



An
Bord
Pleanála

Inspector's Report PL29N.248111

Development	2 no. rear dormer window extensions to dwellinghouse
Location	59 Hampton Court, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4405/16
Applicant(s)	Aidan O'Byrne & Martina Nolan
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First-Party
Appellant(s)	Aidan O'Byrne & Martina Nolan
Observer(s)	None
Date of Site Inspection	15 th May 2017
Inspector	Colm McLoughlin

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1.0 Site Location and Description

The appeal site is located within the Hampton Court residential estate off Vernon Avenue in Clontarf, approximately 4km northeast of Dublin city.

The appeal site contains a two-storey four-bedroom semi-detached dwelling with single-storey front projection and single-storey rear extension. The external finishes to the dwelling include a combination of facing brick to the front at low-level, render and concrete profile tiles. To the front of the house is a garden and driveway to accommodate cars

The surrounding area is generally characterised by rows of semi-detached dwellings of similar styles, fronting onto tree-lined streets. Ground levels in the vicinity are relatively flat with a slight drop in levels towards the southeast.

2.0 Proposed Development

The proposed development comprises the extension of the dwelling at roof level, incorporating 2 no. rear dormer extensions and conversion of the attic space into office, storage and utility rooms. Two rooflights will be incorporated into the front roof pitch.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission subject to 8 conditions, most of which are of a standard nature, but also including the following requirements:

- Condition No 2: The attic space hereby approved shall only be used for storage.

Reason: In the interest of maintaining an adequate standard of residential amenity.

- Condition No 3: The development shall be revised as follows:
 - a) The proposed front rooflights shall be omitted.

b) The proposed rear dormers shall be amalgamated into one single box dormer - and which subsequently shall not breach the ridgeline; be set above the eaves line as proposed; shall constitute a maximum width of 50% of the existing rear roof plane; and shall be centrally placed on the rear roof plane.

c) The resultant dormer's ope or opes shall be no larger than the existing largest 1st floor ope below – with windows to be fitted with opaque glazing to at least 1.8m above finished floor level.

d) All the rear dormer's elevations, fascia/soffits, rainwater goods, window frames, glazing bars shall be finished in a dark colour so as to blend with the existing roof finish.

e) The rear dormer shall not accommodate any solar panels whether or not they would be exempted development under the Planning & Development Act 2000 (as amended).

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, and such works shall be fully implemented prior to the occupation of the buildings.

Reason: In the interests of orderly development and visual amenity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer reflects the decision of the Planning Authority.

The Planning Officer notes the following:

- In this instance it is considered the development of two dormers, which will together occupy c.62% of the existing roof plane – will be overly fussy features on a locally prominent roofscape and in reality will visually in combination occupy a larger volume of the existing roofscape than their dimensions suggest. It is therefore recommended that the proposed rear dormers instead be rationalised as a single rear box dormer.

3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection subject to conditions.

3.3. Prescribed Bodies

None.

3.4. Third-Party Submissions

None.

4.0 Planning History

4.1. Subject Site

There has been one recent relevant planning application associated with the subject site.

- 4199/05 - Permission **granted** for integral garage conversion and changes to front elevation.

4.2. Surrounding Sites

There have been numerous planning applications approved by the Planning Authority for residential extensions on neighbouring sites, including permissions for dormer roof extensions.

- 52 Hampton Court – WEB1126/15 – Permission **granted** for side and rear dormer extensions and alterations to the front of the house;
- 48 Hampton Court – 3787/15 – Permission **granted** for side and rear dormer extensions and alterations to the front of the house;
- 44 Hampton Court – 3885/09 – Retention permission **granted** for side dormer extension to house;
- 8 Hampton Court – 5081/06 – Permission **granted** for side dormer extension to house.

5.0 Policy Context

5.1. Development Plan

5.1.1. The appeal site has a zoning objective 'Z1' 'Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022 with a stated objective "to protect, provide and improve residential amenities".

5.1.2. Under Section 16.10.12 of Volume 1 to the Development Plan it is stated 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;
- Have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight;
- Achieve a High Quality of Design.

5.1.3. Appendix 17 (Volume 2) of the Development Plan provides guidance on residential extensions.

6.0 The Appeal

6.1. Grounds of Appeal

A first-party appeal has been lodged only against Condition 3 attached to the Planning Authority decision. The grounds of appeal solely contest the element of condition 3(b) requiring amalgamation of the two dormers into a single box dormer, with the following grounds raised:

- Light penetration;
- External appearance;
- Residential and visual amenity.

6.2. Planning Authority Response

No response to the grounds of appeal.

6.3. Observations

None.

