



An  
Bord  
Pleanála

## Inspector's Report ABP-302143-18

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<b>Development</b>	Change of roof profile on extension to rear of house, conversion of existing attic space with 'Velux' roof-lights, and modifications to porch extension.
<b>Location</b>	33 Hazelwood Crescent, Clondalkin, Dublin 22.
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD18B/0184
<b>Applicant(s)</b>	Stuart Liptrot
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission and Refuse permission
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Stuart Liptrot
<b>Observer(s)</b>	Thomas & Anne-Marie O'Roarke
<b>Date of Site Inspection</b>	21 <sup>st</sup> September 2018
<b>Inspector</b>	Michael Dillon

## 1.0 Site Location and Description

The site, with a stated area of 0.02ha, is located on the north side of Hazelwood Crescent, a suburban street within Clondalkin, Dublin 22. The site forms one of a pair of semi-detached, two-storey houses with fully-hipped, brown tile roofs – no. 34 being the attached house. The external finishes of houses in the area are plaster with mock-Tudor detailing. However, the mock-Tudor detailing has been removed from this house. The house has previously been extended with a single-storey extension to the rear. There are 2-3 on-site parking spaces.

## 2.0 Proposed Development

Permission sought on 30<sup>th</sup> April 2018, for (a) conversion of attic and alteration of roof profile, (b) extension of an existing single-storey, hip-roofed extension to the rear of the house (and convert the entire to flat roof), and (c) minor alterations to porch extension to the front of the house – to provide for 40.5m<sup>2</sup> of additional accommodation.

## 3.0 Planning Authority Decision

3.1. By Order dated 25<sup>th</sup> June 2018, South Dublin County Council issued a Notification of decision to grant permission and to refuse permission.

### 3.1.1. Grant Permission

For single-storey extension and alterations to rear, and for alterations to the porch to the front of the house, subject to standard-type conditions.

### 3.1.2. Refuse Permission

For attic extension and conversion for two reasons as follows-

1. Hazelwood Crescent is a mature residential estate with consistent rooflines and building uniformity throughout the estate. The extension would be bulky in appearance and would be visually intrusive in the streetscape.
2. Undesirable precedent.

## 4.0 Planning History

No recent relevant planning history.

## 5.0 Policy Context

### 5.1. Development Plan

The relevant document is the South Dublin County Development Plan 2016-2022. The site is zoned 'RES' – To protect and/or provide for residential amenity. Section 2.4.1 of the Plan deals with residential extensions. Section 11.3.3(i) further deals with residential extensions.

### 5.2. Natural Heritage Designations

There are no natural heritage designations in the immediate vicinity of the site.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. The appeal from Deborah Keenan, Architect, agent on behalf of the applicant, Stuart Liptrot, received by An Bord Pleanála on 20<sup>th</sup> July 2018, can be summarised in bullet point format as follows-

- The appeal relates only to the decision to refuse permission for the attic conversion and alterations.
- The Hazelwood Estate contains other house types and designs – including A-framed roof profiles including Hazelwood Crescent and Park View Lawn.
- The roofs of no.s 12, 17 & 23 Hazelwood Close have been altered to provide for attic accommodation, as has no. 8 Hazelwood View (photographs submitted).
- The extension of houses into attics is an increasing trend with the increased cost of moving house, and upward house prices.

- The attic space will be for non-habitable accommodation – to function as a study space and storage. The three-quarter hip profile is necessary to achieve the necessary head-room.
- The applicant is not seeking to provide a dormer structure – rather to alter the roof profile. The extended roof would be finished in matching tiles.
- Because the houses are so close together (separation distance of less than 2.5m), the altered roof profile would not be particularly noticeable.
- Excessive weight has been given by the PA to the uniform character of the area. The estate is not of architectural or townscape significance. The level of protection being afforded by the PA is not warranted.
- The applicant would be amenable to increasing the extent of the hipped roof proposed to 1m below the level of the existing ridge line, or alternatively would be happy to provide a full gable A-type roof, by way of condition of the Board.
- It is noted that the decision of SDCC to refuse planning permission for a similar-type roof extension at no. 23 Hazelwood Close was overturned by the Board (PL 06S.213469), citing the pattern of development in the vicinity. The Planning Inspector considered that while the proposed ‘Dutch mini hip roof’ would represent a significant change, it is not so dissimilar to the surrounding roofs, as to warrant refusal.
- A roof extension is to be considered preferable to a side-dormer window, as has been permitted by the PA elsewhere in this estate.
- The modest roof extension would be in accordance with the provisions of the Development Plan. It will not have a detrimental impact on the amenities of adjoining property and will not result in any significant degree of overshadowing.

