



An
Bord
Pleanála

Inspector's Report PL29S.248120

Development	Widening of vehicular entrance, Conversion of attic to study/den and associated works
Location	19 Fortfield Terrance, Rathmines, Dublin 6.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4267/16
Applicant(s)	Mark Puech and Joyce Hickey
Type of Application	Permission
Planning Authority Decision	Grant and Refusal
Type of Appeal	First Party
Appellant(s)	Mark Puech and Joyce Hickey
Observer(s)	None
Date of Site Inspection	5 th of May 2017
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1.1. The site is located on the south side of Fortfield Terrace, which is a cul-de-sac road accessed via Rathmines Road Upper. No.19 is a two storey semi-detached property that has been previously extended with a sizable single storey extension at the rear. There are hedges that bound the rear garden area and it appears relatively well screened. The rear of the houses in Palmerston Villas can be seen some distance away to the south.
- 1.1.2. It is noted that no.18 to the west has a two storey extension at the rear and no.20 to the east has a part single/part two storey rear extension. There are a variety of house types and extensions in the area, this includes front and rear extensions. As noted by the appellants no.35 has a large attic box extension at the rear which is very visible from Fortfield Gardens. However, there is no similar dutch roof type extension in the area.
- 1.1.3. The site has onsite parking accessed via a relatively narrow vehicular entrance. There are separate accesses to the houses on either side. There is also on street parking marked out along Fortfield Terrace and in the general residential area. This is pay and display or resident permit.

2.0 Proposed Development

- 2.1.1. Permission is sought for widening of vehicular entrance, conversion of attic to study/den to include building up of side gable wall to form Dutch hip roof, demolish chimney, rooflights to front and side and dormer roof lights at the rear.
- 2.1.2. The application form provides that the total area of the site is 336sq.m, the area of buildings to be retained on site is 172.9sq.m. The proposed floor area of the new build is 27.7sq.m. It also provides that the total area of existing residential extensions is 32.3sq.m. The proposed plot ratio is 0.6:1 and the proposed site coverage is 34%.
- 2.2. A Site Layout Plan, Floor Plans, Sections and Elevations have been submitted. The Plans also show front and rear contextual elevations.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 7th of February 2017, Dublin City Council issued a split decision to grant permission subject to 7no. conditions for the widening of the vehicular access and to refuse permission for the proposed extension.
- 3.1.2. The Conditions generally relate to infrastructural and construction related issues. Condition no.2 is of note and provides that the entrance shall be reduced to a maximum of 3.6m in width.
- 3.1.3. Their reason for refusal for the extension is as follows:

Having regard to the nature and scale of the development, the pattern of development in the area, the zoning and other provisions of the Dublin City Development Plan 2016-2022, it is considered the proposed development would, if permitted, impact upon the visual and residential amenities of the area and the character of Fortfield Terrace. The proposed development would set an undesirable precedent and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planner's Report

The Planner had regard to the locational context of the site, planning history and policy. It was noted that no submissions were made. They considered the overall design and scale of the extension to the front façade to be unacceptable and not in character with the area. They provided that the extension as proposed would be incongruous and inconsistent with the pattern of development on the street and would detract from the visual amenities of the area and be contrary to the Development Plan guidelines for residential extensions. They recommended a split decision that permission for the extension be refused and permission for the widening of the vehicular access be granted.

3.3. Other Technical Reports

3.3.1. Engineering Department Drainage Division

They have no objections subject to compliance with recommended conditions.

4.0 Planning History

4.1.1. The Planner's Report provides that there is no planning history on the subject site. There have been a number of permitted extensions to the properties on either side at Fortfield Terrace. These include the following:

- Reg.Ref.2516/14 – Permission granted subject to conditions at no.18 for a first floor extension to the side of the house and an attic conversion.
- Reg. Ref.2946/98 – Permission granted subject to conditions at no.20 for alterations and additions comprising a two storey extension.
- Reg.Ref.1477/06 – Permission granted subject to conditions at no.20 for a single storey extension to the rear of previously extended house,

