regarding as it removes a distinctive features characteristic of the dwellings at this location (chimney stack). The dormer window on the rear elevation was also considered to be excessive in size. Refusal was recommended based on the reason outlined above.

4.0 Planning History

- 4.1 No planning history on site.
- 4.2 D15A/0127: Permission granted for construction of a two-storey extension at 26 Greenfield Road, Mount Merrion.

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'.

5.2 Policy AR8: Nineteenth and Twentieth Century Buildings, Estates and Features.

It is Council policy to:

- i. Encourage the appropriate development of exemplar nineteenth and twentieth century buildings and estates to ensure their character is not compromised.
- ii. Encourage the retention of features that contribute to the character of exemplar nineteenth and twentieth century buildings and estates such as roofscapes, boundary treatments and other features considered worthy of retention.

6.0 The Appeal

6.1 Grounds of Appeal

6.1.1 A first party appeal has been lodged by Bright Design Architects on behalf of the applicants, Colm & Fiona O'Connor. The grounds of appeal are as follows...

- It is noted the decision to refuse is unduly harsh, the dwelling is not a protected structure or in an ACA and the design included the provision of a chimney of similar design incorporated in the proposal.
- The building stock in the area is not consistent in design with the dwellings in the area having been extended in a varied design and scale. It is noted that the proposed extension does not disrupt visually harmony. The applicants/appellants note the chimney feature is not the most significant architectural element of the existing dwellings and that the design of the extension has adequate regard to the character of the existing dwelling.
- It is noted that the chimney in the adjoining dwelling is covered by an attached garage and that the sloped nature of the site and lower level of the existing garage is the reason the chimney is more exposed and prominent on the appeal site.
- The change in angle of the adjoining dwellings no.s 49 and 50 make the gable of the existing dwelling more visible and the proposal to extend to the side would have less impact on the amenities of the adjoining dwelling (no. 49) than a two-storey extension to the rear.
- The applicants/appellants list a number of precedents for side and rear extensions in the area and would note that the proposals would not be out of character and scale with developments permitted in the vicinity.

- It is noted that the dormer window on the rear is an appropriate size based on the size of the roof profile. It is noted that a reduction in scale of this element could have been dealt with by way of condition.

7.0 Planning Authority Response

7.1 Response by Dun Laoghaire Rathdown County Council.

7.1.1

- It is noted that the grounds of appeal raise no new issues which would justify a change in attitude to the proposal.

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
Density, siting, visual/residential amenity
Architectural character
Other Issues

8.2 Principle of the proposed development:

8.2.1 The proposal is for partial demolition and extension of an existing two-storey dwelling, with the construction of a two-storey extension, to the side, a single-storey extension to the rear and conversion of the attic with provision of a dormer extension on the rear roof plane. The site is zoned 'Objective 'A' with a stated objective 'to protect and/or improve residential amenity'. The proposal entails no change in use and is alterations to an existing residential unit. In this regard the principle of the proposal is acceptable with the main issue concerning the physical impact of the proposed structures in regards to adjoining amenities and the visual amenities of the area.

8.3 Density, siting, visual/residential amenity:

8.3.1 As noted above the proposal entails a two-storey extension to the side, a single-storey extension to the rear and an attic conversion with a dormer window extension in the rear roof plane. The main element visible in the surrounding area will be the two-storey extension to the side. It is proposed to demolish an existing attached single-storey garage, increase the finished floor level (to match existing dwelling) and construct a two-storey extension with a pitched roof and hipped gable, the extension extends 3m from the gable of the

existing dwelling and has a ridge height of 7.885m. The extension includes a chimney similar to the design and scale of the existing chimney stack that is to be demolished to facilitate the extension of the existing dwelling.

8.3.2 The two-storey extension is subordinate in design and scale to the existing dwelling with a ridge height 1m lower than the that of the existing dwelling. The design of the two-storey extension ties in well and is complimentary to the character of the existing dwelling. I would be satisfied that the overall design and scale of the extension would be satisfactory in the context of the visual amenities of the area. In regards to residential amenity, the two-storey extension is compliant with the established building line and the orientation of windows is consistent with the established pattern of development on adjoining sites. I would be satisfied that the two-storey element would have no significant or adverse impact on the residential amenities of adjoining properties.

8.3.3 The proposal also entails the provision of a single-storey extension to the rear. The extension has a flat roof and extends 6m beyond the rear building line (rear elevation is angled) and has a ridge height of 4m above the grounds levels of the rear garden (3.4m relative to finished floor level of dwelling). The extension is stepped back 1.73m from the northern boundary of the site and the adjoining rear amenity space associated with no. 49 and 2.6m from the southern boundary and the rear amenity space of no. 53 (southern elevation of the existing angles away from the southern boundary). I would consider that the overall design and scale of the single-storey extension to be satisfactory in the context of the visual amenities of the area as it is low profile and not unduly prominent in the surrounding area or when viewed from neighbouring properties. The single-storey extension is also satisfactory in the context of the amenities of the adjoining properties, due to its single-storey nature and the fact it is stepped back from the boundaries with adjoining properties.

8.3.4 The proposal entails conversion of the attic space to provide a bedroom and ensuite bathroom. The proposal entails the provision of a dormer window and a roof light on the rear roof plane. It is noted that one of the reasons for refusal relates to what is deemed to be the excessive scale of the dormer window in regards to overall visual impact. I would agree with the assessment that the scale of the dormer widow is excessive in scale and would be an obtrusive feature in the context of the visual amenities of the area. I do however consider that the principle of a dormer window of reduced scale would be acceptable. In the event of grant of permission being considered I would recommend a condition being applied requiring a revised proposal reduced in scale to the be submitted and agreed in writing with Planning Authority.

8.4 Architectural Character:

- 8.4.1 One the main reasons for refusal relates to the removal of the chimneystack and loss of detail of the chimney breast which was deemed to conflict with Policy AR8 Nineteenth and Twentieth Century Buildings, Estates and Features of the Dún Laoghaire Rathdown County Development Plan. It is policy under AR8 to “encourage the appropriate development of exemplar nineteenth and twentieth century buildings and estates to ensure their character is not compromised”. It is also policy to “encourage the retention of features that contribute to the character of exemplar nineteenth and twentieth century buildings and estates such as roofscapes, boundary treatments and other features considered worthy of retention”.
- 8.4.2 The existing dwelling is a two-storey semi-detached dwelling with an attractive character. The existing dwelling is neither a protected structure or within an Architectural Conservation Area. As noted in the previous section of this report, the overall design and scale of the extension is satisfactory both in the context of the character of the existing dwelling and the visual amenities of the area. I do not consider that the removal of the existing chimney would conflict with Policy AR8 or would be unacceptable subject to a satisfactory design proposal. I would also note that the applicants have attempted to incorporate a new chimney similar in character and scale to that being removed. I would consider that the proposal is satisfactory in the context of visual amenities and architectural character of the area.

8.5 Other Issues:

- 8.5.1 The proposal entails widening of the existing vehicular entrance to 3.5m. The alterations to the vehicular entrance area satisfactory in the context of traffic safety.
- 8.5.2 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, 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 window on the rear plane of the roof at second floor level is to be reduced in size by decreasing its height by at least 200mm and reducing its depth by at least 200mm.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interests of visual 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
28th September 2016