



An  
Bord  
Pleanála

## Inspector's Report ABP-302078-18

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<b>Development</b>	Construction of a first floor extension to existing single storey two bedroom detached dwelling, and all associated works to facilitate the development.
<b>Location</b>	The Haven, 58a, Hampton Court, Clontarf, Dublin 3, D03 FC90
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	2961/18
<b>Applicant(s)</b>	Katherine Dempsey & Dermot Molloy
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Katherine Dempsey & Dermot Molloy
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	6 <sup>th</sup> October 2018
<b>Inspector</b>	Donal Donnelly

## 1.0 Site Location and Description

- 1.1. The appeal site is located on Hampton Court, Clontarf approximately 4.5km north-east of Dublin city centre. Hampton Court comprises of three culs de sac accessed via a single “T” junction off Vernon Avenue. There are approximately 95 dwellings in the estate, most of which are semi-detached 2-storey structures. Many dwellings have been altered over time and infill units have been constructed in corner sites.
- 1.2. No. 58a is one such infill site situated at the northern corner of an internal “T” junction. The 201.2 sq.m. site is occupied by a single storey hipped roof dwelling with floor area of 72.8 sq.m. The dwelling faces south and the host dwelling at No. 58 faces west. There is an open space and vehicular access serving No. 58a to the east of the site.

## 2.0 Proposed Development

- 2.1. Planning permission is sought for the construction of a first floor pitched roof extension to the existing single storey, 2-bedroom detached dwelling. The following two options for the extension are proposed under the application:
  - Option A: the construction of a traditional style first floor pitched roof extension.
  - Option B: the construction of a contemporary style first floor pitched roof extension, including 4 no. rooflights.
- 2.2. Other works as part of the development include a 1.6 sq.m. extension at ground floor level to front; new vehicular and pedestrian entrance off Hampton Court; alterations to all elevations; boundary treatment; landscaping; and all associated works.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Dublin City Council issued notification of decision to refuse permission for the following reason:

*“The proposed development of the 1st floor extension as either Option A or Option B represents an incongruous insertion and unilateral form of development that will undermine the character and visual amenities of the parent dwelling and the estate streetscape arrangement and depreciate the value of the neighbouring dwellings, and will further diminish the openness of the estate. The proposed development would, therefore, be contrary to the provisions of the Dublin City Development Plan 2016-2022, set an undesirable precedent and would be contrary to the proper planning and sustainable development of the area.”*

### **3.2. Planning Authority Reports**

3.2.1. The recommendation to refuse permission in the Planner's Report reflects the decision of the Planning Authority. The following are the main points raised under the assessment of the application:

- Existing character of the main dwelling is best respected by closely replicating the roof profiles, detailing, window proportions and finishes, etc.
- Floor plans of recently refused application and Option A are similar.
- Original proposal for the site was for a dormer dwelling and this was modified to single storey (Reg. Ref: 3899/03).
- Current proposal seeks to reverse original amendment to dormer dwelling proposal.
- First floor addition of both options would exacerbate the breaking of the building line to the east even further.
- Pastiche version 'Option A' with hipped roof and near-matching elevational finish is more sympathetic to the designs in the estate than Option B.
- Close proximity will virtually terrace with the parent dwelling.
- Option A - 2-storey with rear return will be more satisfactory than the previously refused version; however, transition would appear to be less satisfactory between the proposed extended hip-roofed single storey element and the contemporary gable-ended Option B.

- Not considered that the extension will result in any significant additional obstruction to third parties' access to daylight and all proposed rooms appear to achieve sufficient daylight access.
- New first floor windows will largely overlook the public realm.
- New garden layout will provide for c. 76 sq.m.
- No objection to the proposal from the Drainage Division subject to conditions.

### 3.3. Third Party Observations

- 3.3.1. Two observations were received by the Planning Authority from the residents of No's. 48 & 57 Hampton Court. There were concerns relating to the use of contemporary materials and the character of existing houses in the estate, as well as the potential for overlooking of the street. It is stated that grounds for refusing previous applications are still valid.

