



An
Bord
Pleanála

Inspector's Report ABP-300967-18

Development	Alterations to ABP Ref. No. PL29S.248576 to include a rear dormer, 2 rooflights on front elevation and 1 rooflight on side elevation
Location	20 Auburn Avenue, Donnybrook, Dublin 4
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	4411/17
Applicant(s)	Clair and Ciaran Cassidy
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First & Third Party
Appellant(s)	Clair and Ciaran Cassidy; David Lawlor and Mary Cryan
Observer(s)	None
Date of Site Inspection	3 rd May 2018
Inspector	Una O'Neill

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1.0 Site Location and Description

- 1.1. The subject site is located on the northwest side of Auburn Avenue in Donnybrook, south of Dublin City Centre, in a well-established residential area. Auburn Avenue comprises on the northwest side of the street semi-detached pairs of 1930s style housing and on the opposite side comprises red-brick Edwardian terraced houses.
- 1.2. The site comprises a semi-detached two storey dwelling, currently undergoing renovation and extension works.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - Rear dormer extension to serve a bathroom.
 - Two front velux rooflights to serve attic storage.
 - One side rooflight.

3.0 Planning Authority Decision

3.1. Decision

GRANT permission subject to 9 conditions, including the following:

C3: The development hereby approved shall incorporate the following amendments:

- a) The two velux windows on the front elevation roof slope shall be omitted.
- b) The rooflight on the north-east elevation shall be omitted.
- c) The window on the dormer window to the en-suite bathroom shall be permanently glazed with obscure glass.

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

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officer's report generally reflects the decision of the Planning Authority.

3.2.2. **Other Technical Reports**

Drainage Division: No objection.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

One third party observation was received, the basis of which is largely summarised in the grounds of appeal.

4.0 **Planning History**

PL29S.248576 – Permission GRANTED for two storey extension to side and single storey extension to rear. The following condition is of note:

C2: The proposed development shall be amended as follows:

(a) the proposed dormer window shall be omitted and may be replaced by rooflights which shall be located on the rear roof slope not less than 1.6 meters above the finished floor level of the converted attic,

(b) the maximum height of the parapet for the single storey extension shall be 3.2 metres, and

(c) the vehicular entrance shall be no more than 2.6 metres in width and shall provide for appropriate kerbs and dishing of the footpath.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

5.0 Policy Context

5.1. Dublin City Development Plan 2016-2022

- Zoning objective Z1, the objective for which is *“to protect, provide for and or improve residential amenities”*.
- Section 16.10.12: Extensions and Alterations to Dwellings.
- Appendix 17, Section 17.11: Guidance for Roof Extensions.

5.2. Natural Heritage Designations

There are no Natura 2000 designations within or adjoining the site.

6.0 The Appeal

6.1. Grounds of Appeal

First Party

The first party appeal is against Condition 3(a) and (b) and is summarised as follows:

- The planning authority stated the site is Z2 but it is zoned Z1. The proposed rooflights do not detract from the character of the dwelling or of the area.
- The Board granted permission in September 2017 (PL29S.248576) for the side rooflight.
- There is precedent in the area for front rooflights, including for a front rooflight at no. 4 Auburn Road, across from the appeal site.

Third Party

The third party appeal is against the entirety of the proposed development and is summarised as follows:

- The Board refused permission in September 2017 (PL29S.248576) for a dormer in the interests of visual and residential amenity and permitted rooflights in its place. It is noted the Board did not accept a reduced width dormer but omitted it.

- Proposed dormer would exacerbate potential overlooking and overbearing given the limited distances to the rear boundary and gardens of dwellings on St. Brendan's Road.
- Street facing rooflights are unacceptable.

