



An  
Bord  
Pleanála

## Inspector's Report PL06F.249123

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### Development

Demolition of two-storey side extension and outbuildings, and construction of two-storey side extension incorporating dormer window, front porch and replacement dormer window.

### Location

Brunnhilde, Dungriffin Road, Howth, Co. Dublin.

### Planning Authority

Fingal County Council.

### Planning Authority Reg. Ref.

F17A/0346.

### Applicant(s)

Ellen Lennon Bowman.

### Type of Application

Permission.

### Planning Authority Decision

Grant.

### Type of Appeal

First Party

### Appellant(s)

Ellen Lennon Bowman.

### Observer(s)

None.

### Date of Site Inspection

27/11/2017.

### Inspector

Patricia Calleary.

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## **1.0 Site Location and Description**

- 1.1. The appeal site with a stated area of c.0.09 ha comprises a two storey detached house and its surrounding curtilage. The house on the site faces north onto a local road, known as Dungriffin Road, in Howth, Co. Dublin. The house is well set back from the road and the boundary along the road is marked with mature hedgerows and trees. There are detached houses located to the west and east of the site.
- 1.2. The immediate area surrounding the site is residential in character with detached dwellings of varying styles on substantial sites. Houses are generally well set back from the road and screened along the road by mature hedgerows and trees. The site is connected to Howth village to the north west via Thormanby Road.

## **2.0 Proposed Development**

- 2.1. The proposed development would comprise the demolition of a two-storey extension (25 sq.m) to the side of a detached house and the construction of a two-storey extension (85 sq.m) to the side and a porch (10 sq.m) to the front. The side extension would comprise a kitchen/dining room at ground floor with a bedroom at first-floor level. A dormer window is also proposed in the roof of the extension as well as a replacement of a flat roofed dormer window in the existing roof to an A-roof dormer design.
- 2.2. Two existing single-storey outbuildings on site are proposed to be demolished.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. The planning authority issued a decision to grant permission subject to eight conditions.
- 3.1.2. Condition No.2 of which element (e) is the subject matter of this appeal reads as follows:

**C2:** Prior to the commencement of the development, the developer shall submit for the written approval of the Planning Authority, revised plans to demonstrate the following amendments:

- (a) The front ridge height of the proposed extension shall be reduced by c.900mm
- (b) The roof of the proposed side extension shall match the main roof in terms of angle and pitch and material use
- (c) The reduction in height of the ridge would determine a recession of the front building line to be c.1 metre behind the main building line of the dwelling
- (d) The triangular pitched roofs to the dormers shall be omitted and replaced / maintained with flat roofs
- (e) The proposed porch shall be omitted and replaced with a small flat roof canopy over the entrance door
- (f) The two windows serving the bedroom at first floor level on the east elevation shall be omitted and replaced with two windows of similar dimensions to the narrow width windows to the existing front gable feature. The lower panes of glass in the windows shall be obscured. These windows shall be appropriately positioned on the elevation following the amendments required to the height and setback.

**Reason:** In the interest of the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

3.2.2. The planning officer considered the proposed extensions to the existing dwelling to be broadly acceptable. However, in order to ensure appropriate integration with the original dwelling and the streetscape, it was required that the two storey extension should be lowered by 900mm and the porch redesigned to present a more modest feature. It was considered that these alterations to the design could be dealt with by way of attaching an appropriate planning condition. A grant of permission was

recommended subject to eight conditions including Condition No.2 requiring design changes.

### 3.2.3. Other Technical Reports

- Water Services – No objection;
- Conservation Officer – No objection subject to the requirements for design changes;
- Parks and Green Infrastructure – No objection (verbal report received).

### 3.3. Prescribed Bodies

- Irish Water - No objection.

### 3.4. Third Party Observations

- 3.4.1. One third-party submission was received by the Planning Authority from Gregory Lynch of Brunnhilde, Dungriffin Road, Howth (located immediately to the east of the appeal site). Concerns were raised regarding procedural issues, residential amenity impacts, design fenestration and in particular the dormer window relative to the position of boundaries.

## 4.0 Planning History

### 4.1.1. Appeal Site:

- **F05A/1889** – Permission was granted for a three storey detached house (24<sup>th</sup> May 2006).
- **F06B/0550** - Permission was refused for a domestic garage to the front of the detached dwellinghouse for 2 reasons including that it would be discordant within the streetscape and would undermine the amenity value of a protected group of trees and shrubs (22<sup>nd</sup> October 2006).

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The Fingal Development Plan 2017-2023 is the current development plan for the area. The following provisions are considered relevant:

- **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.
- **Objective DMS42:** Encourage more innovative design approaches for domestic extensions.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. A first-party appeal was received from Edward Fitzgerald Selby representing the applicant. The appeal is made solely against item (e) of Condition No. 2 attached to the Planning Authority's decision. The appeal submits that the condition is unduly restrictive and unnecessary. A summary of the principal grounds of the appeal is set out below:

- Dwellings in the vicinity are of varying styles with no established building lines and with set back from the road of c. 20m;
- All dwellings are well screened from the public roadway by fencing or mature hedgerows and the front porch would not be visible from the public roadway;
- Proposed development substantially accords with the relevant development plan (stated as being the Fingal Development Plan 2011-2017) and is not a protected structure or a proposed protected structure;

- Applicant has no issue with the Conservation Officer's recommendation save Condition 2(e);
- Porch would serve as an important transition to and from the dwelling on the exposed site and would present an excellent space as cloakroom and greeting space;
- It would also address and connect with the front garden.