6.1.2. The appeal is accompanied by a series of colour photographs of the house, houses in the area, and photomontages.

## 6.2. Planning Authority Response

The response of SDCC, received by An Bord Pleanála on 1<sup>st</sup> August 2018, indicates that the PA has no further comment to make.

## 6.3. Observations

There is one observation from AKM Design, agent on behalf of Thomas & Anne-Marie O’Roarke, 32 Hazelwood Crescent, received by An Bord Pleanála on 7<sup>th</sup> August 2018, which can be summarised in bullet point format as follows-

- Proposed works at attic level are inappropriate and would appear bulky and obtrusive. The development would be significantly at variance with the established roof profile of dwellings in the immediate vicinity, and would have an adverse visual impact on the character of the streetscape.
- The description of the development is misleading. The proposed change is not to half/mini hip. It is more in the nature of a full gable wall.
- The SDCC House Extension Design Guide (2010) states at Section 4 that- ‘Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses on the street’. Policy H18 Objective 1 of the Development Plan refers to compliance with the SDCC House Extension Design Guide 2010.
- The separation distance between the applicant’s house and the observers’ house is 2.2m, and not 2.5m as stated by the applicant. The extended roof will result in overshadowing and will be overbearing when viewed from the observers’ house.
- The extension to no. 23 Hazelwood Close was permitted before the Council’s House Extension Guidelines of 2010. The proposal would create an undesirable precedent.
- The floor-to-ceiling height of the attic extension does not comply with the Building Regulations. The position of the rear ‘Velux’ window does not comply with the fire escape requirements of the Building Regulations.

- The observers will not give any permission for access for construction purposes to their property.

## 7.0 **Assessment**

### 7.1. **General Comment**

- 7.1.1. The decision of SDCC was to grant planning permission and to refuse planning permission. The 1<sup>st</sup> Party appeal is stated to relate to the refusal portion only. However, I would consider that, as the appeal is against the decision of the planning authority, and the planning authority issued only one decision (admittedly in two parts), the Board is looking at the entire development de novo, and should not restrict itself to consideration of the attic portion of the development only. This appeal is not in the nature of an appeal against a condition only.
- 7.1.2. The principal issues of this appeal relate to visual and residential amenity.

### 7.2. **Development Plan**

Section 2.4.1 of the Development Plan deals with residential extensions. H18 Objective 1 states- "To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 11 Implementation and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines). Chapter 11 reiterates the necessity to comply with the House Extension Design Guide, 2010. The Guide relates to design, overshadowing, overlooking in relation to impact on adjoining properties, and considers the various possible extensions to houses – front, side and rear. In relation to attic conversions and dormer windows, the recommendation is that the main ridge and eaves are not obscured, and that a ridgeline higher than the existing one is not created. Flat roofs are discouraged, but this would appear to relate to the front roof profile rather than to the rear. The Guide recommends against visually dominant and overly-large rear extensions, where they are visible from public view. The Guide clearly states that half-hipped roof extensions will rarely be acceptable.

