



An  
Bord  
Pleanála

## Inspector's Report PL.29S.248830

### Development

Attic conversion to provide a family bathroom and master bedroom and alteration of roof to change existing hip to gable wall, dormer window to front elevation, tiled return wall and site works

### Location

98 Emmet Rd. Inchicore. Dublin 8

### Planning Authority

Dublin City Council.

### Planning Authority Reg. Ref.

WEB 1203/17

### Applicant(s)

Tony Lonergan.

### Type of Application

Permission.

### Planning Authority Decision

To Refuse Permission.

### Type of Appeal

First Party

### Appellant(s)

Tony Lonergan.

### Observer(s)

None.

### Date of Site Inspection

October 2<sup>nd</sup>, 2017.

### Inspector

Breda Gannon

## **1.0 Site Location and Description**

- 1.1. The site is located at 98 Emmet Road, Inchicore. Dublin 8. It forms part of a terrace of 5 no. residential properties located on the south side of the road. The two-storey red brick dwellings with bay windows are elevated above road level with small gardens to the front enclosed by boundary walls.
- 1.2. The appeal site forms the western end of the terrace. There is a two-storey return to the rear beyond which there is a more recent single-storey extension. Along its western side, the rear garden is enclosed by a high stone wall. To the west of the site, a bungalow which is set back behind the terrace is used in association with a car repair company. Part of its operations extend along the rear of the terrace, accessed by a right of way to the west of the appeal site.
- 1.3. The area is primarily residential with some mixed uses opposite the site. Further east the Inchicore College of Further Education lies on an elevated site.

## **2.0 Proposed Development**

- 2.1. The development as described in the public notices submitted with the application proposes the following;
  - Attic conversion to provide a family bathroom and master bedroom.
  - Alterations to roof to change the existing hip to a gable wall.
  - New dormer to front elevation.
  - Tiled second floor return wall.
  - Internal alterations and site works.

## 3.0 Planning Authority Decision

### 3.1. Decision

The planning authority decided to refuse permission for the development on the grounds that the alterations proposed to the roof would be inconsistent with the established character of the house, that the flat roofed rear extension does not reflect the character of the area and that the extension would dominate the roof and not be subordinate to the existing structure. It was considered that the development would be contrary to the provisions of the development plan (Section 17.7 of Appendix 17 and Section 16.2.13) and would set an undesirable precedent for similar development which would be seriously injurious to the residential amenity and contrary to the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The **Planning Officer's** report of 9/6/17 notes that the attic extension would result in a significant alteration to the roof profile and the provision of a projecting window on the front elevation. The changes proposed would be inconsistent with the established character of the house, and set an undesirable precedent for similar unsuitable development.

The proposed development would involve the loss of a significant portion of the rear plane of the roof of the house. The alterations would include a flat roof to the existing return with rising side angles, which is inconsistent with the existing roof pitch. The proposed flat roof extension does not reflect the character of the area and would dominate the rear plane of the roof and not be subordinate to the existing structure, as required by the development plan.

It is concluded that the proposed development would be contrary to the provisions of the development plan, would be seriously injurious to the residential amenities of the area and contrary to the proper planning and sustainable development of the area.

The **Drainage Division** in their report of 15/05/17 raised no objection the development subject to standard type conditions.

### 3.3. **Prescribed Bodies**

None

### 3.4. **Third Party Observations**

None

## 4.0 **Planning History**

**1.1235/06** – Permission refused for the erection of a detached two-storey house with an open canopy extending over the entrance and with a designated car parking space accessed from the back lane at 98 Emmet Road.

**2. 5005/06** - Permission refused for the erection of a detached two-storey house with an open canopy extending across façade above entrance and integrated car port with access from the back lane at 98 Emmet Road.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

The operative development plan is the **Dublin City Council Development Plan 2016-2022**. The site is located in an area zoned Z1 – Sustainable Residential Neighbourhoods, with the following objective

*‘To protect, provide and improve residential amenities’.*

Residential uses are permissible in this zone.

Section 16.2.2.3 (Alterations and Extensions) and section 16.10.12 (Extensions and Alterations to Dwellings) and Appendix 17 (Guidelines for Residential Extensions) of the Plan are relevant to the consideration of the proposed development. Extracts from the Plan are appended to the back of the report for the information of the Board.

### 5.2. **Natural Heritage Designations**

None

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The following summarises the grounds of appeal;

**Roof Profile** – The profile of the new roof to the Emmet Road elevation was taken with due consideration to the context of the existing elevation of the terrace of houses. The original terrace has a gable wall to No 90 and a large hip to No 98. This is in itself inconsistent and produces an imbalance in the overall symmetry of the terrace. The proposal to change the hip roof to a gable will balance the terrace elevation creating uniformity. The elevation to No 102 Emmet Road has a gable wall which is also a common feature on the entire length of Emmet Road. The addition of the gable wall profile will respect the uniformity of the terraces within the area with a consistent roofline and as such will not adversely affect their character.