## 4.0 Planning History

### Dublin City Council Reg. Ref: 4591/17

- 4.1. Permission refused for construction of a 1<sup>st</sup> floor flat roof extension to existing 1-storey dwelling, as well as minor extension at ground floor level to front (1.6 sq.m.); and all associated works to facilitate the development.
- 4.2. The first reason for refusal referred to the *"...incongruous insertion and unilateral form of development undermining the character and visual amenities of the parent dwelling and streetscape, and openness of the estate"*.
- 4.3. Under the second reason, it was stated that the proposal would constitute overdevelopment and would result in an inadequate quantum of private open space.

### Dublin City Council Reg. Ref: 3903/03

- 4.3.1. Permission sought for a 3-bed dormer bungalow in the side garden of the existing house at no. 58. Permission was granted on condition that the proposal is substituted with a single-storey house of eaves height not greater than 3m, and a roof pitch of not greater than 30 degrees, (max. floor area 65 sq.m.).

- 4.3.2. Similar proposal to above granted at No. 31 on the opposite corner.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan, 2016-2022

- 5.1.1. The appeal site is zoned "Z1" where the objective is *"to protect, provide and improve residential amenities."*
- 5.1.2. Development standards for corner/ side garden sites and infill housing are set out in Sections 16.10.9 and 16.10.10.
- 5.1.3. Section 16.10.12 includes standards for extensions and alterations to dwellings and Section 16.10.14 refers to ancillary family accommodation. Appendix 17 contains guidelines for residential extensions.

### 5.2. Natural Heritage Designations

- 5.2.1. South Dublin Bay and River Tolka Estuary SPA is approximately 1km south of the appeal site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- 6.1.1. A first party appeal against the Council's decision was lodged on behalf of the applicant. The grounds of appeal and main points raised in this submission are summarised as follows:
- House not large enough for young growing family.
  - Extension at 40 sq.m. would provide an additional bedroom and free up space downstairs.
  - Proposal will be within the footprint of the existing dwelling and additional storey runs in line with No. 58.

- First floor breaking of building line to east does not detract from the street fabric and does not hinder or reduce views or vistas, or effect the amenity of nearby houses.
- Materials are similar to adjoining houses.

6.1.2. The appeal is also accompanied by correspondence from the applicants.

## 7.0 **Assessment**

7.1. I consider that the key issues in determining this appeal are as follows:

- Development principle;
- Visual impact;
- Space considerations and impact on residential amenity;
- Appropriate Assessment.

### 7.2. **Development Principle**

7.2.1. The appeal site is zoned Z1 where the objective is *“to protect, provide and improve residential amenities.”* The construction of an extension to a dwelling would therefore be acceptable in principle subject to an assessment of the impact of the proposal on the amenities of existing and future residents and compliance with other relevant Development Plan policies and objectives.

### 7.3. **Visual Impact**

- 7.3.1. Proposals for a first floor extension of the single storey infill corner dwelling are presented in two options. Option A is a first floor extension in the style of the existing dwelling and comprising hipped roof and windows aligning with ground floor windows. The ground floor brick and first floor render finish is consistent with pattern of development in the estate.
- 7.3.2. Option B would see the introduction of a contemporary style structure with narrow vertical windows, a zinc roof and zinc clad walls. Similar to Option A, the first floor extension would occupy the western part of the dwelling. This option, however,

would have a gable facing west onto Hampton Court rather than the hip end proposed in Option A.