### 7.3. Design

- 7.3.1. Permission has been granted for the enlargement of an existing single-storey extension to the rear of the house and for the alteration to the roof profile of the extension. There is an existing single-storey extension to the rear of the house with a hipped, tiled roof. This roof is to be removed. The extension is to be enlarged to the full width of the house, and covered with a flat roof. I would see no problem with this proposal. The enlarged extension will be approximately 30m<sup>2</sup>.
- 7.3.2. I would see no difficulty with the minor alterations proposed to the porch extension to the front of the house.
- 7.3.3. The attic extension is to provide for a non-habitable room – arising from the difficulty in achieving the necessary floor-to-ceiling heights. Semi-detached houses such as this one, because of the fully-hipped nature of the roof, cannot provide any reasonable attic accommodation without a radical alteration to the roof profile – either by way of extending the roof or by way of dormer extension. The applicant proposes to extend the roof to provide for a mini-hip – a passing nod to the original fully-hipped design. The 1<sup>st</sup> Party appeal suggested a slight increase in the size of the mini-hip – to bring it 1m below the height of the ridgeline. This would be a minor improvement on what was originally proposed. The PA refused permission on grounds of the appearance of the revised roof profile. The applicant correctly points out that other houses, of similar design have been permitted to alter the roof profile to provide for attic accommodation. The observers point out that permission granted by the Board for a similar-type roof design in the area was granted in 2005 – prior to the adoption of the House Extension Design Guide by SDCC in 2010. The guide does state on p.18 – “Extending a hipped roof to the side to create a gabled end or half-hip will rarely be acceptable, particularly if the hipped roof is visually prominent and typical of other houses along the street”. The wording of this sentence is somewhat confusing – but the thrust would seem to be clear – that extending a hipped roof to the side would rarely be acceptable. I would consider that the proposed roof design (if modified as suggested in the 1<sup>st</sup> Party appeal) would not be so dissimilar to the roof profile of houses in the vicinity – particularly where other roofs in the area have been altered to provide attic accommodation. The proposed development would not be detrimental to the residential amenities of the area.

7.3.4. The observers contend that the gap between their house and the house on the appeal site is only 2.2m. The new roof would result in overshadowing of their house and loss of residential amenity. There are examples of full gable-end houses with similar separation distances. The proposed roof extension will not have a significant impact on the level of light or sunshine penetrating to the adjoining house to the east. Narrow side passages between two-storey houses will necessarily be somewhat overshadowed.

#### 7.4. **Other Issues**

##### 7.4.1. Development Contribution

The South Dublin County Council Development Contribution Scheme 2016-2020 provides for exemptions from the requirement to pay a development contribution for residential extensions up to 40m<sup>2</sup>. The development, as permitted by SDCC, would see the house on this site extended by approximately 30m<sup>2</sup>. However, if permission for the attic extension is granted, then this would bring the overall extension of this house to greater than 40m<sup>2</sup>, and would, thereby, result in the requirement to pay a development contribution in accordance with the Development Contribution Scheme.

##### 7.4.2. Appropriate Assessment

The site is located within a built-up suburban area, and is connected to the public foul sewer network. The site is neither within nor abutting any European site. Having regard to the nature and scale of the development, the nature of the receiving environment, no Appropriate Assessment issues arise and it 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.

##### 7.4.3. Environmental Impact Assessment

Having regard to the nature and scale of the proposed development and the nature of the receiving environment, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination stage, and a screening determination is not required.

##### 7.4.4. Drainage



There will be no drainage issues arising from the proposed extensions.

#### 7.4.5. Building Regulations

Matters relating to compliance with the Building Regulations, as referred to by the Observers, are not strictly a planning issues. The proposed attic room is stated to be for non-habitable purposes.

#### 7.4.6. Hours of Construction

Condition 6 of the Notification of decision to grant planning permission imposed constraints on working hours. The site is located in a residential area, and this is entirely appropriate. A similarly-worded condition should be attached to any grant of permission to issue from the Board.

### 8.0 **Recommendation**

I recommend that permission be granted for the Reasons and Considerations set out below, and subject to the attached conditions.

### 9.0 **Reasons and Considerations**

Having regard to the design of the proposed extensions and the attic conversion and to the pattern of development in the vicinity, it is considered that, subject to compliance with the attached conditions, the proposed development would not be detrimental to the residential and visual amenities of the area, and 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 in accordance with plans and particulars submitted with the planning application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the planning authority, these matters shall be the subject of written agreement and shall be implemented in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The roof design shall be altered such that the eaves of the hip of the roof extension shall be set down 1m from ridgeline of the house. Revised drawings to illustrate this shall be submitted to the planning authority, and written agreement obtained, prior to commencement of development.

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

3. The external finishes of the proposed extensions (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

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

4. The site and building works required to implement the development, shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, 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 developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development, or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act, 2000,

as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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**Michael Dillon,  
Planning Inspectorate.**

**4<sup>th</sup> October 2018.**