



An  
Bord  
Pleanála

## Inspector's Report PL06F.247688

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<b>Development</b>	Retention of modifications to previously approved dormer windows to side and rear (PL06F.238037) and permission for two-storey extension to side
<b>Location</b>	38 Burrowfield Road, Sutton, Dublin 13
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F16B/0237
<b>Applicant</b>	Mick Mohan
<b>Type of Application</b>	Retention and permission
<b>Planning Authority Decision</b>	Split decision
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Mick Mohan
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	2 <sup>nd</sup> March 2017
<b>Inspector</b>	Niall Haverty

## 1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.061ha, is located on Burrowfield Road to the north-west of Sutton village in Dublin 13. Burrowfield Road is a residential road connecting Warrenhouse Road (R809) to the west with Strand Road (R106) to the east. The dwellings on the northern side of the road are bungalows, while those on the southern side are semi-detached two storey dwellings with hipped roofs. There is also a cul-de-sac known as James McCormack Gardens off the southern side of Burrowfield Road.
- 1.2. No. 38 is the eastern dwelling of a semi-detached pair located on the southern side of the junction of Burrowfield Road and James McCormack Gardens. The appeal site has a wider street frontage than most adjacent dwellings, owing to its corner location. The site has a frontage of approximately 18m, which tapers to c. 5.6m to the rear of the long back garden which has a length of c. 58m. The DART railway line is located to the rear of the site.
- 1.3. The dwelling has a stated floor area of 192.5 sq m and is a two storey structure with a converted attic (indicated as 'attic store' on plans). The dwelling features a single storey flat roofed garage attached to the eastern side elevation with a single storey extension to the rear. The dwelling has a hipped roof with dormer windows located in both the side and rear roof slopes, and there is a canopy roof on the front elevation over the garage and entrance door.

## 2.0 Proposed Development

- 2.1. The proposed development consists of:
  - Retention permission for external modifications to previously approved dormer windows to side and rear (Ref. PL06F.238037) and entrance canopy to front of existing dwelling.
  - Permission for two storey extension to side with modifications and increased floor space to previously constructed single storey extension to the rear. The stated area of the proposed extension is 66.4 sq m.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. Fingal County Council issued a split decision, granting retention permission for the modified dormer windows to the side and rear and the entrance canopy to the front elevation, and refusing permission for the two storey extension to the side.

3.1.2. The reason for refusing permission for the extension was that, having regard to the scale, height and design of the extension and the prominent location of the site on the corner of Burrowfield Road and James McCormack Gardens, the development would visually unbalance the relationship with the adjoining semi-detached property and would adversely impact on the visual amenity of the surrounding area.

### **3.2. Planning Authority Reports**

3.2.1. The Planning Officer's report can be summarised as follows:

- Floor plans indicate that existing extension to rear, which is stated as having been built as exempted development, exceeds 40 sq m and retention permission should be sought.
- Proposal is acceptable in principle within the zoning objective.
- Dormer windows and canopy roof over garage and entrance door do not give rise to any significant adverse impacts on visual amenity or residential amenity and are acceptable.
- Proposed extension will not have significant adverse impact on adjoining residential amenity but dwelling is highly visible in the streetscape due to location of site at corner of Burrowfield Road and James McCormack Gardens.
- Extension would detrimentally unbalance the relationship with the adjoining semi-detached property and would be visually obtrusive and incongruous in the streetscape.
- Other dwellings in vicinity which have side extensions over garages are more modest in scale and in keeping with character.

- There may be scope for modest first floor extension, but nature and extent of proposal is excessive given confines of site.
- Proposed development would have detrimental impact upon visual amenity of the surrounding area.

### 3.3. Other Technical Reports

- None.

### 3.4. Prescribed Bodies

- None.

### 3.5. Third Party Observations

- None.

## 4.0 Planning History

### 4.1. Appeal Site

#### 4.1.1. ABP Ref. PL06F.238037; Reg. Ref. F10B/0251

Planning permission was granted in 2011 for dormer windows to the side and rear elevations to allow for the conversion of the attic to a children's playroom. Condition 2 stated that the converted attic room shall not be used for human habitation.

Permission was originally sought for two zinc clad dormers, with the dormer to the rear having a square profile with a width of 2m, and the dormer to the side elevation featuring a curved profile and downward sloping ridgeline with a width of 2.3m. The Board subsequently issued a section 137 notice stating that the side dormer by reason of design and materials might seriously injure the visual amenities of the area, and invited revised drawings for a dormer more in keeping with the roof form and materials in the vicinity. The revised proposal, for which planning permission was granted, was a hipped dormer featuring concrete roof tiles and shingles with a rooflight in place of a window.

## 4.2. Surrounding Area

### 4.2.1. Reg. Ref. F05B/0418

Planning permission was granted in 2005 at 32 Burrowfield Road for the construction of a first floor extension over the existing garage to the side of the dwelling, construction of a rear extension and conversion of the attic space. Condition 4 required the replacement of the two proposed dormer windows to the rear elevation with a centrally located single dormer window not exceeding 1700mm in width and an additional roof light.

