



An
Bord
Pleanála

Inspector's Report PL29S.248389

Development	Demolition of rear extension, chimney and garage, construction of a single storey extension to the rear roof slope and alterations to vehicle entrance.
Location	56 Greenlea Road, Terenure, Dublin 6W
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB1064/17
Applicant(s)	John and Ruth White
Type of Application	Appeal against Condition
Planning Authority Decision	Grant Permission
Type of Appeal	First Party
Appellant(s)	John and Ruth White
Observer(s)	None
Date of Site Inspection	4 th of July 2017
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1.1. The application site is on the northern side of Greenlea Road to the south west of the junction with Terenure Road West and to the south of Parkmore Drive. There is a Rugby Club and Sports Grounds further to the south. This is a residential area and No 56 comprises a two storey semi-detached property, with front and rear gardens. It has been previously extended with a single storey set back side and part rear extension. There is a gated vehicular entrance and an on-site parking space. No. 54 adjoins to the north east and No.58 is a two storey detached dwelling to the south west. The vehicular entrances of nos. 56 and 58 are in close proximity and there is a telegraph pole on the footpath between the properties.

2.0 Proposed Development

- 2.1.1. This is to consist of the following:

- Demolition of the existing rear single storey extension, chimney and garage/storage structure to the side and rear of the existing house;
- Construction of a new single storey extension to the side and rear of the main house;
- Alterations to the existing vehicular entrance to increase in width to 3.5m wide;
- All associated internal and external alterations, elevational changes, including new window in side gable, site, drainage and landscaping works.

The application form provides that the total site area is 403.70sq.m, the floor area of the buildings proposed to be retained within the site is 116sq.m, the floor area of the new build is 61sq.m, the total floor area of the new and retained development is 177sq.m. The floor area of buildings to be demolished is 28sq.m. The proposed plot ratio is 0.44 and the proposed site coverage is 23%.

A Site Layout Plan, Floor Plans, Sections and Elevations have been submitted showing the existing and proposed development.

Bright Design Architects have submitted a letter with the application regarding the proposed design and layout.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 31st of March 2017, Dublin City Council granted planning permission for the proposed development subject to 7no. conditions. These generally concern infrastructural and construction related issues. The following are of note relative to design issues.

- Condition no.2 - provides for amendments to the dormer extension.
- Condition no.3 – relates to restriction in width of the entrance driveway.

3.2. Planning Authority Reports

3.2.1. Planner's Report

The Planner has regard to the locational context of the site, planning history and policy. They considered the design of the proposed single storey extension to be acceptable. However, they were concerned about the size of the proposed dormer window at the rear. They considered that the width of the dormer is overly wide in relation to the existing roof plane and that it would not be subordinate to the roof slope. Also that such a large dormer would have a negative impact upon the scale and character of the existing dwelling, the residential amenities of adjoining properties and would set an undesirable precedent for similar developments in the area. They considered that the scale of the dormer should be reduced and recommended that this be done by way of condition.

3.3. Other Technical Reports

3.3.1. The Engineering Department Drainage Division

They have no objection subject to recommended drainage conditions.

4.0 Planning History

4.1.1. There is no relevant planning history on the subject site. The following are relevant to permissions granted subject to conditions by the Council for the properties on either side:

No.54 Greenlea Road:-

- Reg.Ref. 0685/01 – Two storey rear extension.
- Reg.Ref.3209/09 – Construction of bedroom extension at first floor side and rear.

No.58 Greenlea Road:-

- Reg.Ref.3328/00 –Granny flat single storey side extension.
- Reg.Ref.2579/92 –New kitchen and sunroom extension at the rear.

5.0 Policy Context

5.1. Dublin City Council Development Plan

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

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 17.11 is relative to Roof Extensions. This includes:

- *The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building,*
- *Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible,*
- *Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors,*
- *Roof materials should be covered in materials that match or complement the main building,*
- *Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.*

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

- 6.1.1. A First Party Appeal has been submitted by Bright Design Architects on behalf of the applicants John and Ruth White. The grounds of appeal are against Condition no.2 of the Council’s permission and include the following:

- They wish to appeal sections a) and b) of Condition no.2 and have no issue with part c) which relates to external finishes of the dormer.
- The proposal as permitted will have significant impacts on the usability of the subject dormer element.
- The reduction in height means it will be below 2.4m floor to ceiling height and cannot be considered a habitable room. They suggest a small height reduction may be achievable.
- They provide that the overall height of the dormer has minimal impact on the overall perception of the scale of the dormer as is shown on the 3D images attached.
- They request that the reduction in width of the dormer be amended from 3m to 4m. They consider that this will facilitate usable space in the bedroom and be more in keeping with the proportions of the existing house.
- They refer to planning policy and consider that the objectives relative to Roof Extensions in the DCDP (2011-2017) can still be achieved if Condition no.2 were adjusted as per their suggestion.
- They note that precedent exists for a dormer extension which matches the existing ridge height at the property to the rear of their site. no.51 Parkmore Drive – Reg.Ref. WEB1254/15 (Condition no.3) relates.
- They note that even with the reduction in scale of the dormer as per Condition no.3 of that permission, the dormer at 4.8m would be wider than their proposal. They provide Section A-A and 3D images to illustrate that proposal.
- They consider that the Council have been unduly harsh on their client's, but with some modifications the intention of the planner can be maintained and their clients can achieve a more usable bedroom space. They ask that the condition be adjusted to improve the residential amenity of their clients.

6.2. Planning Authority Response

- 6.2.1. Dublin City Council provide 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 Map G of the DCDP 2016-2022 the site is within the Z1 residential zoning where the objective is: *To protect, provide and improve residential amenities.* 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. In this case the applicant is seeking permission for the proposed extensions to improve their family living space. They consider that the proposed extensions, including the dormer element at the rear, would not detract from the character of the house or impact adversely on the amenities of adjoining properties.
- 7.1.3. 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 including regard to the provision of the dormer extension which is the issue of contention are discussed further in the context of this assessment below.

7.2. Design and Layout

- 7.2.1. The plans submitted show the existing and proposed development. It is proposed to replace the existing single storey storage areas and to provide a storage/utility area side extension and kitchen/living room rear extensions. These are shown as single

storey with a flat roof parapet ranging in height from c.3.2m to 3.6m. It is noted that the Council did not have an objection to these proposed extensions.

7.2.2. A proposed attic room with en-suite (c.25sq.m) is also shown as part of the additional floor area. In order to gain the roof height for a habitable room this is to be facilitated by the provision of large rear box dormer with similar ridge height to the existing roof and shown c.4.8m in width with a glazed area of 4.2m. A new second floor landing window is also proposed in the side elevation. There is no objection to the latter.

7.2.3. It is also proposed to widen the vehicular entrance from 2.75m to 3.5m and the existing pier is to be relocated. The Council's Condition no.3 relates.

7.3. **Regard to Condition no.2**

7.3.1. In this case it is noted that there is no Third Party Appeal or Observations. Section 139 of the Planning and Development Act 2000 as amended would apply as this relates only to appeals against conditions. Section 139 (c) provides that where: *the Board is satisfied, having regard to the nature of the condition or conditions, 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.* Therefore, it is considered that taking into account the particulars of this case and the documentation submitted that the application does not need to be considered de novo.

7.3.2. Condition no.2 which is the subject of the appeal by the First Party is to protect residential amenities of the area. It provides that the following amendments to the proposed design are to be submitted to the Planning Authority prior to the commencement of development:

- a) *The dormer extension shall be reduced in width so as to have a maximum width of 3 metres.*
- b) *The dormer extension shall be reduced in height so as to be a minimum of 200mm below the main ridge line.*
- c) *The walls of the dormer extension shall be finished in slates, tiles or zinc cladding in a colour to match the existing roof finish.*

- 7.3.3. The First Party provide that they have no issue with part c) relative to the external finishes above. However, they wish to appeal parts a) and b) as they consider that the proposal as permitted will have a significant impact on the usability of the subject dormer window. They provide that the reduction in height is critical as it means that it will no longer be possible to achieve the recommended height of 2400mm floor to ceiling height in the new attic space. This means that it cannot be considered a habitable bedroom and instead only a study or playroom.
- 7.3.4. While dealt with under separate remit, note 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. It is noted that the applicants have included a Section A-A with their drawings to show these heights are only achievable provided the dormer matches the ridge height of the existing house. The rear elevation submitted shows externally the height of the rear dormer at 2.228 to match the ridge height, and the width at 4.8m (4.2m glazed area).
- 7.3.5. As noted in the Policy Section above, Appendix 17, Section 17.11 of the DCDP 2016-2022 refers specifically to Roof Extensions. This includes regard to the subordinate approach and to the design of the proposed dormer reflecting the character of the existing house and of the surrounding buildings. It is of note that this Section includes Figure 4 which shows a large visually obtrusive dormer as not acceptable and a smaller dormer set further down on the roof slope to respect the existing window pattern as being acceptable. It is considered that the dormer currently proposed would be excessively large and dominant and would not comply with the criteria of Section 17.11. As such it would produce an overly dominant feature and would not comply with the Subordinate Approach in Section 17.8.
- 7.3.6. While the amendments in the Council's condition are noted, the applicant has submitted that once the dormer is kept in line, or even just 50mm lower than the existing roof ridge it cannot be seen from the road. They have attached images showing 3D views in this respect. They are prepared to lower the dormer by 50mm. The issue with this is that they would not then be able to achieve the 2.4m floor to ceiling height. So in this case having regard to visual impact and the subordinate

