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Bord  
Pleanála

## Inspector's Report PL29N.248473

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<b>Development</b>	Single-storey rear extension, conversion of attic space, side and rear dormer window extensions and new front access door to dwelling
<b>Location</b>	97 Furry Park Road, Killester, Dublin 5
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2285/17
<b>Applicant(s)</b>	Frances Breen
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First-Party
<b>Appellant(s)</b>	Frances Breen
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	12 <sup>th</sup> July 2017
<b>Inspector</b>	Colm McLoughlin

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## 1.0 Site Location and Description

- 1.1. The appeal site is located on Furry Park Road, a residential street off the Howth Road in Killester, approximately 300m west of St. Anne's Park and 5km northeast of Dublin city centre.
- 1.2. It contains a two-storey three-bedroom terraced dwelling, with single-storey side and rear extension. The external finishes to the dwelling include a combination of facing brick on the front elevation up to first-floor window sill level, with painted render above and concrete profile roof tiles. To the front of the house is a driveway to accommodate cars.
- 1.3. The surrounding area is generally characterised by rows of terraced dwellings of similar styles, fronting onto narrow tree-lined streets. Ground levels in the vicinity generally drop steadily towards the south.

## 2.0 Proposed Development

- 2.1.1. The proposed development comprises the following:
  - demolition of a single-storey rear extension and a rear outbuilding;
  - construction of a new single-storey rear extension;
  - conversion of attic space, incorporating 1 no. side dormer window extension and 1 no. rear dormer window extension;
  - new front door to existing side extension and revised internal layout.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The planning authority decided to grant permission subject to 6 conditions, most of which are of a standard nature, but also including the following specific requirements:
  - Condition No 2: The development hereby approved shall incorporate the following amendments: -

- The roof of the single storey rear extension shall be set at least 300mm below the window cill of the first floor bathroom window.
- The side and rear dormer windows shall be set 300mm below the ridge line of the main roof, shall not constitute more than 50% of the roof plane and shall be centred as much as possible on the roof plane.
- The side dormer window shall be set back at least 300mm from the front and rear roof plane of the main roof and off set at least 300mm from the side elevation and the window shall be contained within the side dormer.
- The rear dormer window shall be set back at least 300mm from the side roof plane and off set at least 1 metre from the rear elevation.
- The external walls of the dormer shall be of a similar colour (or tiles/slates) to the existing roof finish.
- All fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof. Any downpipes shall be located on the side dormer's rear elevation.

**Reason:** In the interests of visual and 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:

- At its highest point the roof of the extension cuts across the first floor bathroom window cill;
- The rear dormer would be visible from the estate road to the west, Furry Park Court;
- In the interest of visual amenity and to ensure that the dormers are visually subordinate to the roof, the proposed dormers should be amended.

### 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

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

- 4148/03 - Permission **granted** (November 2003) for single-storey side and rear extension.

### 4.2. Surrounding Sites

4.2.1. There have been numerous planning applications approved for residential extensions on neighbouring sites, including permissions for dormer roof extensions:

- 103 Furry Park Road – WEB1189/16 – Permission **granted** (August 2016) for wrap-around dormer window extension to side and rear of building at second floor level and new vehicular access and off street parking to front;
- 136 Furry Park Road –PL29N.243585 (DCC Ref. 2588/14) – Permission **granted** (October 2014) for attic conversion comprising side and rear dormer windows and a new vehicular access;
- 81 Furry Park Road –PL29N.225220 (DCC Ref. 3850/07) – Permission **granted** (January 2008) for attic conversion comprising side dormer window extension and permission **refused** for single-storey rear extension;

- 100 Furry Park Road – 1221/06 – Permission **granted** (April 2006) for attic conversion comprising front and rear rooflights and side dormer window extension.

## 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, including Section 17.11 addressing 'roof extensions'.

## 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. The appeal is accompanied by photographs of the site and neighbouring extended properties, and a set of drawings illustrating the implications of the requirements of Condition 2 on the proposed development. The following grounds of appeal are raised:

- Drawings submitted with the application erred and the single-storey rear extension will not intersect with the sill of the bathroom window;

- Floor to ceiling heights of 2.1m would arise in the northern end of the single-storey rear extension if the roof pitch was maintained and the roof dropped by 300mm across its full width;
- Rear of the property is not highly visible;
- Difficulties in the build from a structural perspective, in meeting Building Regulations requirements and in creating functional useable internal space with adequate headroom;
- Reference to precedent for similar developments in the immediate vicinity (Nos. 122 & 136 Furry Park Road);
- Design of the dormers has been undertaken to respond to the existing house and neighbouring character;
- Proposals do not increase overlooking of neighbouring properties or result in undue overshadowing;
- Consultation was undertaken with adjacent residents and no objections were received on the application to the proposed development.

