



An
Bord
Pleanála

Inspector's Report PL06F.248918.

Development	Construction of first floor extension over existing garage and a single storey extension to front of house and two front rooflights and associated works.
Location	18 Portmarnock Drive, Portmarnock, Co. Dublin.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	F17B/0122.
Applicant(s)	Gearoid Oliver and Nicole Gross.
Type of Application	Permission.
Planning Authority Decision	Grant permission.
Type of Appeal	First Party v Condition
Appellant(s)	Gearoid Oliver and Nicole Gross.
Observer(s)	None.
Date of Site Inspection	13 th September 2017.
Inspector	Patricia Calleary.

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1.0 Site Location and Description

- 1.1. The site with a stated area of 0.029 hectares comprises a two-storey semi-detached house and its curtilage, in a suburban housing estate known as Portmarnock Drive in Portmarnock, c.14km from Dublin city centre. It is bounded on each side by semi-detached houses of a similar style and the estate road bounds the site to the front. There is a domestic garage attached to the south (left) side of the house and it directly abuts the single storey garage of the neighbouring property to its south (left) side. A single storey extension has been recently added to the rear of the house.
- 1.2. The immediate area is characterised by established residential development fronting onto the estate road.

2.0 Proposed Development

- 2.1. As described on the public notice, it is proposed to construct a first-floor extension over the existing flat roof garage and a single storey extension to the front of the house. Based on a review of the drawings, it is also intended to alter the hipped roof profile to form a gable end wall with an extended A-roof. The extension would accommodate a utility room together with a larger entrance hall and extended sitting room at ground floor and a bedroom with an en-suite at first floor level. Rooflights measuring 1m x 1.2m are proposed to be fitted onto the front and rear of the roof slope to serve the attic space.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued a decision to grant permission subject to nine conditions. Condition No.3, part of which is the subject matter of this appeal states:

C3: Prior to the commencement of construction, the developer shall submit for the written agreement of the Planning Authority, revised plans addressing the following:

- a) Provide a full hipped roof over the southern side extension. The hipped roof shall match the ridge height, eaves and angle of the roof pitch of the main dwelling roof.

- b) Omit the rooflight from the front roofslope of the proposed side extension.
- c) Reduce the size of the proposed rooflight on the front roofslope of the main dwelling such that the frame measures no greater than 0.8m high x 0.6m wide.

Reason: In the interest of visual amenity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report reflects the decision of the Planning Authority, with the following comments of note:

- Proposal is acceptable in principle within the zoning objective for the area;
- The roof over the first floor side extension should be revised to a hipped roof to reflect the roof profile of the original roof (which can be addressed by way of condition);
- Recommends alterations to the rooflights including the omission of one;
- Front extension considered acceptable.

3.2.2. Other Technical Reports

- Water Services Section – No objection subject to conditions.

3.3. Prescribed Bodies

- Irish Water – No objection, standard observations;
- DAA – The application site is within the Outer Airport Noise Zone where objective DA07 applies (Control inappropriate development and require noise insulation).

3.4. Third Party Observations

3.4.1. No third party observations were received by the Planning Authority.

4.0 Planning History

4.1. Appeal Site

4.1.1. There is no recent planning history recorded on the appeal site.

4.2. In the Vicinity

4.2.1. I have reviewed a number of recent appeal cases decided by the Board in the general area proximate to the appeal site. While these relate to house extensions in the vicinity, none are similar or comparable to the current appeal case.

5.0 Policy Context

5.1. Development Plan

5.1.1. The policies and provisions of the Fingal County Development Plan 2017-2023 apply. The site lies within an area zoned 'RS' which aims to 'provide for residential development and protect and improve residential amenity'.

5.1.2. Extract from Chapter 3.4 (Sustainable Design Standards)

- **Extensions to Dwellings:** The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.
- **Objective PM46:** Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

5.1.3. Extract from 12.4 (Design Criteria for Residential Development)

5.1.4. Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip', will be assessed against a number of criteria including:

- Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.

- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures and prominence.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal has been lodged by EM Hogan & Associates on behalf of the applicant. The appeal was lodged solely against Condition 3(a) and 3(b) attached to the Planning Authority's decision. A summary of the grounds of the appeal is set out as follows:

- The proposed development would not have any negative impact on the subject property or adjoining properties;
- Requests the Board to remove or amend Condition 3(a) and (b), as it is stated that these elements are not consistent with previous planning policy applied by Fingal County Council;
- Accepts that the requirement to reduce the size of the rooflights as fair, though not necessary.

6.1.2. The appeal included reference to other extended properties in the vicinity and photographs of these are also included.

6.2. Planning Authority Response

6.2.1. In response to the appeal, the Planning Authority re-stated its position that it considered Condition No.3 would serve to maintain the residential character of the street and would avoid adverse visual impacts, whilst providing a reasonable extension to the existing dwelling.

