



An  
Bord  
Pleanála

## Inspector's Report PL29N.248730

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<b>Development</b>	Permission for garage conversion with first floor extension to side and single-storey extension to front and all associated works.
<b>Location</b>	52 Lorcan Grove, Beaumont, Dublin 9.
<b>Planning Authority</b>	Dublin City Council.
<b>Planning Authority Reg. Ref.</b>	2606/17.
<b>Applicants</b>	David and Michelle Raftery.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	First Party -v- Condition.
<b>Appellants</b>	David and Michelle Raftery.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	17 <sup>th</sup> August, 2017.
<b>Inspector</b>	Paul Caprani.

## Contents

1.0 Introduction .....	3
2.0 Site Location and Description .....	3
3.0 Proposed Development .....	3
4.0 Planning Authority's Decision .....	4
5.0 Planning History.....	4
6.0 Grounds of Appeal.....	5
7.0 Appeal Responses.....	5
8.0 Observations.....	5
9.0 Development Plan Provision.....	6
10.0 Assessment.....	7
11.0 Appropriate Assessment .....	9
12.0 Conclusions and Recommendation.....	9
13.0 Decision .....	9
14.0 Reasons and Considerations .....	9
15.0 Conditions .....	10

## 1.0 Introduction

PL29N.248730 relates to a first party appeal against a condition attached by Dublin City Council in its notification to grant planning permission for a garage conversion with first floor extension at side and single-storey extension to front at 52 Lorcan Grove, Beaumont, Dublin 9.

## 2.0 Site Location and Description

Lorcan Grove is located in the suburban area of Beaumont and is located approximately 6 kilometres north of Dublin City Centre. No. 52 Lorcan Grove forms part of a line of terraced houses which face southwards onto an area of open space. No. 52 is the third house from the western end of the terrace of houses. It comprises of a two-storey structure with a single-storey garage along its eastern boundary. The single-storey element along the eastern boundary accommodates a garage to the front with a utility and bathroom to the rear. The dwelling is also incorporated a single-storey dining and living area to the rear of the main dwelling. The dwellinghouse to the immediate east (No. 54) also incorporates a single-storey garage along the common boundary.

## 3.0 Proposed Development

- 3.1. It is proposed to extend along the front elevation at ground floor level. The extension is to project 1.4 metres beyond the existing front building line. The ground floor extension to the front of the dwelling is to accommodate additional living accommodation for the lounge area, the provision of a new porch area leading to the existing hallway and an extension to the playroom which is to be converted from the existing garage along the eastern boundary of the site.
- 3.2. It is also proposed to construct a first floor extension above the existing single-storey garage area along the eastern boundary of the site. At first floor level it is proposed to accommodate an additional bedroom to the front of the house within an en-suite bathroom and small landing area to the rear of the house. The proposed roof

extension is to match the ridge height of the existing house. The planning application from indicates that the floor area of the extension amounts to 38 square metres.

#### 4.0 **Planning Authority's Decision**

4.1. Dublin City Council issued notification to grant planning permission subject to seven conditions. Condition No. 2 required that the development should be revised as follows:

- (a) The first floor side extension shall be setback 1 metre from the existing front building line. The internal layout shall be amended accordingly.
- (b) The roof of the side extension shall be setdown from the ridge of the existing roof by 0.5 metres.

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

4.2. In respect of this condition the planning report notes that "*there are concerns that the first floor side extension would result in terracing and could potentially alter the character of the existing semi-detached house. Therefore, the first floor side extension should be setback 1 metre and the roof of the proposed side extension should also be setdown by 0.5 metres from the ridge at the existing roof*". Subject to the above alterations the planner's report states that the proposal would not impinge on the residential or visual amenities of the area or would not result in undue overshadowing of the neighbouring property. The development is therefore considered to be acceptable.

#### 5.0 **Planning History**

No history files are attached. The planner's report refers to Reg. Ref. 0175/10 where a Section 5 Exemption Certificate was issued for the construction of a boiler house and the installation of associated oil storage tank to the rear of the house together with an extension to the side of the house comprising of a garage and a store/utility room.

## 6.0 Grounds of Appeal

The decision of Dublin City Council was the subject of a first party appeal against Condition No. 2. The applicants seek to appeal this condition on the following grounds:

- The bedroom proposed on first floor was to be used as a master bedroom and with the imposition of the above condition it is not feasible to use the bedroom for its intended use as the space available would be greatly curtailed.
- It is stated that there is a precedent within the location for granting permissions without the implementation of such conditions. Permission was recently granted for 46 Lorcan Grove which has no requirement to step the building back by 1 metre or reduce it in height. There are a large number of similar extensions granted within the area which do not attract such conditions.
- It is stated that the additional cost for the overall construction would be substantial as the applicants would have to engage an engineer to design steel supports and beams which would be required. The applicant should not have bear this additional cost when a precedent has already been set in the area. For these reasons it is argued that Condition No. 2 should be omitted.

## 7.0 Appeal Responses

7.1. Dublin City Council submitted the following response to the grounds of appeal.

7.2. The reason on which the Planning Authority's decision on the application was based is set out in the planning report and has already been forwarded to An Bord Pleanála. It is not proposed to respond in detail to the grounds of appeal as the Planning Authority considers that the comprehensive planner's report deals fully with all issues raised that justifies its decision.

## 8.0 Observations

No observations are contained on file.

## 9.0 Development Plan Provision

9.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016 – 2022. The site is governed by the land use zoning objective Z1 with the objective to “*protect, provide and improve residential amenities*”.

