



Development	Partial Demolition, extension and alteration to existing house with associated works
Location	259 Collins Avenue, Whitehall, Dublin 9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3144/16
Applicant(s)	Helen and Colin Tierney
Type of Application	Permission
Planning Authority Decision	Split: Grant with conditions (ground extension) and Refusal (dormers)
Type of Appeal	First Party v Refusal
Observer(s)	None
Date of Site Inspection	9 th December 2016
Inspector	Suzanne Kehely

1.0 **Site Location and Description**

1.1. No 259 Collins Avenue is a semidetached dwelling in a mature residential area in the outer suburbs of Dublin City. The dwelling is a modest 4 bedroom dwelling of 110 sq.m. The roof profile is hipped and many houses in the vicinity have inserted dormers of varying styles and sizes to the side of the roof into the hip. The houses are typically set back 10m from the road – a busy local distributor road.

2.0 **Proposed Development**

2.1. It is proposed to alter and extend the property by

- Extending the ground floor level by extending to rear by 4.9m x 7.35m and also building into the side passage
- Extending the attic level by way of two dormer windows; one in the side hip of the roof to provide a stairwell and head height, and the other to provide light for a fourth bedroom.
- In revised plans submitted in the appeal the dormer windows are modified. The bulk is reduced by scaling back depth and pitching the roofs but the hip dormer is more forward toward the house façade.

3.0 **Planning Authority Decision**

3.1. **Decision**

- Grant permission for single storey extension
- Refuse permission for dormer extension on the basis that it would be a dominant and incongruous third storey roof extension by reference to development plan standards for alterations to dwellings.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

- In terms of design and integration the planning authority is not satisfied with proposed dormer windows which are considered to form a top heavy additional floor and essentially do not comply visually with the principle of subordination.
- The development in terms of overlooking and residential amenity development standards is otherwise acceptable. There are no objectionable issues arising with respect to the ground floor proposals.

3.2.2. Other Technical Reports

Drainage: No objection

3.3. Prescribed Bodies

No submissions

4.0 Planning History

None recorded

5.0 Policy Context

5.1. Development Plan 2016-2022

The site is in an area governed by the objective to protect and/or improve the residential amenities (Z1) under the recently adopted 2016-2022 development plan. There is little difference from the previous plan as used by the planning authority in its assessment in respect of the site and development proposed

Section 16.10.12 refers generally to extension approach.

Appendix 17 refers to guidelines for residential extensions. Principally it

- Should not have an adverse effect on scale and character of the dwelling.
- Should not be dominant or overbearing for neighbours
- Should have a subordinate approach

Appendix 17.11 notably refers to roof profile and treatment.

- Dormer windows should be set back from eaves to avoid visual impact.
- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.
- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.
- Roof materials should be covered in materials that match or complement the main building.
- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

5.2. **Natural Heritage Designations**

Not relevant

6.0 **The Appeal**

6.1. **Grounds of Appeal**

- It is explained that the 110 sq.m. dwelling has a small fourth bedroom and bathroom by reference to current DCC minimum standards.
- There is an established precedent for attic conversion and incorporating side extension to roof
- There is an eclectic mix of extensions in the area
- The design approach was contemporary flat roof approach using quality materials towards the rear of the house which would be unduly visible for the road

- The applicant has redesigned by breaking up the bulk into two elements and expose more original roof slope in an effort to be more subordinate and by replacing the flat roof with a pitch roof.
- No 262 has a flat roof dormer to side
- The contemporary approach is mainlined in the rear dormer
- Both dormers are set back into the eaves
- Modified design could not be seen to detract from visual amenities of the area.

6.2. Planning Authority Response

None

7.0 Assessment

7.1. Issues

7.1.1. The appeal is against a decision to refuse permission for dormer windows at roof level. The attic level is part of an overall extension to a 110 sq.m. house dating from the 1930s. There is no dispute or issues arising in respect of the ground level extension and accordingly the issues in this case relate to the visual impact of the dormer extension.

7.2. Visual amenity

7.2.1. The planning authority considers the dormer extension to be excessive in scale relative to the overall house and roof style. The two dormers combined are considered to be top heavy and visually incongruous.

7.2.2. The appellant makes the case that the house is modest and the existing fourth bedroom and bathroom are substandard by reference to Dublin City Council's own standards. I note that the fourth bedroom is approx. 6 sq.m. I note the house is on a large plot scaling at approx 10m x 60m and is in a mature setting. In these circumstances I consider an extension of a family home at upper level to provide a fourth bedroom of at least minimum size is a reasonable proposal. I also note that in order to achieve this a stairwell needs to be inserted into what is fairly confined

accommodation. The proposal to insert this will involve minor reconfiguring of the first floor and it is in a logical place. It is evident that many other houses in the vicinity have done something similar. Accordingly, I consider the principle of providing dormer accommodation to provide habitable accommodation in this family home to be reasonable and acceptable.

7.2.3. The issue is therefore one of scale. While the development plan advocates a principle of subordination in extensions this rule is most applicable in determining the suitability of the proposal from the street. In view of the relationship between the semi-detached dwelling and the scale and extent of plots and separation distance from opposing windows I do not consider the issue of incongruity of the rear elevation as presented in its environs to be a substantive issue. It will not result in undue overlooking and is unlikely to be overbearing.

7.2.4. With respect to the street view the applicant has initially taken the design approach of setting the side dormer back at least half the depth of the house – i.e. not forward of the ridge line. The dormer was then set back from the eaves and a contemporary styling was proposed. In response to this particular aspect the applicant has revised the flat roof to a pitched roof with the street side slope of the roof and eaves now forward of the ridge. In my judgement there would be limited benefit. I am of the opinion that reduced window glazing in the stairwell would be an improvement either way.

7.2.5. On balance I consider either proposal would be acceptable and that the decision of the planning authority to refuse permission for the dormer windows should be reversed.

7.3. Appropriate Assessment

7.3.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

8.0 Recommendation

8.1. Grant Permission subject to conditions

9.0 Reasons and Considerations

Having regard to the nature of the proposed development the Board is satisfied that the proposed development would be in keeping with the existing character and pattern of development in the immediate area and would not otherwise unduly detract from the existing visual amenities of the area. The proposal would otherwise be in accordance with the proper planning and sustainable development of the area.

10.0 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 points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development may be amended in accordance with the revised plans submitted to An Bord Pleanála. In this event the applicant on commencement of development shall submit final drawings to the planning authority for its records.

Reason: In the interest of clarity

The dormer glazed window in the side elevation shall be obscured and narrowed to no greater than 1.2m. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the Planning Authority for such

4 works and services.

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

Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

5

Reason: In the interest of visual amenity.

Site development and building works shall be carried out only 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.

6

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 residential amenities of property in the vicinity.

Suzanne Kehely

Senior Planning Inspector

9th December 2016