



An
Bord
Pleanála

Inspector's Report PL29N.247922

Development	Construction of a ground floor extension to house, conversion of attic to room/study and associated site works at No. 1 Dollymount Avenue, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4052/16
Applicant(s)	Valerie Ryan and Ronan Gallagher
Type of Application	Permission
Planning Authority Decision	Grant
Appellant(s)	Valerie Ryan and Ronan Gallagher
Observer(s)	None
Date of Site Inspection	19/04/2017
Inspector	Lorraine Dockery

1.0 **Site Location and Description**

1.1. The subject site, which has a stated area of 524 square metres, is located on the southern side of Dollymount Avenue, Clontarf, Dublin 3, close to its junction with Mount Prospect Avenue. The site contains a two-storey, semi-detached dwelling.

2.0 **Proposed Development**

- 2.1. The proposed development, as described in the submitted public notices, comprises
- a ground floor extension to front to include bay window and conversion of existing garage to family room
 - construction of first floor bedroom, with bay window and bathroom
 - hipped roof over extended/converted garage and rear utility area
 - conversion of attic to recreation room/study and bathroom with dormer window to rear
 - all associated site works
- 2.2 The stated floor area of the proposed works is 68.46 square metres, inclusive of attic conversion. The proposed works extend approximately 1.3 metres forward of the existing front building line.

3.0 **Planning Authority Decision**

3.1. **Decision**

Permission GRANTED subject to 9 no. conditions

Condition No. 2 reads as follows:

Amendments to be agreed in writing (compliance necessary)

The development shall be revised as follows:

- a. The two-storey side extension shall be set back from the front building line of the existing dwelling by 0.5 metres and shall comprise a hipped roof profile, the roof pitch and eaves height shall match the existing dwelling
- b. The gable detail above the two storey bay window shall be omitted from the development

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority.

Reason: In the interests of orderly development and residential amenity

3.2. Planning Authority Reports

The report of the area planner reflects the decision of the planning authority

3.3. Other Technical Reports

Engineering Department: No objections, subject to condition

4.0 Planning History

4.1. 4666/08

Permission GRANTED for removal of chimney stack, conversion of garage, first floor extension, two-storey extension to side and attic conversion

5.0 Development Plan

- 5.1. The Dublin City Development Plan 2016-2022 is the operative County Development Plan for the area.

Zoning

'Z1'- which seeks to 'protect, provide and improve residential amenities'

Section 16.2.2.3 Alterations and Extensions

Section 16.10.12 Extensions and Alterations to Dwellings

Appendix 17 Guidelines for Residential Extensions

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- Section 139 appeal against Condition No. 2 only
- Significantly affects the size and possible arrangement of the internal space of the proposed extension and its integration with the existing dwelling layout
- No examples in the area of two-storey extensions with setbacks from an existing building line
- Developments along Dollymount Avenue and Mount Prospect Avenue have permitted two-storey extensions in line with existing building line or extensions/houses with projections forward of the original building line
- This condition reduces significantly the floor area if both the proposed ground floor family room and first floor bedroom and bathroom- bedroom would be reduced in size to 10.8 square metre which is below recommended 11.4 square metres for double bedroom
- No condition relating to omission of gable detail above two-storey bay window has been imposed on other similar developments

- Contends that proposed development meets objectives of operative Development Plan
- Setback of 0.5 metres is considered to be facilitate integration of surrounding area
- Proposal matches the existing form and design and conforms to patterns of development permitted in immediate vicinity
- Issuing of terracing does not arise in this instance
- Cites examples of permitted development in support of their argument, together with a number of photographs

6.2. **Planning Authority Response**

No further comment

6.3. **Other Party Responses**

6.4. None

6.5. **Observations**

6.6. None

7.0 **Assessment**

7.1. I have examined all the documentation before me, including the Planner's Report of the Planning Authority, the appeal submission and have visited the site and its environs. This is an appeal against Condition No. 2 of the decision to grant permission, which issued from the planning authority. In this regard, I consider it is appropriate that the appeal should be confined to Condition No. 2 only and I am satisfied that the determination by the Board of this application as if it had been made to it in the first instance would not be warranted and that it would be appropriate to use the provisions of Section 139 of the 2000 Act in this case.

7.2. Condition No. 2 states:

Amendments to be agreed in writing (compliance necessary)

The development shall be revised as follows:

- a. The two-storey side extension shall be set back from the front building line of the existing dwelling by 0.5 metres and shall comprise a hipped roof profile, the roof pitch and eaves height shall match the existing dwelling
- b. The gable detail above the two storey bay window shall be omitted from the development

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority.

Reason: In the interests of orderly development and residential amenity

7.3. Condition 2(a) deals with the setback from the front building line. As proposed, the proposed works extend 1.3 metres forward of the front building line at both ground and first floor levels. Condition No. 2(a) stipulates that this be altered and setback 0.5 metres from the front building line. This is essentially a reduction in extent of the proposal of 1.8 metres. Having examined all of the information before, I consider that the proposed 1.3 metre projection is acceptable in this instance. It is only acceptable as the property is located at the end of the terrace, with the properties immediately to the west fronting onto Mount Prospect Avenue. It could read as a 'book-end' of sorts on the streetscape. I note that while a strong building line exists between properties 1-7 Dollymount Avenue, properties 9 and 9A step forward and break this building line. I also note that Dollymount Avenue contains some variety of house styles and design, with distinctions in finish, fenestration and style evident. It is this contrast which creates the character along Dollymount Avenue. I also note that permission was recently granted by the planning authority (Reg. Ref. 2783/16) for a stepping forward of the building line at 25 Dollymount Avenue further east along

the street, by 1.2 metres. The Planner's Report on this file states that the front elevation is 'generally acceptable; however, this is due to context and is not necessarily setting a precedent on the street given not every dwelling is identical'. Having regard to all of the above, I consider that the stepping of the building line is acceptable in this instance, again due to the context of the street and that this would not necessarily create a precedent for other circumstances.

7.4. Condition No. 2(b) stipulates that the gable detail above the two storey bay window shall be omitted from the development. The Planner's report states that this omission is required as the gable roof detail has a different pitch than that of the existing bay window. Therefore, to ensure that the extension harmonises with the existing dwelling, it is omitted by means of condition. I concur that the proposed roof pitch is different from that currently existing on site. I consider that the omission of the gable feature would be a superior option to that currently proposed. There is currently no such feature over the smaller window at first floor level and this reads well and integrates with the dwelling to which this property is attached. I therefore consider that the provision of a gable detail, as proposed is unnecessary in this instance and therefore this element of the Condition should be upheld.

7.4 **Appropriate Assessment**

7.4.1 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.

8.0 **Conclusion**

8.1. Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, I am 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 recommend that the said Council be directed under subsection (1) of Section 139 of the Planning and Development Act, 2000 to AMEND Condition No. 2 so that it shall be as follows for the reason and considerations set out:

8.2. **Recommendation**

8.3. Having regard to the provisions of the provisions of the Dublin City Development Plan 2016-2022 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.

8.4. **Conditions**

8.5. Condition No. 2

Prior to the commencement of development on site, the applicant shall submit for the written agreement of the planning authority revised drawings, at an appropriate scale which provide for the omission of the gable detail above the two storey bay window.

Reason: In the interests of orderly development and residential amenity

Lorraine Dockery
Planning Inspector

19th April 2017