6.2. Applicant Response to Third Party

The following is a summary of the applicant's response to the third party appeal:

- The dormer as now proposed is 3m wide, reduced from the original width of 5m, with one window instead of two proposed. As this window is now to serve a shower room instead of a bedroom, it will comprise obscure glazing. Given the width of the dormer, it will not be overbearing.
- The dwelling is not a protected structure, it is not located in an ACA and it is not within a Z2 residential conservation area. The site is zoned Z1.
- The dormer is in compliance with development plan guidelines for residential extensions and roof extensions.
- The dormer is 22.5m from the first floor windows of no. 15 Brendan Road, will serve an en-suite with obscure glazing and will not result in overlooking. The rooflights will also not result in overlooking.
- There are a number of precedents in the area for rear dormer extensions and the applicant references images from the area, including at no. 11 and 13 Auburn Avenue, on the other side of the road to the appeal site.

6.3. Planning Authority Response

None.

6.4. Observations

None.

6.5. Further Responses

The third party has responded to the applicant's response as follows:

- While the planner's report erred in considering the zoning as Z2, the third party does not accept that a Z1 zoning allows any form of residential development.
- ABP granted rooflights to the side and rear, not to the front and the Board did not accept the proposed attic conversion.

7.0 Assessment

- 7.1. This is a first party appeal against planning condition 3(a) and (b) relating to the omission of rooflights and a third party appeal in relation to the entirety of the proposed development. I consider a de novo consideration of the proposal is warranted.
- 7.2. The main issue of the appeal relates to design and impact of a proposed dormer and rooflights.
- 7.3. The subject site is located within zoning objective Z1, the objective for which is *“to protect, provide for and or improve residential amenities”*.
- 7.4. An Bord Pleanála granted permission under PL29S.248576 for a two storey extension to the side and rear of the dwelling subject of this appeal with a rooflight on the northeast roof slope. Permission was also sought for a dormer, however condition 2 of the permission stated: ‘the proposed dormer window shall be omitted and may be replaced by rooflights which shall be located on the rear roof slope not less than 1.6 meters above the finished floor level of the converted attic’. The dormer subject of that appeal was 5.5m wide and was to serve an attic conversion.
- 7.5. The dormer proposal subject to this application differs from the previous application in that it is 3m wide and is proposed to serve a shower at attic level off a storage area. 1 obscure glazed window is proposed in the rear elevation. In terms of design I note the dormer sits below the ridgeline and is set back from the eaves. While the distance from the main rear elevation of the appeal site to the boundary is only 8m, there is a distance of approx. 20 metres to the rear return at no. 15 Brendan Road, directly to the rear of the appeal site, and a distance of 28m from the rear elevation to the rear elevation of no. 15. I note the rear return of properties to the rear are 3 storeys in height. Given the reduced scale and amended design of the proposed dormer now proposed and considering the distances involved between the

properties, and the lack of visibility from the streetscape, I am of the opinion that the dwelling can accommodate this addition at roof level without undue impact on the amenity of properties to the rear and of neighbouring properties.

- 7.6. With regard to the rooflights, I note that a rooflight was previously permitted on the northeast elevation. The applicant is proposing a second rooflight on the same elevation. I consider this proposal acceptable from a visual impact perspective.
- 7.7. With regard to the rooflights on the front elevation, I note the proposed dwelling is not within a residential conservation area or an architectural conservation area. Given the angle of the roof, I do not consider the insertion of two small rooflights will be so visible as to detract significantly from the streetscape and warrant omission.
- 7.8. Overall I am of the view that the proposed development of a dormer extension and rooflights is acceptable in terms of the amenity of the area.

Appropriate Assessment

- 7.9. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any 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. It is recommended that permission is granted, subject to the conditions set out hereunder.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed development, 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 of property in the area. 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. The dormer window to the ensuite shall be glazed with obscure glass.

Reason: In the interest of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 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.

5. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

Reason: To ensure that the adjoining roadways are kept in a clean and

safe condition during construction works in the interest of orderly development.

Una O'Neill
Senior Planning Inspector

21st May 2018