approach the Council's recommended 200mm lower than the main ridge line would be preferable.

- 7.3.7. The First Party also request an amendment in the width from 3m as provided in the Council's Condition 2(a) to 4m in overall width. This would represent a reduction of c.0.8m from that currently shown. They provide that this means that a bed can be located in the dormer space which is full height and allows for a much more usable space for a bedroom. It is considered that the overall scale of the dormer needs to be reduced and it is recommended that the dormer extension be reduced to a maximum of 3.5m.

7.4. Precedent and Impact on the Character and Amenities of the Area

- 7.4.1. The First Party note that a precedent has been set for the larger dormer window in Reg.Ref. WEB1254/15. Images 6 and 7 show the rear elevation and section A-A of the plans submitted with that application, relevant to no.51 Parkmore Drive. They refer to Condition no 3 of the Council's permission. Part 3 - c) relates to the dormer i.e: *The rear dormer window shall be reduced to a maximum width of 4.8 metres contained fully within the rear roof plane and shall not be higher than the ridge line of the roof of the house. The external finish of the dormer shall match or compliment the main building.*
- 7.4.2. They provide that even with the reduction in scale of the dormer as per the condition the dormer at 4.8m would be wider than the dormer which they are requesting to permit. They also include an aerial photograph which shows that while no. 51 Parkmore Drive is not directly to the rear of the application site it is within the same residential block, some distance away to the north west. As this is a corner plot this large rear dormer is also visible from Greenlea Avenue
- 7.4.3. On site I noted another larger rear dormer to the north east to the rear of no.35 Parkmore Drive. The extensions to this property were the subject of an appeal PL29S.239008 refers. This had regard to Condition no.3 of the Council's permission. The Board decided to amend Condition no.3 and this included regard to:
- (c) The roof of the first floor side extension shall be reduced in height by a minimum of 300 millimetres below the main ridgeline of the dwelling and shall be hipped to match the existing roof profile.*

(d) As a result of condition number 3(c) above, the rear dormer window shall be reduced to a maximum width of 2.5 metres and shall be contained fully within the existing rear roof plane and drawn in from the eastern boundary with Parkmore Drive.

While regard is had to these precedent cases (copies of the decisions are included in the Appendix), it is noted that the property types differ from the that on the subject site, and each case has to be considered on its merits. Also, it is not necessarily desirable to follow precedent. However, it is noted that in both cases it was conditioned that the dormer be reduced in size and contained fully within the rear roof plane of the existing house.

7.5. Appropriate Assessment

- 7.5.1. It is considered that having regard to the nature and scale of the development which is for domestic/residential purposes in a fully serviced suburban location, and to the nature of the receiving environment, that no appropriate assessment issues arise.

8.0 Recommendation

Having regard to the nature of Condition No. 2, the subject of this appeal, 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, based on the reasons and considerations set out hereunder, I would recommend that under subsection (1) of Section 139 of the Planning and Development Act, 2000, as amended, that Condition No. 2 should be amended for the following reasons and considerations.

9.0 Reasons and Considerations

Having regard to the pattern of development in the area, it is considered that the proposed development, as amended by condition number 2 set out below, would be an appropriate form of development for this site, would not seriously injure the amenities of the area or of property in the vicinity and would not detract from the

character of this residential area. The proposed development, would therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Condition no.2

The proposed development shall be amended as follows:

(a) The rear dormer window shall be reduced to a maximum width of 3.5 metres and shall be contained fully within the existing rear roof plane of no.56 Greenlea Road.

(b) The dormer extension shall be reduced in height so as to be a minimum of 200mm below the main ridge line.

(c) The walls of the dormer extension shall be finished in slates, tiles or zinc cladding in a colour to match with the existing roof finish.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of protecting the residential amenities of neighbouring dwellings.

Angela Brereton,
Planning Inspector,

6th of July 2017.