



An
Bord
Pleanála

Inspector's Report PL29N.247682

Development	New ground floor layout, new first floor extension, relocate bathroom, convert attic and modifications to room.
Location	No. 9 The Paddocks, Blackhorse Avenue, Dublin 7
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3745/16
Applicant(s)	Fergus & Lisa Carolan
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	First Party
Appellant(s)	Fergus & Lisa Carolan
Observer(s)	None
Date of Site Inspection	25 th January 2017
Inspector	Donal Donnelly

1.0 Site Location and Description

- 1.1. The appeal site is located within The Paddocks housing estate near Ashtown approximately 4.5km north-west of Dublin city centre. The Paddocks comprises approximately 75 no. dwellings set around three culs de sacs with main access off Blackhorse Avenue (R806). There are residential developments to the east and west of the Paddocks, and Navan Road and Ashtown Roundabout are located to the north. Phoenix Park is located to the southern side of Blackhorse Avenue and Ashtown Gate is approximately 300m to the west.
- 1.2. The site is within the southern-most cul de sac within The Paddocks. There are 17 no. dwellings arranged around the northern and eastern sides of a green strip which fronts onto Blackhorse Avenue. All dwellings within the cul de sac and the wider estate are of similar design comprising 2-bay semi-detached structures with shared hipped roofs and canopies over porches. There are two types of finishes consisting of brick as well as mock timber frame and render.
- 1.3. No. 9 The Paddocks is a semi-detached dwelling positioned at the turning head of the cul de sac. The semi-detached pair at No's. 8 and 9 sit behind No's. 10 and 11, and in front of the detached dwelling at No. 7. The stated area of the site is 241 sq.m. and the existing dwelling has a floor area of 108.6 sq.m.

2.0 Proposed Development

- 2.1. The proposed development as described in planning notices is as follows:
 - Remodelling of existing ground floor layout to include a new glass sliding door to rear of kitchen and addition of 2 no. windows to side of kitchen wall;
 - New first floor rear extension to consist of a bedroom;
 - Remodelling of existing first floor layout to include relocation of bathroom;
 - Conversion of attic for use as study/ playroom;
 - Modifications to original roof to form side gable build-up with tiled apex roofs;
 - All drainage, structural and associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council issued notification of decision to grant permission subject to six conditions. Condition 2 the subject of this appeal states as follows:

“The proposed development at roof level shall adhere to the following:

- a) The proposed attic conversion and extension at roof level shall be permanently omitted.*
- b) The proposed 2 storey rear extension shall have a flat roof profile which shall match the eaves height of the existing dwelling.*
- c) The proposed gable end roof extension shall be omitted and the existing hipped roof profile shall be retained.*

Reason: *In the interest of the visual amenity and the proper planning and sustainable development of the area.”*

3.2. Planning Authority Reports

- 3.2.1. The recommendation to grant permission as outlined in the Planner’s Report, reflects the decision of the Planning Authority.
- 3.2.2. Under the assessment of the application, it is noted that a number of nearby properties have rear extensions and therefore this element of the proposal is acceptable in principle.
- 3.2.3. The Case Planner, however, has reservations regarding the scale and mass of the proposed rear extension. It is stated that the proposed attic conversion appearing as 3 storeys will be over-scaled and will form an imbalanced form of development. The pitched roof to the rear is also considered to be overbearing when viewed from No’s. 8 & 10. Thus, it is considered appropriate to omit the attic conversion and to change the pitched roof to a flat roof by way of condition. It is noted that an attic conversion, including an appropriately scaled and centrally located dormer may be achievable; however, the scale and mass of the current intervention is likely to have a detrimental impact on the existing dwelling and the amenities enjoyed by the

occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.

- 3.2.4. The replacement of a hipped roof with a gable end to the side of the dwelling is also a cause for concern. It is noted that there do not appear to be any properties along the streetscape that have gable end profiles and therefore the proposal would be out of character with the dwelling, adjoining property and the streetscape.
- 3.2.5. Subject to conditions omitting the attic conversion and alteration of the roof to the side, it is considered that the proposal will not have a detrimental impact on the residential and visual amenities of the area.

4.0 Planning History

- 4.1. There is no planning history on the appeal site.
- 4.2. The Board determined a case at No. 18 The Paddocks in June 2008 (Ref: PL29N.226315) where permission was granted for construction of a two-storey extension to the side and rear of the existing house. A condition attached to this decision limited the height of the first floor extension to a maximum of 5.5m.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Within the Dublin City Council Development Plan, 2016-2022, the appeal site is zoned Z1, where the objective is *“to protect, provide and improve residential amenity.”*
- 5.1.2. It is stated under Section 16.10.12 that applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal will:
- Not have an adverse impact on the scale and character of the dwelling;
 - Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.
- 5.1.3. Guidelines for residential extensions are included in Appendix 17. It is recognised in Section 17.11 that the roofline of the building one of its most dominant features and

any proposal to change the shape, pitch, cladding or ornament of a roof should be carefully considered.

5.2. Natural Heritage Designations

5.2.1. The South Dublin Bay and River Tolka Estuary SPA is located 6.7km east of the site and the South Dublin Bay SAC is approximately 8.6km to the south-east.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal has been lodged on behalf of the applicant against Condition 2 of the Council's decision. The appeal also includes an alternative design for the Board's consideration, which includes a mini-hipped roof to the side and a hipped roof to the first floor rear extension. The grounds of appeal and main points raised in the appeal can be summarised as follows:

- Profile of roofs across The Paddocks estate varies and is such that the proposed extension does not present a significant deviation from what is currently there.
- The corner house two doors down from the appeal site is detached and has a roof profile somewhat different to those around it.
- No's. 1-6 across the road are of mixed construction, consequently of varying roof profile.
- No. 9 is stepped back from the row of houses in front and has minimal visual impact on the houses either side.
- No. 9 is set into the corner of the estate and the visual impact from Blackhorse Avenue would be nominal.
- No. 9 is not generally overlooked from the rear and has good treeline coverage – direct visual impact from the rear is limited.
- There have been approvals within a number of sites in the Darling Estate to the rear involving the conversion of attic space.