5.0 Policy Context

5.1. Development Plan

This is the pertinent plan. As shown on Map H the site is within the Z1 Residential Land Use Zoning where the Objective is: *To protect, provide and improve residential amenities.*

It is of note that the development to the south facing Palmerston Villas is within the Z2 Residential/Conservation zoning where the objective is: *To protect and/or improve the amenities of residential conservation areas.*

Section 2.3.3 refers to 'Promoting Quality Homes' and includes: *The provision of quality housing that is suitable for citizens throughout their lives and adaptable to people's changing circumstances is fundamental to creating a compact city with sustainable neighbourhoods.*

Paragraph 16.2.2.3 refers to Alterations and Extensions and provides that: *Works of alteration and extension should be integrated with the surrounding area, ensuring*

that the quality of the townscape character of buildings and areas is retained and enhanced and environmental performance and accessibility of the existing building stock should also be enhanced. The criteria for extensions includes that they should be confined to the rear in most cases, be clearly subordinate to the existing building in scale and design and be sustainable.

Section 16.10.12 provides that the design of extensions shall not have an adverse impact on the scale and character of the dwelling, or the amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

Appendix 17 (Guidelines for Residential Extensions) sets out the more detailed criteria. This includes regard to residential amenity issues, privacy, sunlight and daylight, the relationship between dwellings and extensions and the subordinate approach etc.

Section 8.5.6 provides the policies and objectives relative to Car Parking and notes that the Standards are set out in Section 16.38.

Section 16.38 provides the Car Parking Standards. Table 16.1 refers. This section also includes a presumption against the removal of on street parking.

Appendix 5 – Roads Standards for Various Classes of Development. This includes regard to off-street parking and to the Planning authority's leaflet 'Parking Cars in Front Gardens'.

6.0 The Appeal

6.1. Grounds of Appeal

A First Party appeal has been submitted by RD Architecture on behalf of the applicants. This has regard to the Council's decision and includes the following:

- Fortfield Terrace does not consist of unaltered pairs of semi-detached dwellings. They note that it comprises of five different house types from different time periods.
- Fortfield Terrace does not have consistent rooflines and building lines, Fig.A relates. No. 19 is setback and has minimal impact on the streetscape and on adjacent properties.

- There is no consistent visual harmony along Fortfield Terrace. They provide details of other extensions and variations that have been carried out in the area, including relative to the adjoining properties. They consider that the extension at no.18 has had a greater impact on the streetscape.
- There is no consistent pattern of development on the street and they enclose a number of photographs showing the variety of extensions in the area.
- They provide that the proposed development for the Dutch hip roof design is an established method to convert an attic and many examples can be seen.
- They also submit an alternative design with their appeal and provide drawings and a description of such.
- They consider that the proposed extension will not be dissimilar to other extensions permitted in the area and provide examples, including relative to the rear box dormer.
- The purpose of the proposed extension is to provide extra living space for the family needs.
- The proposed development is consistent with the pattern of development on the street, would not detract from the visual amenities of the area and is consistent with the Development Plan guidelines.

6.2. Planning Authority Response

- 6.2.1. Dublin City Council provides that they have no further comment to make and consider that the Planner's Report on file adequately deals with the proposal.

7.0 Assessment

7.1. Principle of Development and Planning Policy

- 7.1.1. As shown on Land Use Zoning Map H of the of the Dublin City Development Plan 2016 – 2022 the site is located with the Z1 residential zoning where the Objective is: *To protect, provide and improve residential amenities.* The housing to the rear of the site facing Palmerston Villas is within the Z2 zoning where the Objective is: *To protect and/or improve the amenities of residential conservation areas.* Section

16.2.2 provides the Design Standards for Residential Accommodation and Section 16.2.2.3 refers specifically to 'Alterations and Extensions' to dwellings. This includes that sensitively designed extensions will normally be granted provided that they have regard to the amenities of adjoining properties and that the design integrates with the existing building. Appendix 17 provides 'Guidelines for Residential Extensions' and the general principles include that the proposed extension should not have an adverse impact on the scale and character of the dwelling, or on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight and achieve a high quality of design.

