



An
Bord
Pleanála

Inspector's Report PL29N.249369

Development	Single storey flat roof extension to extend living space, roof level dormer window, two rooflights to front and rear.
Location	22 Mount Prospect Park, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB1371/17
Applicant(s)	Garrett Rossi
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Mary Aileen Clarke
Observer(s)	None
Date of Site Inspection	04/12/2017
Inspector	Gillian Kane

1.0 Site Location and Description

- 1.1. The subject site is located on the eastern side of Mount Prospect Park, a mature residential street in the north Dublin suburb of Clontarf. The subject two storey red-bricked dwelling is the second dwelling in a terrace of six. With the exception of the removal of front gardens to provide on-site car parking, the three terraces along Mount Prospect Park are remarkably uniform, with little change to the original architectural style. A mews lane runs to the rear of the Park, to the east of which are the rear gardens of The Laurels.

2.0 Proposed Development

- 2.1. Permission was sought for the construction of a single storey flat roof extension of 36sq.m., a roof light dormer window, two rooflights to the front and two rooflights to the rear. On the site of 257sq.m., an extension of 62sq.m. is proposed at ground level and 16sq.m. is proposed at attic level.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 8th September 2017 Dublin City Council issued a notification of their decision to GRANT permission subject to nine conditions. Condition no. 4 is as follows:

4. The development shall be revised as follows:
- a) the proposed dormer ope or opes shall be no wider or taller than the existing largest 1st floor ope below.
 - b) all rear opes shall be fitted with opaque glazing to at least 1.8m above finished floor level.
 - c) all the rear dormer elevations, fascia's / soffits, rainwater goods, window frames, glazing bars shall be finished in a dark colour so as to blend with the existing roof finis. White uPVC shall not be used.
 - d) the dormer shall not accommodate any solar panels whether or not they would be exempted development under the Planning and Development Act 2000 (as amended).
 - e) the front rooflights shall be omitted

f) the proposed rear extension's southern side ope shall be omitted.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings.

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

3.2. Planning Authority Reports

- **Planning Report:** Proposed dormer does not breach the ridgeline and is less than 50% of the rear roof plane. No details of proposed finish. Proposed dormer will be 30m from rear eastern boundary. Should be opaque glazing. Front rooflights should be omitted as they are difficult to coordinate across a shared roof-scape. Proposed rear extension will not result in obstruction of adjoining properties access to sunlight or daylight. New flat roof should be conditioned to restrict use as roof garden or patio.
- **Drainage Division:** No objection subject to standard conditions.

4.0 Planning History

4.1.1. None on file.

5.0 Policy Context

5.1. Dublin City Development Plan 2016 -2022

- 5.1.1. In the plan, the site is zoned '**Z1 Sustainable Residential Neighbourhoods**' which has the stated objective "to protect, provide and improve residential amenities". Within Z1 zones 'Residential' is a permissible use.
- 5.1.2. **Chapter 16** includes the Development Management Standards and has regard to Design, Layout, Mix of Uses and Sustainable Design. **Table 16.1** provides the Maximum Car Parking Standards for Various Land-Uses and **Table 16.2** the Cycle Parking Standards. Applicable to the proposed development are the following:
- 5.1.3. Indicative plot ratio for Z1 zones is 0.5 to 2.0. Indicative site coverage for the Z1 zone is 45-60%

5.1.4. **Section 16.2.2.3** of the development plan refers to Alterations and Extensions. The section states that DCC will seek to ensure that alterations and extensions will be sensitively designed and detailed to respect the character of the existing building, its context and the amenity of adjoining occupiers. In particular, alterations and extensions should:

- Respect any existing uniformity of the street, together with significant patterns, rhythms or groupings of buildings
- Retain a significant proportion of the garden space, yard or other enclosure
Not result in the loss of, obscure or otherwise detract from architectural features which contribute to the quality of the existing building
- Retain characteristic townscape spaces or gaps between buildings
- Not involve the infilling, enclosure or harmful alteration of front lightwells.

5.1.5. Section 16.2.2.3 also states that extensions should be confined to the rear in most cases, be clearly subordinate to the existing building in scale and design and incorporate a high standard of thermal performance and appropriate sustainable design features.

5.1.6. Appendix 17 of the development plan provides general principles for residential extensions.

6.0 **The Appeal**

6.1. **Third Party Appeal**

- Appellant resides in 20 Mount Prospect Park. A new southern side wall to the extension may interfere with or require the removal of the shared boundary between the two properties.
- The subject dwelling is a terraced house. A similar extension has been constructed on the adjoining house to the north (no. 24).
- The appellant's objections to the proposed development relate to interference with her boundary wall and the attachment of the attic level staircase to the internal dividing wall. Consent to use the shared boundary wall was not requested and will not be forthcoming. Photo submitted showing part of existing extension to no. 22 on the party wall.

- These issues were not addressed by the Planning Authority.
- The Board is requested to set back the proposed extension by a minimum of 150mm from the boundary wall.

6.2. **Applicant Response to Third Party Appeal**

- None on file

6.3. **Planning Authority Response**

- None on file

6.4. **Observations**

- None on file

7.0 **Assessment**

- 7.1.1. The proposed single storey extension to the rear of no. 22 Mount Prospect Park has a floor area of approximately 36sq.m., a length of 6m from the rear dwelling wall and a width of 6m – extending the full width of the subject site.
- 7.1.2. With regard to the appellant's objection that the proposed extension will interfere with her boundary wall, the Boards attention is drawn to drawing no. 01 which shows the proposed extension entirely within the subject site. Given that no impact will arise to the adjoining properties, I see no need for the proposed extension to be set back from the boundary wall. The proposed single storey extension complies with the Development Plans policies on alteration and extensions as set out in section 16.2.2.3.
- 7.1.3. The proposed dormer at roof level is clearly subordinate to the existing building in scale and design. Notwithstanding that the applicant has not appealed it, I see no reason for a reduction in size of the dormer to match that of the first floor windows. The rear of the subject dwelling is 60m from the rear of the dwellings on The Laurels. I am satisfied that no overlooking will arise and that there is no need for opaque glazing at dormer or rooflight level. I note that condition no. 4 does not specify that only the dormer or rooflight windows should be of opaque glazing, stating "all rear opes should be of opaque glazing...". I consider that requirement unduly onerous if it is intended to refer to ground floor new opes.

7.1.4. With regard to the proposed rooflights on the front roof plane, I see no reason to omit same. The roofplanes within the terrace are intact, however, the provision of two rooflights will not detract from or negatively impact the roof profiles. The proposed rooflights are 1mx0.6m and even if there were replicated in each of the six dwellings, the impact would not be visually injurious.

7.2. **Appropriate Assessment**

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

8.0 **Recommendation**

8.1.1. I have read the submissions on file, visited the site, and have had due regard to the provisions of the Dublin City Development Plan 2016-2022 and all other matters arising. It is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the development plan, would not injure the amenities of the area and would be in accordance with the proper planning and sustainable development of the area. I recommend permission be GRANTED subject to the following conditions:

9.0 **Reasons and Considerations**

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

10.0 **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 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. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

3. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

4. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay rubble or other debris on adjoining roads during the course of the works.

Reason: In the interest of residential amenity

Gillian Kane
Senior Planning Inspector

06 December 2017