**Dormer window to front** – The proposed dormer window offers a small benefit to the use of the second floor of the proposed extension, providing a small window to a dressing room. It was included to provide balance to the elevation to the existing dormer roof window on the opposite end at No 90 Emmet Road. The dormer window will be visually subordinate to the roof slope, ensuring that a large part of the original roof will remain visible. The proposal will not adversely affect the amenities of the adjoining properties and in particular the need for light and privacy. The form of the existing building will be followed as closely as possible and the development will integrate with the existing building through the use of similar finishes and windows.

**Dormer roof to rear** – The rear extension is provided with a mansard roof to reduce the scale and impact of the development. Vertical slate finished walls are common features in buildings of this period and would appear as a roof rather than a wall. The principle of a tiled rear return is already a feature of the terrace at No 94 & 96 Emmet Road. The rear return has no adverse impact on the scale and character of the dwelling and will have no unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight. The flat roofed extension will not be visible from Emmet Road and is overlooked from the rear by commercial units. The addition to the roof will not affect the character of the area.

**Conclusion** – The planning authority failed to fully address the existing character of the properties on Emmet Road and the integration of the proposed new development into the streetscape. Whilst the planning authority describe the building as historic, it has no status as a protected structure.

The habitable room on the second floor has been provided with suitable light and ventilation.

The rear return has no visual or detrimental effect on adjoining residential properties.

## 6.2. Planning Authority Response

No response to the grounds of appeal were submitted by the planning authority.

## 7.0 Assessment

- 7.1. The main issues that arise for determination by the Board in respect to this appeal relate to the principle and acceptability of the proposed development in this location.
- 7.2. Having regard to the Z1 zoning objective for the area, where residential development is permissible, I accept that the development, which would improve the level of accommodation associated with the dwelling, is acceptable in principle.
- 7.3. The proposal is to create an additional second floor level to the existing house. The ground floor would remain as existing and alterations would be made to the first floor including the removal of the bathroom, creating a larger fourth bedroom on this level. The new extension would incorporate a master bedroom and dressing room, with a new bathroom and study to the rear.
- 7.4. It is a requirement of the development plan (section 16.10.12) that extensions to dwellings should
  - not adversely affect the amenities enjoyed by occupants of adjacent dwellings, and
  - not have an adverse impact on the scale and character of the dwelling.
- 7.5. With the exception of an additional window serving a landing and overlooking the commercial property to the west, no additional windows are proposed which would give rise to overlooking and adverse impacts on the privacy or amenity of adjacent

dwelling. The new rear window serving the study will be orientated to face the commercial property to the rear and will not give rise to any additional impacts over and above those created by the existing windows. I do not, therefore, consider that the proposed extension would result in significant adverse impacts on the residential amenities of adjoining property.

- 7.6. The main concerns relate to the design, scale and finishes of the proposed extension and the impacts on the character and the visual amenities of the area. Whilst I accept applicant's argument that there is indeed precedent in the area for similar roof profiles, front dormer windows and the tiled returns to the rear, such inappropriate development cannot be used to justify future proposals. I consider that the alterations to the roof profile as proposed, would fundamentally alter the character of the house and that the dormer window, whilst it does dominate the roof, would when taken in conjunction with the bay window, contribute to visual clutter detracting from the visual amenities of the area.
- 7.7. To the rear, the proposed development is contrary to development plan guidance in that the dormer does not reflect the character of the area, is not visually subordinate to the roof slope, incorporates a window which does not relate to the shape, design, size and position of existing windows, supports inappropriate materials and results in only a fraction of the existing roof remaining visible.
- 7.8. In conclusion, I consider that the proposed development is contrary to development plan guidance in that the proposed extension is not designed to be subordinate in scale and mass to the main dwelling and that the alterations proposed incorporating significant changes in the roof profile, the provision of a dormer window in the front and rear elevations would impact on the scale and character of the existing house and detract from the visual amenities of the area. It is my opinion, that the proposed development is, therefore, contrary to the provisions of the development plan and the proper planning and sustainable development.

## **8.0 Appropriate Assessment**

- 8.1. Having regard to the location of the development within a serviced built up area, the nature and scale of the development and the separation distance from Natura 2000 sites, I consider that the proposed development either alone, or, in combination with

other plans or projects, would not be likely to have significant effect on any other European Site, in view of the sites conservation objectives and that, therefore, a Stage Appropriate Assessment and the submission of a Natura Impact Statement is not required.

## **9.0 Recommendation**

9.1. Having considered the contents of the planning application, the decision of the planning authority, the provisions of the development plan, the grounds of appeal and the responses thereto, my inspection of the site and my assessment of the planning issues, I recommend that permission be refused for the development for the reasons and considerations set out below.

## **10.0 Reasons and Considerations**

Having regard to the overall scale and mass of the proposed extension, the signification interventions proposed at roof level, incorporating a dormer extension in the front elevation and changes in the existing roof profile, and the inappropriate scale, design and finish of the proposed rear roof extension, it is considered that the proposed development would seriously impact on the scale and character of the existing house and the form of the terrace, would seriously detract from the visual amenities of the area and would be contrary to the provisions of the current Dublin City Council Development Plan. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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Breda Gannon  
Planning Inspector

9th October 2017