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Bord  
Pleanála

## Inspector's Report PL29N.248407

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<b>Development</b>	Demolish rear extension and construct single-storey rear extension, attic conversion with 2 rear rooflights, internal alterations, enlarged rear window and replacement of windows.
<b>Location</b>	86 Hollybrook Road, Clontarf, Dublin 3
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2216/17
<b>Applicant(s)</b>	Hugh Liston & Bernadette Bruen
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First-Party
<b>Appellant(s)</b>	Hugh Liston & Bernadette Bruen
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	28 <sup>th</sup> June 2017
<b>Inspector</b>	Colm McLoughlin

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## 1.0 Site Location and Description

- 1.1. The appeal site is located on the eastside of Hollybrook Road, which is accessed off the Clontarf Road in Clontarf, approximately 3km northeast of Dublin city centre.
- 1.2. It contains a two-storey three-bedroom terraced dwelling with a two-storey rear return and a single-storey mono-pitch rear extension. The architecture of the dwelling is typical of the Victorian style, featuring brick front, projecting bays, sash windows, recessed entrance and slate roof. To the front of the dwelling is a small garden and pathway enclosed by a cast-iron rail, and to the rear there is garden space, a timber shed and access to a rear laneway.
- 1.3. The immediate area is generally characterised by a row of terraced Victorian-style dwellings, fronting onto tree-lined streets. Ground levels in the vicinity drop gradually to the south towards the coast.
- 1.4. Following adoption of Variation 2 of the Dublin City Development Plan 2016-2022, the subject property was removed from the Record of Protected Structures.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the demolition of the single-storey rear extension and its replacement with a single-storey flat roof extension extending across the width of the site and comprising an internal courtyard. Proposals also comprise alterations to the internal layout and drylining of internal walls, conversion of the attic for storage purposes, incorporating two rear rooflights, replacement of all sash windows and an enlarged rear window.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The planning authority decided to grant permission subject to 7 conditions, most of which are of a standard nature, but also including the following requirements:
  - Condition No 2: The development shall be revised as follows:

The single storey rear extension shall be set back to match the rear building line (east facing) of the neighbouring extension to the south at No. 87, Hollybrook Road. The depth of the internal courtyard shall be increased from 3.4 metres to 4.5 metres.

**Reason:** In the interest of residential 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:

- Concern regarding the size of the proposed courtyard, which is not considered large enough to provide a usable space for the inhabitants of the dwelling.
- Given the location of the extension forward of the neighbouring extension, it may appear overbearing in relation to the adjoining property.

### 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

3.4.1. The Planning Authority received **one** third-party submission from the residents of the adjoining property, No. 87 Hollybrook Road, with the following issues raised:

- Proposals will result in loss of light into living rooms of the adjoining dwelling;
- Concerns regarding the building height and the accuracy of heights detailed on the application drawings;

- Request for further details relating to the specifications of the building proposals along the shared boundary, including proposals for rainwater goods and control of rainwater;
- The proposed extension is too high and will impact on their privacy.

## 4.0 Planning History

### 4.1. Subject Site

4.1.1. There have been no recent relevant planning applications on the subject site.

### 4.2. Surrounding Sites

4.2.1. There have been numerous planning applications approved by the planning authority for residential extensions on neighbouring sites, including both of the adjoining terraced dwellings to the appeal site:

- 87 Hollybrook Road - 5419/08 – Permission **granted** (March 2009) for a single storey rear extension and internal alterations (Protected Structure).
- 85 Hollybrook Road - 3459/10 – Permission **granted** (December 2010) for refurbishment works, demolition of outbuildings, internal and external alterations, revised boundaries to rear and landscaping (Protected Structure).

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The appeal site has a zoning objective 'Z2 – Residential Neighbourhoods (Conservation Areas)' within the Dublin City Development Plan 2016-2022 with a stated objective to "protect and/or improve the amenities of residential conservation areas".

5.1.2. The appeal site is included within the Hollybrook Road Architectural Conservation Area (ACA) (Appendix A to this Report - Hollybrook Road Draft ACA Report: Character Appraisal and Policy Framework). This ACA will protect primarily the front facades and streetscape character.

- 5.1.3. Chapter 11 of the Plan notes under policy CHC4 that development in ACAs should contribute positively towards the character and distinctiveness of the area.
- 5.1.4. Within Appendix 17 (Volume 2) of 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.

## **6.0 The Appeal**

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

- 6.1.1. A first-party appeal has been lodged only against Condition 2 attached to the planning authority decision, with the following grounds raised:
- The size of the proposed internal courtyard was designed considerate of daylight, the neighbouring adjoining courtyard, creation of a disconnect between the original and new build and most importantly, to maximise outdoor space to the rear;
  - There is existing precedent for a similar development, including internal courtyard along the neighbouring St. Lawrence's Road;
  - Extending the depth of the internal courtyard would increase the separation between the original reception rooms and the new extension;
  - Proposals would impede the functionality of the rear garden.