- 7.3.3. It was noted in the Planner's Report that the existing character of the main dwelling is best respected by closely replicating roof profiles, detailing, window proportions and finishes, etc. In this regard, it was stated that the pastiche version 'Option A' with hipped roof and near-matching elevational finish is more sympathetic to the designs in the estate than Option B. However, there were concerns that the close proximity will virtually terrace with the parent dwelling. Furthermore, it was considered that the first floor extension exacerbates the breaking of the building line to the east. The reason for refusal states that the either Option A or B represents an incongruous insertion and unilateral form of development that will undermine the character and visual amenities of the parent dwelling and streetscape, further diminishing the openness of the estate.
- 7.3.4. The applicant submits in the first party appeal that the proposal will be within the footprint of the existing dwelling and the additional storey runs in line with No. 58. It is also considered that the first floor breaking of building line to the east does not detract from the street fabric and does not hinder or reduce views or vistas, or effect the amenity of nearby houses.
- 7.3.5. The existing single storey dwelling on site was permitted and developed at the same time as No. 31a on the opposite side of the "T" junction. These dwellings are more or less identical in design terms and provide a balanced appearance at this junction. It should be noted that the permissions at No's. 31a and 58a were granted in 2003 on condition that the (then) proposed 3-bed dormer bungalows be substituted with single storey dwellings with eaves height not greater than 3m and a roof pitch not greater than 30 degrees.
- 7.3.6. Notwithstanding the above, I would be of the opinion that proposed Option A is consistent with the pattern of development in the area in the way that it maintains the building footprint, as well as the single storey element to the side to reflect the infill dwelling opposite. I also consider that the side facing first floor window helps the dwelling to better address the west-facing side of the street. I acknowledge that the main dwelling at No. 58 has a pitched roof and the proposed dwelling will have a new 2-storey hipped roof; however, the east-facing dwellings on Hampton Court also

have hipped roofs and other alterations to dwellings nearby have taken place, including dormers to side window planes.

- 7.3.7. The Planning Authority was concerned that the close proximity of the extended dwelling and No. 58 would give rise to a terracing effect. I would be of the view that this will be negated by the hipped roof sloping away from the existing gable. With respect to the issue of the first floor extension being in breach of the building line to the east, I note the applicant's view that the extension is broadly consistent with the front and rear building lines of No. 58. In addition, the new dwelling will step down to the east and the proposal to develop on the existing footprint does not increase the building line breach. In general, I consider that the extension addresses the corner and respects the design, height and positioning of the dwellings to the north, south and east.
- 7.3.8. In my opinion, Option B has the appearance of an obtrusive and overly dominant feature in the streetscape that fails to respect the character, scale and proportions of nearby dwellings.

#### **7.4. Space considerations and impact on residential amenity**

- 7.4.1. The existing single storey 2-bedroom dwelling has a floor area of 72.8 sq.m. and the proposed extension will allow for a third bedroom and playroom, and an increase in floor area to 104.9 sq.m. (Option A). The Quality Housing Guidelines for Sustainable Communities recommends that the target gross floor area for a 2-bed single storey house should be 70 sq.m. The target gross floor area for a 2-storey 3-bed house (6 bedspaces) is 100 sq.m.
- 7.4.2. The proposal also includes a new pedestrian and vehicular entrance with automated sliding gate. This will facilitate the relocation of the existing parking space and entrance to allow an increased garden area of 76 sq.m.
- 7.4.3. In terms of impact on adjoining residential amenity, the 2-storey part of the dwelling will not increase the level of overshadowing of the host dwelling to a significant degree and there will be no adverse overlooking of third party property.
- 7.4.4. Overall, I would be satisfied that the proposal will improve residential amenities for existing occupants by increasing the internal and external living spaces without impacting on adjoining properties.



## 7.5. **Appropriate Assessment**

- 7.5.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise.

## 8.0 **Recommendation**

- 8.1. It is considered that the proposed development should be granted for the reasons and considerations hereunder and subject to the conditions below.

## 9.0 **Reasons and Considerations**

Having regard to the zoning objective for the site, and the planning history and pattern of development in the area, together with the design and layout, it is considered that, subject to compliance with conditions below, the proposed development (Option A) would not seriously injure the visual amenities of the area or residential amenities of property in the vicinity, and would be acceptable in terms of traffic safety 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, 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 interests of clarity.

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

**Reason:** In the interest of visual amenity.

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.

4. Access arrangements to the site shall comply with the detailed standards of the planning authority for such road works.

**Reason:** In the interests of amenity and of traffic and pedestrian safety.

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:** To protect the amenities of the area.

6. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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

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Donal Donnelly  
Planning Inspector

8<sup>th</sup> October 2018