## 6.2. **Planning Authority Response**

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:

- Roof of single-storey rear extension to be dropped by 300mm at the southern end;
- Dormer extensions to be 300mm below the roof ridge line, to not exceed half the width of the existing roof plane and to be centrally positioned;

- Side dormer extension to be 300mm off the hipped roof ridge lines and set back 300mm from the side elevation wall;
- Rear dormer extension to be 300mm off the hipped roof ridge line and set back 1m from the rear elevation wall;
- Face and cheeks to the dormers to match the existing roof materials;
- Rainwater goods and frames to match the existing roof.

7.2. 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 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. The subject stretch of Furry Park Road serves as a lightly-trafficked link between Vernon Rise and the Howth Road, and backs onto residential properties within Furry Park Court, a gated estate. The side elevation to the dwelling is only visible from the immediate public street and from a small number of properties on Furry Park Road, as it is largely screened from view by existing dwellings and by seasonal tree cover. Dwellings of a similar age and design in the immediate vicinity incorporate similar size dormer extensions to those proposed, including Nos. 81, 100, 103 & 136 Furry Park Road.

7.4. The grounds of appeal assert that reducing the size of the dormer extensions will restrict access and functionality of the attic space. Consequently, the condition would impact on the appellant's ability to improve the residential amenity of the dwelling. Revised drawings have been submitted by the appellant to illustrate the requirements and implications of Condition 2<sup>1</sup>. The Development Plan requires a residential extension to be 'subordinate' to the original dwelling, enabling a large proportion of the original roof to remain visible. The planning authority require the proposed dormer extensions to be set 300mm below the roof ridge line and to be no more than half the width of their respective roof planes. The originally proposed

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<sup>1</sup> Note: The revised drawings do not illustrate dormer extensions less than half the width of their respective roof planes.



dormer extensions maintain the existing ridge line and are also setback from the eaves line, while the profile of the existing roof is substantially maintained. While I accept that the rear dormer extension is not visually subordinate, in my opinion it has negligible visual impact, particularly when viewed in the context of the rear dormer window extension to No. 103 Furry Park Road. Accordingly, I do not consider that those items of the condition that are attached to ensure the dormer extensions are subordinate to the main dwellinghouse are warranted.

- 7.5. By requesting that the dormer extensions are set back from the roof eaves within the condition, the planning authority also seek to address their concerns relating to the overbearing impact of the proposals and the potential for overlooking of neighbouring properties. Given the restricted views of the rear and side roof pitches, in my opinion the proposed development would not have an overbearing impact on neighbouring properties. Furthermore, the proposed development would not significantly increase potential for overlooking of neighbouring properties.
- 7.6. The planning authority sought to have the single-storey rear extension dropped in height by 300mm to avoid intersecting with the bathroom window sill. The appellant has submitted revised drawings and a rear elevation photograph to clarify that the originally proposed single-storey extension will not intersect with the bathroom window sill, as the existing bathroom window is not as high as that illustrated on the original plans. I note that the drawings submitted with the application state that the proposed extensions will be completed in materials to match the existing and that the grounds of appeal outline the appellant's preference to treat the face and cheeks to the dormers in render, which would complement the existing dwelling. Consequently, I am satisfied that the items in Condition 2 relating to the single-storey rear extension and materials are therefore not necessary.
- 7.7. In conclusion, I am satisfied that Condition 2 requiring alterations to the side and rear dormer window extensions and single-storey rear extension would not be warranted, as the proposed development would be complementary to the existing dwellinghouse, as it would not have an overbearing impact and as it would not result in overlooking of neighbouring properties. Attachment of Condition 2 would not significantly reduce the dominance of the proposed dormer window extensions on the dwelling and would have negligible impact in safeguarding the 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 **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 alterations to the dormer extensions and single-storey rear extension is not warranted, as the proposed development is visually subordinate and complementary to the existing dwellinghouse, and would not adversely affect the residential amenities of property in the vicinity. 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

26<sup>th</sup> July 2017