7.1.2. The First Party provides that this extension is needed to provide extra family living space in the house. They note that there is a variety of house types and extensions in Fortfield Terrace. They contend that it would not detract from the residential or visual amenities of the area or the pattern of development in the streetscape and is in compliance with planning policies and Development Plan guidelines.

7.1.3. The Council's split decision is noted as is their reason for refusal relative to the proposed extension. Whereas a well-designed extension is normally permissible in this residential land use zoning in accordance with the criteria of Section 16.2.2.3, and Appendix 17 of the DCDP 2016-2022, the issue in this case is whether the proposed extension would integrate well or have an adverse impact taking into account the locational context of the dwelling, the nature of the site and the amenities of the adjoining dwellings and on the character of the area. These issues are discussed further in the context of this assessment below.

7.2. Design and Layout and impact on Residential Amenities

7.2.1. Regard is had to the plans originally submitted which show the existing and proposed development. These show the proposed attic conversion to study/den to include building up of the side wall to form a Dutch hip roof. It is also proposed to demolish the chimney, to provide rooflights to the front and side and to provide a large dormer box type extension at the rear.

7.2.2. It is provided that the proposed extension is to provide additional family living space. Regard is had to Technical Guidance Document F(Ventilation) of the Building Regulations 2009. This provides a definition of a Habitable Room, which includes for

living or sleeping purposes and has regard to ceiling heights for such attic rooms. This includes that the height of a habitable room from floor to ceiling should be 2.4m for not less than half of the floor area of the room. The Section submitted as shown on the drawings shows that this is not the case, hence the space has been labelled on the plans as 'study/den' area as it cannot be used as bedrooms. However, it is of note that the Building Regulations are considered separately under their own remit.

- 7.2.3. It is noted that the properties on either side have been previously extended and it is not considered that the proposed extension will impact adversely on their residential amenities relative to loss of light etc. However, it is recommended if the Board decide to permit that the side window be obscure glazed to prevent overlooking.

7.3. Impact on the Character and Amenities of the Area

- 7.3.1. The Council's reason for refusal and the First Party Appeal submission is noted. It is noted that there are a variety of house types in the area and a variety of extensions. However, this would be the first such Dutch hip roof and it is considered that this would be at variance with the hipped roofs on these similar semi-detached pairs at this end of Fortfield Terrace. Visually as shown on the contextual elevations submitted it would be discordant and would not look subordinate to the existing dwelling.
- 7.3.2. Regard is had to Section 16.2.2.3 which refers to Alterations and Extensions to dwelling houses and provides that the Council will seek that they be sensitively designed and detailed to respect the character of the existing building, its context and the amenity of adjoining occupiers. This includes that they should: *Respect any existing uniformity of the street, together with significant patterns, rhythms or groupings of buildings.* Also that extensions should generally be to the rear and be subordinate to the existing building in scale and design.
- 7.3.3. Appendix 17 of the DCDP 2016-2022 provides Guidelines for Residential Extensions. This includes: *The subordinate approach means that the extension plays more of a 'supporting role' to the original dwelling. In general, the extension should be no larger or higher than the existing.* It also notes that the roof is one of its most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of a roof needs to be carefully considered. This includes:

Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible. Dormer windows that are too large and do not respect the window patterns are not considered acceptable.

- 7.3.4. The First Party considers the variety of house types and extensions in the area and provides details including photographs of such. However, it is considered that the proposed extension combines two relatively new and somewhat discordant features i.e the proposed Dutch roof which is at variance with the design and character of the existing house and existing hipped roofs in the area, and also the very large box dormer at the rear which would extend wider than the existing hip. It is noted that various precedent cases are referred to such as the large box dormer that has been constructed at the rear of no.35 Fortfield Terrace (Reg.Ref. WEB1078/12 refers). This is visible from Fortfield Gardens and is not considered to particularly add to the character of the area. Other side extensions and changes to the appearance of the variety of house types are also noted. However, it is considered that each case needs to be considered on its merits and that it may not necessarily be desirable to follow precedent.