7.0 Assessment

7.1. Introduction

- 7.1.1. This is a first-party appeal only against Condition 3 attached to the Planning Authority's decision to grant permission. Condition 3 generally requires:
- a) the front rooflights to be omitted,
 - b) the amalgamation of the 2 no. rear dormers into 1 no. box rear dormer, centrally positioned and set above eaves level and not exceeding half the width of the existing roof plane;
 - c) restriction on window size and requirement for obscure glazing to 1.8m above floor level;
 - d) materials to match the existing;
 - e) and a restriction on the installation of solar panels on the rear dormer.
- 7.1.2. Having regard to the nature and scale of the proposed development, the absence of third-parties to the appeal and the nature of condition number 3, it is considered that the determination by the Board of the application as if it had been made to it in the first instance 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 & Development Act, 2000 (as amended).
- 7.1.3. It is noted that the appellants' grounds for appeal solely relate to condition 3(b) of the decision and I am satisfied that this item can be dealt with separately from conditions 3(a), 3(c), 3(d) and 3(e).
- 7.1.4. The Development Plan recognises that there are a wide variety of house types and styles within Dublin city and that it is not possible to deal with every type of addition. The Plan sets out general principles that should be addressed in all cases such as residential amenity issues, privacy, relationship between dwellings and extensions,

daylight and sunlight, appearance, subordinate approach and materials. The primary issues for assessment relate to the character of the area, visual impact and design of the proposals.

7.2. Established Character & Visual Impact

- 7.2.1. It is noted that this area is not provided with any conservation status. The nearest properties with rear dormer extensions are located at 52 and 48 Hampton Court with both of these featuring a single pitched rear roof dormer. Both of these neighbouring dwellings incorporate hipped roofs, with less roof span than the subject gable-end. Therefore, these hipped roof dwellings generally have less capacity for expansion at roof level when following the subordinate development approach.
- 7.2.2. The Hampton Court estate is laid out in a grid layout with houses fronting onto the main streets. The subject property is on the main spine, backing perpendicularly onto properties to the rear. The Planning Authority consider that when viewed from the neighbouring streets the two rear dormers would have a more dominant impact on the roof plane than a single box dormer. While views of the roofscape to No. 59 Hampton Court are visible from properties to the rear and east, the subject site is not directly overlooked by these properties.
- 7.2.3. The subject roof is visible from the public domain, specifically from the neighbouring estate roads to the south and to the north. However, it is noted that views of this roof will only be visible for brief intervals when travelling along these streets and these streets are not through routes, with only pedestrian access available from them onto Vernon Avenue.
- 7.2.4. In conclusion the request to construct 2 no. dormers, as opposed to the single amalgamated box dormer, would have negligible impact on the visual amenity of the area.

7.3. Design

- 7.3.1. The Development Plan requires a residential extension to be 'subordinate' to the original dwelling. The illustrations accompanying the Council's Plan (Appendix 17) serve as a guide in developing residential extensions and these reveal that a rear dormer should ideally have a window similar in size and positioning to the dwelling's

first-floor rear windows. Based on the wording of condition 3, the amalgamation of the dormer extension and its positioning centrally on the roofslope could potentially result in a larger window at roof level that would not complement the bathroom window directly below. Furthermore, in terms of basic proportions, a single box dormer would be likely have disproportionate solid to void ratio. Accordingly, to ensure the design of the roof extensions best complements the existing dwellinghouse on site, in my opinion the requirement to amalgamate the two dormers into a single box dormer is not warranted.

- 7.3.2. The rationale for the Planning Authority attaching the condition relates to their concerns that the proposed rear dormers would together occupy over half the rear roof plane and would be visually over dominant on the rear roof plane. The appellants consider that their proposals for two dormers would be more pleasant when viewed from neighbouring properties. It is noted that there is no strict standard regarding the width of dormers within the Plan and the difference in widths is not significant. Amending the condition by reducing the width of the two dormers would not be warranted, as in my opinion the two dormers would suitably break up the rear roof profile.
- 7.3.3. In conclusion, I am satisfied that the element of condition 3(b) requiring the amalgamation of the two dormer extensions into a single box dormer extension would not be warranted, as its attachment would not significantly reduce the dominance of the proposed dormers on the dwelling and would have negligible impact in protecting the visual amenities of the area.

8.0 **Appropriate Assessment**

Having regard to the minor nature of the proposed development and the location of the site in a serviced urban area and the separation distance 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

It is recommended that the Planning Authority be directed to **AMEND** condition number 3 for the reasons and considerations hereunder, as follows:

Condition No 3: The proposed development shall be amended as follows:

- a) The proposed front rooflights shall be omitted;
- b) The resultant dormer's ope or opes shall be no larger than the existing largest 1st floor ope below – with windows to be fitted with opaque glazing to at least 1.8m above finished floor level;
- c) All the rear dormer's elevations, fascia/soffits, rainwater goods, window frames, glazing bars shall be finished in a dark colour so as to blend with the existing roof finish;
- d) The rear dormers shall not accommodate any solar panels whether or not they would be exempted development under the Planning & Development Act 2000 (as amended).

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 amenity.

10.0 Reasons and Considerations

Having regard to the nature and scale of the proposed development and the pattern of development in the area, it is considered that Condition 3(b) requiring the amalgamation of two dormer extensions into a single box dormer extension is not appropriate as the proposed development is visually subordinate and complementary to the existing dwellinghouse and would not seriously injure the amenities of the area. It is, therefore, considered that amendment of condition number 3 would be in accordance with the proper planning and sustainable development of the area.

Colm McLoughlin

Planning Inspector

17th May 2017