## 6.2. **Planning Authority Response**

6.2.1. In response to the appeal, the Planning Authority re-affirmed its earlier position, stating that notwithstanding the appellant's contentions, the porch in its proposed form is not considered acceptable and requests An Bord Pleanála to uphold the decision of the Planning Authority. It further requests that in the event of a grant of planning permission that Conditions Nos 2, 3 and 8 attached to the Planning Decision would be upheld.

## 6.3. **Observations**

6.3.1. There were no observations received on this appeal.

## 7.0 **Assessment**

### 7.1. **Introduction**

7.1.1. This is a first-party appeal made only against Condition No.2 (e) attached to the Planning Authority's decision to grant permission. This element of the condition generally requires the porch element to be omitted and replaced with a small flat roof canopy.

7.1.2. Having regard to the nature of the condition which is the subject matter of the appeal and to the absence of third parties to the appeal, my recommendation is 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 connection with Condition No.2 in accordance with Section 139 of the Planning & Development Act 2000, as amended. I set out my considerations of

Condition No.2. For the most part I have limited my consideration to Item (e) of Condition No.2.

## **7.2. Consideration of Condition No.2**

- 7.2.1. The assessment criteria for extensions are set out under Chapter 3.4 (Sustainable Design Standards) of the current Fingal Development Plan 2017-2023. In recognising the need for people to extend and renovate their dwellings, Fingal County Council policy requires that extensions are considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area. Objective PM46 also encourages sensitively designed extensions which do not negatively impact on the environment, on adjoining properties or on neighbouring areas. Objective DMS42 encourages more innovative design approaches for domestic extensions.
- 7.2.2. The Planning Authority attached condition 2(e) on foot of a recommendation set out in the Conservation Officer's report which considered that the porch would be overly dominant and would compete with the original adjacent two storey projection in design terms.
- 7.2.3. I note the appellant's assertion that any single-storey extension to the front of the proposed dwelling would not be visible from the public roadway and the dwelling is not a protected structure. However, the porch intervention would introduce a discordant feature which would diminish the architectural appearance of the distinctive features and original form of the 20<sup>th</sup> century house, an Arts and Crafts design style, to an unacceptable level. I would therefore agree with the advice of the Conservation Officer and I consider that the porch in its proposed form would introduce a discordant intervention into the distinct original design and would be incongruous. I consider that it would detract from the architectural character of the house and would not represent a sensitive design response.
- 7.2.4. While the Conservation Officer recommended that the porch be omitted, I also note the appellants highlight that the porch would offer a transition to and from the house. I am aware that a porch would offer a break from the external environment and in doing so, serve to improve home security and heat retention in the house. I consider there is scope for an alternative simple form design response which would serve the



purpose of a porch, but not compete or be incongruous with the existing house form or design.

- 7.2.5. In conclusion, I consider that Condition No.2 (e) should be amended to require the proposed porch to be redesigned as a more modest porch or alternatively, and as put forward by the Planning Authority, to be replaced with an open canopy. Apart from element (e) of Condition 2, I recommend that the reason for the condition should also be amended to clarify its specific purpose which I consider is to ensure the development responds sensitively to the architectural character of the original house and to safeguard the visual amenities of the area.

### 7.3. **Appropriate Assessment**

- 7.3.1. The appeal site is not within or adjoining any Natura 2000 site. Having regard to the minor nature and scale of the proposed development, 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 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 & Development Act 2000, as amended, to AMEND Condition number 2 so that it shall be as follows for the reason set out.

### **Condition No.2**

The design shall be amended and the following details shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

- (a) The front ridge height of the proposed extension shall be reduced by c.900mm.

- (b) The roof of the proposed side extension shall match the main roof in terms of angle and pitch and material use.
- (c) The reduction in height of the ridge would determine a recession of the front building line to be c.one metre behind the main building line of the dwelling.
- (d) The triangular pitched roofs to the dormers shall be omitted and replaced / maintained with flat roofs.
- (e) The proposed porch shall be omitted and replaced with a revised porch or canopy comprising a simple form design response that would not compete or be incongruous with the existing house.
- (f) The two windows serving the bedroom at first floor level on the east elevation shall be omitted and replaced with two windows of similar dimensions to the narrow width windows to the existing front gable feature. The lower panes of glass in the windows shall be obscured. These windows shall be appropriately positioned on the elevation following the amendments required to the height and setback.

**Reason:** To respond sensitively to the architectural character of the original house and to safeguard the visual amenities of the area.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the nature and scale of the proposed development, the policies and objectives of the current Development Plan for the area, the pattern of existing development in the area, the character and form of the original house, It is considered that condition number 2, including 2(e) requiring a redesigned porch which would be a simple form or alternatively an open canopy design, is considered reasonable to ensure the design responds sensitively to the architectural character of the original house and to safeguard the visual amenities of the area. With the overall amended condition number 2, it is considered that the development, as proposed, would not seriously injure the character of the original house or of the visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Patricia Calleary  
Senior Planning Inspector

28th November 2017