Photographs of extensions of a similar nature and scale accompany the grounds of appeal.

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

The planning authority has no further comment on the grounds of appeal.

### 6.3. Observations

None.

## 7.0 Assessment

- 7.1. This is a first-party appeal only against Condition 2 attached to the planning authority's decision to grant permission. Condition 2 generally requires:
- a) The depth of the proposed single-storey extension to be extended further to the rear (eastwards) by approximately 1.1m to match the rear building line of the adjoining single-storey rear extension to No. 87 Hollybrook Road;
  - b) The depth of the internal courtyard to be extended to the rear (eastwards) by 1.1m.
- 7.2. Having regard to the nature and scale of the proposed development, and the nature of condition number 2, 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).
- 7.3. Following adoption of Variation 2 of the Dublin City Development Plan 2016-2022 on 12<sup>th</sup> June 2017, the appeal site is included within the Hollybrook Road. Adoption of this variation to the Development Plan also provided for deletion of the subject site and neighbouring properties from the Record of Protected Structures.
- 7.4. Following adoption of Variation 2 of the Dublin City Development Plan 2016-2022 on 12<sup>th</sup> June 2017, properties on Hollybrook Road, including the appeal site No. 86, were removed from the Record of Protected Structures. However, the area was designated as an Architectural Conservation Area (ACA) in Variation 2 of the Development Plan. Given the location of the proposals to the rear of the site and the absence of visibility from the public realm, I am satisfied that the proposed development has no impact on the character or visual amenities of the ACA.
- 7.5. The subject dwelling is built on a similar ground level to the neighbouring property to the south, No. 87 Hollybrook Road, and on a similar building line. The Planning

Officer was concerned that the internal courtyard would not be of sufficient size to function as amenity space for the residents of the property. In my opinion, extending the depth of the internal courtyard by 1.1m would have negligible benefit in improving the functionality of this space, as the primary rationale for incorporating such a design feature into the development would generally relate to the desire to improve natural lighting of the extended space. The appellant's also note that this feature will provide a visual connection between the original and new elements of the dwelling proposed to be extended.

- 7.6. The Planning Officer's report also raises concern with regards to the position of the internal courtyard relative to the neighbouring courtyard to No. 87 Hollybrook Road and considers that the proposed arrangement would have an overbearing impact on the amenities of the adjoining residents to the south. The proposed single-storey extension would have a 3.2m high parapet adjacent to the internal courtyard to No. 87. Sufficient space is available along the boundary to install rainwater goods. The design, size and scale of the proposed extension and its relationship with neighbouring properties is quite typical in terms of modern suburban development. I do not consider that the proposal would have an overbearing impact on neighbouring properties.
- 7.7. Consequently, in my opinion the requirement to increase the size of the internal courtyard is not warranted, as it would not significantly improve the functionality of this space, and as the proposed rear extension would not have an excessively overbearing impact on the adjoining property at No. 87 Hollybrook Road. Furthermore, the increased length along the lateral boundaries required under Condition 2, would result in an increase in length of the extension along the boundary with No. 85 to the north, from 4.7m to 5.8m without any opportunity for the occupants of that dwelling to comment.
- 7.8. In conclusion, I am satisfied that condition 2 requiring the extension of the depth of the single-storey rear extension and the internal courtyard would not be warranted, as the increase in the courtyard depth would not result in it being any more functional for the residents of the subject property and the increase in the depth of the extension would accordingly not be warranted. Overall, considering the modest scale of the proposal, I conclude that removal of the condition would not detract from the residential amenities of the subject property, the adjoining dwellings or of



neighbouring properties in the vicinity and would not adversely impact on the Hollybrook Road Architectural Conservation 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 **REMOVE** condition number 2 for the reasons and considerations hereunder.

## 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 2 requiring an increased depth to the internal courtyard and single-storey rear extension is not warranted, as an increase in the courtyard depth would not improve the functionality of this space, and would not adversely affect the residential amenity of the neighbouring property at No. 87 Hollybrook Road. It is considered that with the removal of condition 2, the proposed development would not seriously injure the amenities of the subject property or of property in the vicinity, and would not adversely impact on the character of the Hollybrook Road Architectural Conservation Area. The removal of Condition 2 would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Colm McLoughlin  
Planning Inspector

17<sup>th</sup> July 2017

## **Appendices**

**Appendix A** - Hollybrook Road Draft Architectural Conservation Area (ACA) Report:  
Character Appraisal and Policy Framework.