9.2. General guidance for residential extensions in all zones throughout the city are set out in Section 16.10.12. It requires that all extensions and alterations should protect the amenities of adjoining dwellings in particular the need for light and privacy. The form of the existing building should be followed as much as possible and similar finishes should be used on the extension. Applications for proposals will be granted provided that:

- The proposed development has no adverse impact on the scale and character of the dwelling.
- Has no unacceptable effect on the amenities enjoyed by occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.
- Paragraph 17.11 of Appendix 17 specifically relates to roof extensions. It notes that the roofline of a building 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 is carefully considered. If not treated sympathetically, dormer extensions can cause problems for immediate neighbours and the way the street is viewed as a whole.

9.3. When extending the roof, the following principles should be observed.

- 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 levels to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

## 10.0 Assessment

- 10.1. Having regard to the nature and scale of the proposed extension, the fact that numerous precedents for similar type extensions have been developed in the area and the fact that no observations have been received by either the Planning Authority or the Board objecting to the nature of the proposed development, I consider that the proposed development on the site in question is acceptable in principle. I therefore consider that the Board can restrict its deliberations to the issue raised in the grounds of appeal namely whether or not Condition No. 2 is justified and warranted in this instance.
- 10.2. Condition No. 2 seeks two alterations to the proposed extension. Firstly, the condition requires that the first floor side extension will be setback 1 metre from the existing front building line. The reason for this according to the planner's report, is that the first floor side extension as proposed would result in a terracing effect along the line of houses. I estimate that the incorporation of the above condition would reduce the usable area within the bedroom from approximately 13.1 metres to 10.2 square metres which is a significant and material reduction in usable space within the bedroom. I note that the minimum bedroom floor areas set out in the most recent Guidelines for Planning Authorities in terms of design standards for new apartments require that double bedrooms be a minimum size of 11.4 square metres. The imposition of Condition 2(a) therefore would reduce the bedroom size to below the minimum standards for double bedrooms set out in the above Guidelines.
- 10.3. Furthermore, I do not consider that incorporating a recess into the extension at first floor level of 1 metre in depth would reduce the terracing effect to any appreciable extent. If a similar type extension was developed on the adjoining house to the east and such an extension was also recessed by 1 metre at first floor level, the development would still be viewed in my opinion as a row of terraced dwellings even with the incorporation of the recess. I do not consider therefore that Condition 2(a) is an appropriate method of achieving the stated aim of reducing the terraced effect on the houses in question.

- 10.4. Furthermore, I note that there are a number of examples in the wider area where extensions were permitted similar to that proposed under the current application where there was no requirement to recess the first floor level by 1 metre. I refer the Board to a photograph attached which provides an example of this at No. 13 Lorcan Grove a house to the immediate south of the site. I also note that the applicant makes reference to a similar type development at No. 46 Lorcan Grove (Reg. Ref. WEB 1057/16). Having consulted the City Council's website and noted the drawings contained on file, I would agree with the applicant that a similar type extension was granted planning permission at No. 46 and no condition was incorporated requiring this setback. I therefore consider that the Board should consider omitting Condition 2(a).
- 10.5. In relation to Condition 2(b) Appendix 17.11 of the development plan specifically relates to roof extensions. While the development plan states that "the roofline of a building is one of the most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of the roof is carefully considered". Nowhere in the development plan does it state that any extension to the roof should be visually subordinate or ancillary to the existing roof profile. There is a specific statement in the development plan that "dormer windows should be visually subordinate to the roofslope in enabling a large proportion of the original roof to remain visible". There is no proposal in this instance to incorporate a dormer window within the roofpitch. And I consider the replication of the existing roofpitch would be acceptable from the visual point of view. Again I would refer the Board to the photograph attached which shows that the extension undertaken at No. 13 Lorcan Grove did not require a 0.5 metre stepdown in the ridge height of the extension. Nor was such a condition required in the case of the extension under Reg. Ref. WEB 1057/16. Therefore, as in the case of Condition No. 2(a) I consider that there are relevant precedents in the immediate vicinity where such alterations were not incorporated in the grant of planning permission. On this basis I consider that the Board should consider omitting Condition No. 2(b) also.



## **11.0 Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the nature of the receiving environment together with the proximity to the nearest European site, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant affect individually or in combination with other plans or projects on a European site.

## **12.0 Conclusions and Recommendation**

Arising from my assessment above I consider that the Board should uphold the decision of Dublin City Council and grant planning permission for the proposed development but should omit Condition No. 2 which requires alterations to the extension as proposed.

## **13.0 Decision**

Grant planning permission for the proposed development based on the reasons and considerations set out below.

## **14.0 Reasons and Considerations**

Having regard to the residential zoning objective relating to the site it is considered that subject to conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 15.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 the 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 external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Samples of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the [attenuation and] 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. The site building works required to implement the development shall be carried out between the hours of:

Mondays to Fridays – 7 a.m. to 6 p.m.

Saturdays – 8 a.m. to 2 p.m.

Sundays and Bank Holidays not at all.

Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining

to the particular circumstances being set by the planning authority.

**Reason:** In order to safeguard the amenities of adjoining residential occupiers.

5. The site development works and construction works should be carried out in such a manner so as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works. Such works shall be carried out on adjoining roads at the developer's expense.

**Reason:** To ensure that adjoining roadways are kept clean and safe during construction works and in the interest of orderly development.

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Paul Caprani,  
Senior Planning Inspector.

22nd September, 2017.