6.3. Observations

6.3.1. There were no observations received on this appeal.

7.0 Assessment

- 7.1. This is a first-party appeal only against Condition 3(a) and 3(b) attached to the Planning Authority's decision to grant permission. Condition 3(a) generally requires the provision of a full hipped roof over the southern side extension matching the ridge height, eaves and angle of the roof pitch of the main dwelling roof. Condition 3(b) requires the omission of the rooflight from the front roof slope of the proposed side extension. As Condition 3(c) is closely aligned to Condition 3(b), I have also considered this element of the condition.
- 7.2. Having regard to the nature of the condition the subject of the appeal and to the absence of third-parties to the appeal, 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. Objective PM46 of the current Fingal Development Plan requires sensitively designed extensions which do not negatively impact on the environment or on adjoining properties or the neighbouring area. Section 12.4 (Design Criteria for Residential Developments) requires the assessment of roof alterations/expansions to main roof profiles under four criteria, and is relevant in consideration of the current proposal. These criteria are set out in detail under Section 5 above and can be broadly summarised as requiring consideration and regard to the character of the structure, streetscape and neighbouring structures.
- 7.4. **Consideration of Condition 3(a).**
- 7.4.1. The Planning Authority considered that the alteration of the hipped roof to create a gable roof would be prominent and out of character with the uniformity of hipped roof profiles on the street. I share those concerns. The houses onto the streetscape are constructed as hipped roof profiles and this established character would be unacceptably interrupted by introducing a gable roof profile on one of a pair of semi-detached houses which would be unbalanced and out of harmony with the semi-detached block. The gable end would also extend to the side boundary at the gable end and if repeated by the adjoining house, would lead to a terracing effect, which

has potential to further interrupt the established character of the area and negatively impact on the wider character and visual amenities of the area.

7.4.2. While the appellant referenced other houses in the area, I do not accept these as providing significant planning rationale for the following reasons:

- House 32 and 34 Carrickhill road are both gable end houses where as the current house is one of two semi-detached houses with hipped roof profiles.
- House No.6 Carrickhill Walk has an added extension which is recessed from the front wall, thus reducing its prominence and also has a hipped roof profile to the front with a parapet wall to the side.
- Houses No.s 24-26 Carrickhill Road (The houses shown on the appellants photographs are in fact No.s 124-126 Carrickhill Rise). No.124 is one of a pair of gable end semi-detached houses in an area characterised by a mix of gable end and hipped roof profiles.
- Houses No. 10 Portmarnock Drive (positioned adjoining No.12 Portmarnock Drive) has an extension which is well recessed back to the rear of the property and is therefore not prominent.
- Houses No.s 82 and 84 Portmarnock Drive. A search on Fingal County Council's planning register revealed one planning application as follows: F95B/0226 Single storey extension to the front and bedroom extension at first floor at 84 Portmarnock Drive, Portmarnock, Co. Dublin. The drawings were not available on the Planning Authority's website. This application was granted in 1995, well before the current or more recent development plan policy and therefore cannot be considered a precedent.

7.4.3. In conclusion, I am satisfied that having regard to the existing streetscape at Portmarnock Drive, and in the context of the current visual appearance of the host dwelling, and of those nearby, condition number 3 (a) is appropriate and should remain.

7.5. **Consideration of Condition 3(b) and 3(c)**

7.5.1. The Planning Authority consider the front rooflight on the extended part of the roof should be removed given that it would only serve as attic storage and that the remaining rooflight should be reduced in size. I hold a different view in this regard, as

I consider that the addition of two rooflights of the size proposed would not be overly prominent such as to significantly affect the visual or residential amenities of the area nor would they harm the character of the streetscape. Rooflights are a common feature and overall I consider the addition of two such rooflights to the front of the house in its extended form would be acceptable. I have no concerns with the addition of the two rooflights to the rear roof slope as they would not be visible from the streetscape and would not result in overlooking to any unacceptable degree. However, following on from my conclusion on Condition 3(a) above, the position of the rooflights would need to be altered as a result of the altered roof design. I consider their location can be addressed by way of an amended Condition 3(b).

7.5.2. Given my conclusions in relation to Condition 3(b) which overlap Condition 3(c), I recommend that Condition 3(c) would no longer be relevant.

7.5.3. In conclusion, I consider that Condition 3(b) should be amended and Condition 3(c) omitted.

7.6. **Appropriate Assessment**

7.6.1. The appeal site is not within or adjoining any Natura 2000 site. Having regard to the minor nature and scale 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 proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

8.1. Having regard to the nature of the condition the subject of the appeal, the Board is 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 below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** Condition number 3 so that it shall be as follows for the reason set out.

Condition No.3

Prior to the commencement of development, the following details shall be submitted to, and agreed in writing with, the Planning Authority.

- a) Revised design to include a full hipped roof over the southern side extension.
The hipped roof shall match the ridge height, eaves and angle of the roof pitch of the main dwelling roof.
- b) Details including size and position of rooflights to the front and rear of the property which shall be no greater than two on each elevation.

Reason: In the interest of visual amenity and to maintain the established character of the streetscape.

9.0 Reasons and Considerations

- 9.1.1. Having regard to the nature and scale of the proposed development, the policies and objectives of the current development plan for the area and the pattern of existing development in the area, it is considered that condition number 3 (a) is appropriate and should remain, condition number 3(b) should be amended and condition 3(c) should be omitted. With the overall amended condition No.3, it is considered that the development as proposed would not not seriously injure the visual or residential amenities of the area or of property in the vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Patricia Calleary
Senior Planning Inspector

12th October 2017