



An  
Bord  
Pleanála

## Inspector's Report PL29S. 247965

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<b>Development</b>	Demolition of existing single storey extension to rear and the construction of two-storey extension to rear together with the attic conversion with dormer window to rear.
<b>Location</b>	34 Joy Street, Ringsend, Dublin 4
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	1484/16
<b>Applicant(s)</b>	Mark Foster and William Maher
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	1 <sup>st</sup> V Conditions
<b>Appellant(s)</b>	Mark Foster and William Maher
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	29 <sup>th</sup> March 2017
<b>Inspector</b>	Ronan O'Connor

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## 1.0 Site Location and Description

- 1.1. The site is located on the western side of Joy Street, close to the junction with South Dock Street. Shelbourne Park and Irishtown lie further to the east. The appeal site comprises a 2 storey mid-terrace, red brick dwelling that opens directly onto the street. The property was vacant at the time of the site visit and in a relatively poor condition internally. There is a very small yard to the rear of the property.
- 1.2. These houses are on restricted site areas with very limited or no private open space and are at a relatively high density and front onto the street. To the rear of the houses on Joy Street are single storey properties on Hope Street.

## 2.0 Proposed Development

- 2.1. Demolition of existing single storey extension to rear and the construction of two-storey extension to rear together with the attic conversion with dormer window to rear.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Grant permission with conditions. A condition of note, and the subject of this appeal, is Condition No. 2 which requires the removal of the dormer window and extension at attic level.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report of the Planning Officer reflects the decision of the Planning Authority. The following is of note:

- The dormer is contrary to the Development Plan guidance due to the height above the ridge, the full width of the extension and that it extends past the eaves.
- The proposal constitutes an additional floor rather than a dormer.

- Rear extensions acceptable.
- Recommend grant of permission with the omission of the dormer required by way of condition.

### 3.2.2. Other Technical Reports

Drainage – No objection

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

None

## 4.0 Planning History

Web 1347/16 – Two storey extension and dormer window to rear – Grant permission. Condition No. 2 required the omission of the dormer window.

## 5.0 Policy Context

### 5.1. Development Plan

Dublin City Development Plan 2016-2022

5.1.1. The site is located in an area that is zoned Objective Z2 (To Protect and/or improve the amenities of residential conservation areas) under the provisions of the Dublin City Development Plan 2016-2022. Under this land use zoning objective residential development is a permissible use.

5.1.2. Relevant sections of the Dublin City Development Plan 2016-2022 include:

- Paragraph 16.10.12 of the Plan relates to extensions to residential properties
- Appendix 17 of the Plan provides guidance on residential extensions

## 5.2. **Natural Heritage Designations**

None

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

6.1.1. The grounds of appeal, as submitted by Vincent JP Farry and Co Ltd on behalf of the applicants, are as follows:

- That the appeal relates to condition No. 2 of the planning authority's decision relating to the omission of the dormer.
- Many houses in the area have large dormers of the type proposed.
- Council and the Board have taken the view that these additions are acceptable because of the difficulties of modifying these houses to meet modern standards.
- Need for extra space outweighs the recommendations of the City Development Plan 2016.
- Has reduced the size of dormer from previous application.
- Would be largely obscured from public view.
- Does not impact amenity.

### 6.2. **Planning Authority Response**

6.2.1. Planning Officer's report deals fully with all the issues raised and justifies its decision.

### 6.3. **Observations**

None

## 7.0 Assessment

- 7.1.1. The first party appeal relates solely to Condition 2 attached to the Notification of Decision to Grant Permission issued by the Planning Authority which relates to the omission of the dormer extension in its entirety.
- 7.1.2. I am satisfied that the proposed form and design of the two storey extension to the rear is acceptable and that no amenity impacts will result from the two-storey extension.
- 7.1.3. I consider it appropriate, therefore, that the scope of the assessment is restricted to the consideration of Condition 2 as attached to the Notification of Decision issued by the Planning Authority, in accordance with S.139 of the Planning and Development Act (as amended).
- 7.1.4. Condition 2 relates to the omission of the dormer extension on the grounds that it breaches Development Plan Guidelines as it is higher than the existing ridge height, is full width and extends beyond the eaves.
- 7.1.5. I note there are other examples of larger dormer extensions in the vicinity, both in the front and rear roofslopes. From a site visit, there was only one very large extension (essentially a third floor) visible to the rear of a property on Penrose Street (visible from Joy Street) approximately 50m to the south-east of the appeal site. There does not appear to be any recent history in relation to this extension.
- 7.1.6. I am of the view that the dormer extension proposed here is larger in scale than most of the other rear dormers in the area and is more akin to the example cited above in Penrose Street. I do not consider it desirable to replicate this example which is not sympathetic to the streetscape. The side gable end of the property is visible from the rear roofslope of the appeal site is visible from points along South Dock Street and consequently the dormer extension proposed here would also be visible. It would also be visible from Joy Street where there are existing views towards the gable end of the property. While there is scope for a dormer extension to the rear of this property I consider the amendments that would be required are outside the scope of this appeal.
- 7.1.7. I note the applicant has cited other appeal decisions in support of the appeal, namely appeal ref PL29S.222357 and appeal ref PL29S.226047. The former appeal relates

to the retention of railings and creation of a roof terrace at 21 Penrose Street which was refused by the Board and the latter relates to extensions to the rear as well as dormers to the front and rear at 24 Doris Street. The dormer granted on appeal in this instance is smaller than that proposed here and was also granted under the provisions of a previous Development Plan. As such I do not consider it creates a precedent for the scale of dormer proposed here.

## 8.0 Recommendation

8.1. Having regard to the above it is recommended that the Planning Authority be directed as follows:

That Condition No. 2 be retained on the grant of permission.

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Ronan O'Connor  
Planning Inspector

02<sup>nd</sup> May 2017