



An
Bord
Pleanála

Inspector's Report PL29N.249419

Development	Modification to reg. ref. 4210/16 for extension / alteration to house to include first floor rear bedroom extension with hipped roof and velux rooflights and minor elevation changes
Location	9 Clare Road, Drumcondra, Dublin 9
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3559/17
Applicant(s)	Rory Williams & Susan McMorrow
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Gina and Frank Harte
Observer(s)	None
Date of Site Inspection	14/12/2017
Inspector	Gillian Kane

1.0 Site Location and Description

- 1.1.1. The subject site is located on the western side of Clare Road, a mature residential area in the north Dublin suburb of Drumcondra. Clare road links Griffith Avenue to the north with Homefarm Road to the south. Currently on site is a two storey semi-detached dwelling under construction. No. 9 is slightly elevated (approx. 0.5m above the neighbouring property to the south- no.7). The two storey red-bricked properties on Clare Road have single storey garages to the side, most of which have been converted to living accommodation.
- 1.1.2. To the west of the subject property is a Primary school with attendant grounds.

2.0 Proposed Development

- 2.1.1. Permission was sought for modifications to a previously approved permission. The proposed modification is to include the construction of a first-floor bedroom (14sq.m.) to the rear of the property, with a hipped roof that includes two sky lights.
- 2.1.2. Two objections to the proposed development were submitted to the Planning Authority. The grounds of objection referred to the difference in site levels between the subject properties and the impact of the proposed and permitted development on adjoining properties.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. On the 25th of September Dublin City Council issued a notification of their intention to **GRANT** the proposed extension, subject to 9 no. standard conditions. Condition no. 3 states:

3. The development shall be revised as follows: a) The side dormer extension shall be reduced to a maximum width of 3 metres, and shall be centrally located on the roof plane. 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 interests of orderly development and visual amenity.

3.2. **Planning Authority Reports**

3.2.1. **Drainage Report:** No objection subject to standard condition.

3.2.2. **Planning Report:** The subject site is elevated approximately 0.5m above the adjoining house to the south (no. 7 Clare Road). The proposed development is unlikely to have a negative impact on adjacent buildings. Previous planning permission had reduced dormer to 2.5m. Proposed development shows the dormer as 3.5m wide. This is not visually subordinate and would be out of character with the area. Should be reduced by condition.

4.0 **Planning History**

4.1.1. Planning Authority Reg. Ref. **4210/16**: Planning permission was granted for the demolition of the existing rear kitchen extension and construction of new extensions/alterations to the existing two storey semi-detached house comprising of a single storey extension to the rear and side, an attic conversion with dormer windows to the rear and side, a new bay window to the first floor rear bedroom, setting back the garage entrance doors and associated site development works, including widening of the existing vehicular entrance and reinstatement of the pedestrian entrance gate. Additional floor area 64 sq.m. Condition no. 3 required that the development be revised as follows:

“The side dormer extension shall be reduced to a maximum width of 2.5 metres, shall be set down a minimum of 0.2 metres from the existing ridge line and set back 0.5m from the eaves, and shall be centrally located on the roof plane. 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 interests of orderly development and visual amenity.”

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. In relation to roof extensions, it states that the roofline, if not treated sympathetically, can cause problems for immediate neighbours and can impact on the streetscape as a whole. When extending the roof, the following principles shall 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 buildings.

- The dormer window should be visually subordinate to the roof slope enabling a large proportion of the original roof to remain visible.
- Any new windows should relate to the shape, size, position and design of existing doors and windows on lower floors.
- Roof materials should be covered in materials that match or complement the main building.
- Dormer windows should be setback from the eaves levels to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The grounds of the third party appeal can be summarised as follows:

- Residents of no. 7 Clare Road, to the south of the subject site.
- The permitted extension is excessively imposing and privacy has been compromised. The additional changes will adversely affect the home at no. 7 by interference with privacy, light, overshadowing and an unacceptably high density structure.
- Due to the higher elevation of no. 9, the permitted extension looks and feels bigger than a normal extension. Photographs attached.
- Appellants biggest concern is the over shadowing effect and the natural light being blocked from their velux window. This is the only source of light for the landing.

6.2. Applicant Response

- The proposed development refers to a first-floor bedroom extension only. Any references to the existing single storey extension are irrelevant. The submitted photos show scaffolding over the side passageway which will have no bearing on the set-back proposed first floor extension which would not be visible from the appellant's rooflight.
- There are numerous precedents along Clare Road – no.s 11, 19, 21, 26 and 32. The extension at no. 11 (PL29N.224323 refers) permitted is substantially

larger than the subject application. In their decision on no. 11 the Board supported the decision of the Planner who states that the impact on no. 9 would not be serious.

- The first-floor rear extension at no. 32 (3446/11 refers) is deeper than the subject extension and is on the boundary between two properties.
- The proposed extension is within exempted development thresholds. This demonstrates that the proposed development is reasonable.
- The proposed development is a sensitive extension to a family home. It is set-back in line with the existing gable wall, notwithstanding the precedent for first floor extensions over garages. The proposed extension is set-back 2.8m from the boundary with no. 7.
- There will be no loss of privacy as there are no first-floor windows facing no. 7.
- There will be no loss of sunlight or overshadowing due to the subject dwelling being due north of the appellant's dwelling.
- The Board is requested to grant permission.

6.3. Planning Authority Response

6.3.1. Planner's report deals fully with all of the issues raised and justifies its decision

7.0 Assessment

7.1.1. The single issue at the heart of this appeal is the impact of the proposed first floor extension on the residential amenities of the appellant's property to the south.

7.1.2. The proposed first floor extension is 2.8m from the boundary with the appellant's property to the south. Drawing no. 16-091-P021 (the scale of which is labelled incorrectly, the drawing is actually at 1:100 scale) shows a separation distance of approx. 5m from the proposed gable wall of the new master bedroom and the gable wall of no. 7. This is considered sufficient to prevent any adverse impact. The proposed first floor extension has a hipped roof ridge height of 3.4m which is not excessive at a distance of 2.8m from the boundary. Given that no impact will arise to the adjoining properties, the proposed first floor extension is considered acceptable.

7.1.3. As noted above, condition no. 3 of the previous permission required the reduction in size of the side dormer window to 2.5m in width. The Planning Authority's decision on the current application requires it to be reduced in width to 3m. Drawing no. 16-091-P019 shows a side dormer of 4.3m in width, while the section 16-091-P020 shows a dormer of 2.9m in width. Development plan policy as outlined in appendix 17 requires dormer windows to be subordinate to the roof, to relate to the fenestrational pattern in the rest of the house and to be set back from the eaves to avoid over-looking of adjoining properties. It is recommended that a condition be attached requiring that plans showing a dormer of no greater than 3m in width be submitted for the written approval of the Planning Authority.

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**

9.1.1. 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. Prior to the commencement of development, the developer shall submit for the written approval of the Planning Authority, revised plans showing a side dormer of no greater than 3m in width.

Reason: In the interest of protecting the residential amenity of adjoining property

3. 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.

4. 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.

5. 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
Planning Inspector

18 December 2017