### 4.2.2. Reg. Ref. F03B/0342

Planning permission was granted in 2003 at 14 Burrowfield Road for the conversion and extension of the garage to the side of the dwelling.

### 4.2.3. Reg. Ref. F14B/0129

Retention permission was granted in 2014 at 14 Burrowfield Road for a single storey extension to the rear of the dwelling.

## 5.0 Policy Context

### 5.1. Fingal Development Plan 2011-2017

5.1.1. The appeal site is located within land-use zoning objective RS in the Fingal Development Plan 2011-2017. This objective seeks to provide for residential development and protect and improve residential amenity.

5.1.2. I note that there is no change to the zoning objective and no significant change in the planning policy context of the appeal site under the Amended Draft Fingal Development Plan 2017-2023, which is due to be adopted in March 2017.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The applicant's grounds of appeal can be summarised as follows:

- Proposal complies with zoning objective.

- No observations were submitted to Planning Authority, particularly from owners of adjacent properties.
- Applicant's house is no more highly visible than any other property on Burrowfield Road. It is unfair of Planning Authority to impose restrictions on some properties more than others on the basis of their location.
- 'Nature' of development is standard two storey extension in keeping with existing house. 'Scale' and 'extent' builds to site boundary. Noted that there is no significant gap between applicant's property and No. 36 due to existing extension and orientation of properties.
- Other properties in the area have been granted permission by Fingal County Council for similar developments, i.e. flat roofed extensions over existing garage to site boundary. Reference to precedent at Nos. 47 and 50 – 52 Strand Road, Baldoyle.
- Additional floor space is required to accommodate increase in family size.

## 6.2. Planning Authority Response

6.2.1. The Planning Authority's response can be summarised as follows:

- Nature, scale and extent of two storey side extension would detrimentally unbalance relationship with adjoining house.
- Extension would be visually obtrusive and incongruous in the streetscape.
- First floor extensions over garages in the vicinity are modest in scale and in keeping with the character of the host dwelling.
- Development would adversely impact on the visual amenity of the surrounding area.
- Request that decision be upheld, but that a development contribution be imposed if permission is granted.

## 6.3. Observations

- None.

## 6.4. Further Responses

- None.

## 7.0 Assessment

7.1. I consider that the key issues in determining the appeals are as follows:

- Visual impact.
- Residential amenity.
- Other issues.
- Appropriate assessment.

## 7.2. Visual Impact

7.2.1. The dormer windows for which retention permission is sought are relatively sizable with the rear dormer being 2.38m wide, and the side dormer being 2.06m wide, which is the opposite of the permitted widths for the two dormers. Both dormers are lower than the ridge height of the existing roof and commence above eaves level. I consider that the dormers are not unduly visually obtrusive or out of scale when considered in the context of the overall roof width, with the rear dormer set back from the boundary with the adjoining house by 340mm and the side dormer located towards the centre of the side elevation. I also consider that the design of the dormer windows is broadly consistent with the existing roof in terms of the hipped nature of the dormer roofs and the use of matching concrete roof tiles and timber-effect PVC cladding which complements the existing roof structure. While the dwelling is prominently located on a corner within a wider than usual site, I do not consider that the modified dormer windows significantly detract from the character of the dwelling or the streetscape or have a significant adverse visual impact, due to their design and scale being subservient to the main roof and their materials being consistent with the existing character of the structure. I note that two neighbouring houses on Burrowfield Road (Nos. 16 and 22) also feature similar dormer windows to their side elevations, while a number of houses also have rear dormers. With regard to the dormer on the side elevation, I consider the modified design to be broadly consistent with the spirit of the section 137 notice issued by the Board in respect of the previous

appeal at this site (Ref. PL06F.238037), since the materials and hipped roof on the dormer are more consistent with the existing structure and do not injure the visual amenities of the area in the same way that the original curved proposal did. Having regard to the foregoing, I therefore consider the modified design of the dormer windows to be acceptable in terms of visual impact.

7.2.2. With regard to the canopy on the front elevation over the garage and entrance door for which retention permission is sought, I consider that it complements the design of the roof with regard to its materials and hipped end detailing and is of a modest scale. It does not increase the floor area of the dwelling and I consider that it is an appropriate form of development that serves to integrate the single storey garage and two storey dwelling. While it does reduce the uniformity of appearance between the two semi-detached houses, I note that many of the houses along Burrowfield Road have been altered and extended in various ways over their lifetime which adds to the character and visual interest of the street, and I do not consider that the canopy detracts from the character of the dwelling or the wider streetscape.