- There are many examples in the Ashington housing estate on Navan Road where roof pitches have been extended out to the gable wall to facilitate attic construction.
- Blackhorse Road has multiple houses of varying construction – three newly built houses appear to be of significant variance to and somewhat contradictory to the declination of permission for the proposed development.

6.2. Planning Authority Response

6.2.1. The Planning Authority has no further comment to make.

7.0 Assessment

- 7.1. This is a first party appeal against Condition 2 only attached to Dublin City Council's decision to grant permission for a new first floor rear extension and conversion of attic to include modifications to roof to replace side hip with gable profile and rear gable build up with apex roof.
- 7.2. The main requirements of Condition 2 are that the existing side hipped roof shall be retained and the proposed attic conversion and extension at roof level to the rear shall be permanently omitted, with the 2 storey extension having a flat roof to eaves height.
- 7.3. Having regard to the fact that an extension to the dwelling is acceptable in principle and that other proposed modifications relate to internal reconfigurations and ground floor fenestration alterations to the side/ rear, I would be satisfied that an assessment of the case *de novo* would not be warranted, and therefore the Board should determine the matters raised in the appeal only in accordance with Section 139 of the Planning and Development Act, 2000 (as amended). It should also be noted that there were no objections to the proposal or observations on the appeal.
- 7.4. Appendix 17 of the new Development Plan includes guidelines for residential extensions and addresses matters such as the relationship between dwellings and

extensions; daylight and sunlight; appearance; and changes to roof profile. It is stated that extensions should be designed so as not to dominate or appear overbearing when viewed from adjoining properties. In this regard, an extension should normally be of an overall shape and size to harmonise with the existing house and adjoining buildings. It is also recognised that large two-storey rear extensions to semi-detached dwellings can result in loss of daylight to neighbouring houses if they project too far from the main rear elevation. The roofline of the building is recognised as being one of its most dominant features and any proposal to change its shape, pitch, cladding or ornament should be carefully considered.

- 7.5. It is proposed to construct a new extension to the dwelling that will involve the replacement of the existing hipped roof with a cross gable roof arrangement. The existing ridge with length of 2.078m will be extended at the same height (8.1m) by a further 3.85m to the side and approximately 6.7m to the rear. The 2-storey extension to the rear will project from the existing rear wall at first floor level by 2.355m. A new rear facing window is proposed at second floor level to the rear to serve the attic. The proposal will increase the floor area of the dwelling by 41 sq.m.
- 7.6. It is considered by the Planning Authority that the proposal, which gives the impression of a 3-storey rear extension, is over-scaled and creates an imbalanced form of development that will have an overbearing impact on adjoining properties. The Planning Authority also has concerns regarding the replacement of the hipped roof to the side with a pitched roof. This is considered to be a radical amendment and it is noted that there are no other properties in the streetscape that have been similarly altered.
- 7.7. In response to the Council's attachment of Condition 2, the applicant's agent highlights a number of variations within The Paddocks Estate and adjoining estates in terms of roof profile, building lines and design. In particular, it is noted that the detached adjoining dwelling at No's. 1-6 have varying roof profiles and reference is made to dormer extensions within the Darling Estate to the east. The applicant has also put forward a design amendment with the appeal submission to include a mini-

hip to the side and a hipped roof to the rear with the 2nd floor rear facing window being omitted.

- 7.8. I inspected The Paddocks Estate and observed that the original hipped roofs remain intact for all dwellings, including detached structures. This contributes to the overall consistency and ordered appearance of the estate. Any extensions have been carried out sensitively in a manner that preserves the way in which the dwelling is viewed in the street scene. I do not consider that adjoining residential estates constructed in different periods and architectural styles can act as a suitable precedent in this case. Furthermore, the prominent location of the cul de sac within which the appeal site is located, visible along Blackhorse Avenue, should be highlighted.
- 7.9. I would therefore be in agreement with the Planning Authority that the proposed alteration of the hipped roof to a side gable or mini-hip would disrupt the existing balance between the semi-detached pair, and interfere with the continued rhythm of roof profiles within The Paddocks Estate. The proposal (and amendment) also impacts on the established proportions and symmetry within the estate and will be visually discordant and out of character with the established pattern of development in the area.
- 7.10. The retention of the hipped roof to the side of the dwelling would have impacts on access to the attic level that may render an attic conversion with stairs over existing stairs impossible. A flat roof profile to the rear in place of the proposed pitched roof is one of the only practical solutions in this case. In addition, I would be in agreement that the proposed extension to the rear up to 8.1m in height would have adverse overbearing impacts on adjoining properties and would further limit the sunlight and daylight access to No. 8 The Paddocks.
- 7.11. Having regard to the above, I would agree with the Planning Authority's reasons for attaching Condition 2 to the notification of decision to grant permission.

8.0 Appropriate Assessment

- 8.1. Having regard to the nature of the proposed development and/or 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 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. Having regard to the nature of condition no. 2 the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 (as amended) to RETAIN said condition for the reasons and considers hereunder.

10.0 Reasons and Considerations

- 10.1. Having regard to the established pattern of development in the area, and to the scale and design of the proposed extension, it is considered that it is appropriate to retain Condition no. 2 to protect the residential and visual amenities of the area and in the interests of the proper planning and sustainable development of the area.

Donal Donnelly
Planning Inspector

31st January 2017