7.4. Regard to the Proposed Revisions to Design and Layout

- 7.4.1. The First Party appeal includes an alternative design, should the Board consider it preferable to retain the hip design of the existing roof. This shows the retention of the front portion of the existing roof with a proposed side dormer to provide the headroom required for the stairs. They provide that this will not appear dissimilar to the roof of 12 Fortfield Terrace (they include a photograph), where the new roof to the side is set back from the front roof of the original house. Elevations showing the revisions to the proposed extension have been submitted. The proposed front elevation appears to show the proposed extension set back behind the hip. It is referred to as 'dormer'. This is more clearly illustrated on the western side elevation. The large rear box dormer is to be retained. It is noted that floor plans have not been submitted.
- 7.4.2. However, while the elevations offer a slight improvement on the original plans it is not considered that the revisions submitted adequately address the issue of the subordinate approach or would be in character with the existing house (Section 16.10.12 of the DCDP 2016-2022 refers). Also as the roofs of houses in this area are

hipped, it would appear overly large and dominant and would detract from the character and amenities of the area. Therefore, it would be contrary to planning policy relative to extensions and would set an undesirable precedent for such development. While there is scope for a well-designed extension at this property it is not considered that the plans submitted including the alternative plans would be in character with the existing dwelling or add to its attractiveness in the streetscape.

7.5. Access issues

7.5.1. The application also proposes a widening of the existing entrance. On site it was noted that currently this is narrow and there were two cars parked onsite. There is also pay and display/permit parking marked out on the street and it is considered important that any widening not impact adversely on this. Regard is had to Appendix 5 of the current DCDP which includes: *Where driveways are provided, they shall be at least 2.5m or, at most, 3.6m in width, and shall not have outward opening gates. The design standards set out in the planning authority's leaflet 'Parking Cars in Front Gardens' shall also apply.* Therefore, having regard to this issue it is recommended that if the Board decide to grant permission for the widening of the entrance that the Council's Condition no.2 restricting the width to 3.6m be included.

7.6. Appropriate Assessment

7.6.1. The site is not located within or near to a Natura 2000 site. It is a fully serviced suburban site. The current proposal is for an extension to the existing residential property and does not pose any appropriate assessment issues. Having regard to the nature and scale of the proposal, no appropriate assessment issues arise and it is not considered that the proposal 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. It is recommended that having regard to the documentation submitted, the submissions made by the parties and to the site visit and assessment above that the Board issue a split decision i.e. (i) permission be granted for the proposed widening of the vehicular entrance subject to the conditions below.

- 8.2. (ii) It is recommended that permission be refused for the proposed extension for the reasons and considerations below.

9.0 (i) Reasons and Considerations

- 9.1.1. Having regard to the land use zoning of the site, to the residential character of the area and to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development i.e. the widening of the existing vehicular entrance, would not seriously injure the residential amenities of surrounding dwellings or the visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by An Bord Pleanála on the 3rd day of March, 2017, 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 in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The design of the proposed vehicular access shall be amended as follows:
 - (a) The vehicular entrance shall not exceed 3.6m in width and shall not have outward opening gates.
 - (b) The relocated gate pillar shall match that of the existing.
 - (c) The Footpath and kerb shall be dished at the access and the widened entrance provided in accordance with the requirements of the planning authority.

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 pedestrian safety and residential amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

4. Site development and building works shall be carried only out between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

11.0 (ii) Reasons and Considerations

1. Having regard to the fact that the proposal forms part of a semi-detached pair, and to the predominance of hipped roofs in this part of Fortfield Terrace, the Board is concerned that the proposed extension, both of itself and because of the precedent which it would form, would lead to a visually obtrusive and unsatisfactory form of development. The proposed development would, therefore, seriously injure the visual amenity of the area and of properties in the vicinity and would not be in accordance with planning policy relative to extensions and alterations including, Sections 16.2.2.3 and 16.10.12 and Appendix 17 (Guidelines for Residential Development) of the Dublin City Development Plan 2016-2022 and would therefore be contrary to the proper planning and sustainable development of the area.

Angela Brereton,
Planning Inspector,
11th of May 2017