7.2.3. The proposed two storey extension to the side of the dwelling, with associated extension of an existing single storey rear extension is significant in scale relative to the main dwelling. The extension comprises a flat roofed structure with a height of 6.3m, and a parapet that extends c. 0.7m above the eaves of the existing house. The front elevation of the proposed extension is 7.44m wide, which is significantly greater than the 6.15m width of the existing dwelling. Due to the location of the site at a corner and the wedge shaped nature of the site, the front building line of the extension will protrude in front of the adjacent house to the east. Rather than being subservient to the existing dwelling, the proposed extension is both wider and taller than the eaves level of the existing dwelling and I consider it to be overly dominant. The use of a flat roof rather than a pitched roof over this excessively scaled extension is visually incongruous in the streetscape and the prominent corner location of the house serves to exacerbate this impact on the visual amenities of the area. I therefore consider the scale and design of the proposed extension to be visually obtrusive.

7.2.4. Having regard to the foregoing, I concur with the Planning Authority that the proposed extension would serve to unbalance the relationship with the adjoining semi-detached house at this prominent corner site due to its excessive scale and



design which is out of character with the existing structure and the pattern of development in the area.

- 7.2.5. The applicant submits that other houses in the vicinity have extended to the side over existing garages. However, it is clear that those extensions are more modest in scale, being limited to the width of the garage and are in proportion to the scale of the existing house. The proposed extension in this instance is excessively scaled, which allied to its incongruously extensive flat roof would be overly dominant in the streetscape and would impact on the visual amenities of the area. I therefore recommend that permission should be refused for the proposed extension.

### **7.3. Residential Amenity**

- 7.3.1. Having regard to the site context and the orientation of both the existing dwelling and the proposed extension, I do not consider that the proposed extension would result in any significant overshadowing or overbearing impact on the adjacent houses to the east and west.
- 7.3.2. With regard to the potential for overlooking, there are no windows on the side elevation of the proposed extension, and only one window on the rear elevation, which serves an en-suite bathroom, and therefore would not be likely to result in overlooking if opaque glazing was utilised. With regard to the potential for overlooking arising from the dormer windows, I note that the side dormer accommodates the stairs up to attic level and will only give rise to occasional and fleeting glimpses towards the side elevation of the adjacent dwelling. While the adjacent dwelling has windows in its side elevation at first floor level, these are located at a lower level and feature opaque glazing. The rear dormer provides a view down the c. 58m long rear garden, and while it will be possible to obtain a view into the rear garden of the adjoining semi-detached house, I note that the window within the dormer structure is relatively small and I do not consider that the level of overlooking is any greater than would have occurred previously from the first floor bedroom window with which the dormer is more or less aligned. It is also of note that the rear boundary walls between properties along Burrowfield Road are generally lower than would typically be the case on a suburban road, such that no properties benefit from a great level of privacy in their rear gardens.

7.3.3. In conclusion, I consider both the proposed development and the development for which retention permission is being sought to be acceptable from a residential amenity perspective.

#### 7.4. **Other Issues**

##### 7.4.1. Existing Extension

The applicant states that the existing extension to the rear was built as exempted development, however the Planning Authority has pointed out that a note on the existing ground floor plan indicates that the area of the extension is 41.4 sq m and that retention permission is therefore required for this element. Since I am recommending that planning permission be refused for the proposed extension which modifies this existing extension, I do not consider that this issue needs to be considered further in this report.

##### 7.4.2. Development Contributions

The Planning Authority included a Condition seeking €898 in Development Contributions. However, the basis of the Planning Authority's calculation is not clear from the documentation on file. Having reviewed the terms of the Fingal Development Contribution Scheme 2016-2020, I do not consider that any Development Contribution is chargeable in this instance since I am recommending that permission be granted solely for the retention of the altered dormer windows and the canopy over the entrance. There is therefore no additional floor area created, as permission for the conversion of the attic was previously granted under Ref. PL06F.238037.

#### 7.5. **Appropriate Assessment**

7.5.1. Having regard to the nature and scale of the proposed development, which relates to an extension to an existing house in an established and serviced residential area outside of any Natura 2000 sites, I am satisfied that 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.

## 8.0 Recommendation

- 8.1. I recommend that planning permission should be REFUSED for the proposed two storey extension to the side of the existing dwelling for the reasons marked (1) below and GRANTED for the retention of the modifications to the previously approved dormer windows to the side and rear and the entrance canopy to the front of the existing dwelling, subject to conditions, for the reasons and considerations marked (2), as set out below.

## 9.0 Reasons (1)

1. Having regard to the prominent location of this corner site and the established pattern of development in the surrounding neighbourhood, it is considered that the proposed development by reason of its scale, form and design would constitute overdevelopment and would be visually obtrusive on the streetscape and out of character with development in the vicinity. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area

## 10.0 Reasons and Considerations (2)

- 10.1. Having regard to the zoning objective, the planning history of the site, the design and layout of the dormer windows and the canopy, and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the development to be retained would not seriously injure the residential amenities of property in the vicinity and would be acceptable in terms of visual impact. The development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions (2)

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 out in accordance with the agreed particulars.

**Reason:** In the interest of clarity

2. The attic level room served by the dormer windows hereby permitted shall not be used for human habitation.

**Reason:** In the interest of residential amenity.

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Niall Haverty  
Planning Inspector

8<sup>th</sup> March 2017