



An
Bord
Pleanála

Inspector's Report ABP-302633-18

Development	Single storey rear extension and attic conversion.
Location	95 Dollymount Park, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3463/18
Applicant(s)	Emma Bradley & Ian Slacke
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party v Condition
Appellant(s)	Emma Bradley & Ian Slacke
Observer(s)	None
Date of Site Inspection	24/11/2018
Inspector	Anne Marie O'Connor

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Development Plan.....	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Planning Authority Response	5
6.3. Observations	6
7.0 Assessment	6
8.0 Recommendation.....	8
9.0 Reasons and Considerations.....	8

1.0 Site Location and Description

- 1.1. The site comprises a 2-storey mid-terraced dwelling, in a mature suburban location close to the wooden bridge on the Clontarf Road. No 95 Dollymount Park is located in the southern side of the street. There is a gated private access laneway running along the rear of the properties.
- 1.2. Many of the houses in the area have been extended over the years, including the insertion of rooflights in the front roof. Both of the dwellings on either side of No.95 have single storey rear extensions and attic dormer windows. A new apartment development (Seascapes) has been recently constructed on the corner of Dollymount Park and Clontarf Road

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
 - Single storey rear extension across the full width of the house (c6.5m in length)
 - Attic conversion including rear dormer window
 - 3 no. rooflights to front
 - Widening of front entrance to 3m to provide vehicular entrance and parking to the front
 - Demolition of existing small garage to the rear (access from laneway).
 - Associated works including 1.8 m timber fencing along the rear side boundary and rebuilding of rear boundary wall.

3.0 Planning Authority Decision

3.1. Decision

Grant – Condition 3 states:

The development hereby approved shall incorporate the following amendments:

- (a) The rear dormer shall be reduced in width to not exceed a maximum external width of 3.5m.
- (b) The glazing to the attic bedroom shall not exceed a maximum width of 1.6m and the cill-to-lintel height of the window shall match the existing windows to the first floor below. The ensuite window may retain its proposed width but it shall also match the cill-to-lintel height of the first floor windows.
- (c) The three no. front roof lights shall be omitted in their entirety.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports - The planner's report reflects the decision to grant planning permission and to attach Condition No.3.
- 3.2.2. Other Technical Reports

Drainage: No objection

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

There is no planning history for the appeal site. The following is relevant in respect of similar development in the immediate vicinity

PL29N.245542 (3223/15) - 6 Dollymount Park. Extensions, dormer window and rooflights to front. Granted.

2771/04 - 94 Dollymount Park. - Retention of a dormer window. Granted.

1198/06 - 96 Dollymount Park. Ground and first floor extensions, dormer window to rear Granted.

3018/06 - 100 Dollymount Park. Extension and dormer window to rear. Granted.

5.0 Policy Context

5.1. Development Plan

The Dublin City Development Plan 2016-2022 is the County Development Plan for the area. The site is located within Zoning Objective **Z1** “To protect, provide and improve residential amenities”.

Section 16.10.12 Extensions and Alterations to Dwellings

Appendix 17 Guidelines for Residential Extensions

Appendix 5 Parking in front gardens

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed Condition No.3 relating the restriction on the size of the dormer window, and the omission of the 3 rooflights to the front. The grounds of appeal can be summarised as follows:

- Condition 3(a) and (b). The restriction on the height and width of the dormer, and glazing, is at odds with recent decisions by both the planning authority and ABP. The restrictions mean that the proposed development would now be out of character with attic conversions in the surrounding area. Examples are given of recent permissions in the area, including PL29N.245542. Full width dormers have been provided to Nos. 11, 12, 16, 17, 18, 37, 58 and 97 Dollymount Park.
- Condition 3(c). Examples are given of recently granted rooflights to the front at Nos. 18, 9, 11 and 12 Dollymount Park. In addition to ABP decision at No.16 (PL29N.245542).

6.2. Planning Authority Response

No response received to the grounds of appeal.

6.3. Observations

None

7.0 Assessment

7.1. I note that the grounds of appeal relate to Condition No.3 which restricts the size of the rear dormer extension and the width of the glazing, and omits three proposed roof lights to the front. The planning authority raised no objections to the single storey rear extension, entrance and parking to front, and other minor alterations and works, and I similarly have no concerns in this regard. I also note that no objections were received to the original planning application. I consider it reasonable, therefore, to consider the appeal under S139 of the Planning and Development Act, and that a *de novo* assessment is not required. The following assessment is limited to the matters raised under Condition No.3.

Condition 3(a) – Dormer width

- 7.2. The proposed rear dormer extension measures 5.4m in width. Condition 3(a) requires a reduction in width to 3.5m. The width of the entire roof plane of the terraced dwelling is 6m.
- 7.3. It is important to note from the outset that the rear roof plane of No.95 is not visible from any part of the public realm. The apartment building to the rear (Redcourt Oaks) is set back some in excess of 20m from the rear boundary across the laneway which runs to the rear, and is well screened by mature trees even in winter. Furthermore, the recently constructed apartment development (Seascapes) to the east provides a visual context of a much larger intervention in the built form which is visible from the rear gardens of the houses on the southern side of Dollymount Park.
- 7.4. I note that although the proposed dormer at No. 95 extend across almost the full width of the roof (set back c. 300mm on either side), it is set below the ridgeline of the roof and 1m above the eaves. The set back from the eaves has the effect of reducing the visual dominance of the dormer when viewed from the rear gardens of neighbouring properties. There are also a number of examples of rear dormers along the terrace and has become a form of development that is to be visually expected, so that it is not out of keeping with the character or appearance of the area when

viewed from the rear gardens of adjacent properties. For example, the rear and side dormer development at No.96 has been constructed without any detriment to the amenities of the area.

- 7.5. Given the context of existing rear dormers in the immediate vicinity, the variation in scale provided by the existing pattern of development (Seascapes) and the lack of visibility from anywhere except the rear gardens of the neighbouring properties, I consider that the dormer would not result in any harm to either the visual or residential amenities of the area or property in the vicinity.

Condition 3(c) – Dormer glazing

- 7.6. The proposed dormer includes a large window to the bedroom, together with a narrower window to the en-suite (600mm). Both windows are c.1.6m in height. Condition 3(b) requires that the main window be reduced to a maximum of 1.6m and the cill-to-lintel height of both the bedroom and ensuite windows must match the existing windows to the first floor below (1.1m).
- 7.7. In terms of the width of the bedroom window I note that the elevation and section drawings (003 and 004) and show the window measuring 1.6m with zinc cladding panels on either side. The layout drawing (002) shows the opening as 2.2m. Given the proximity of the window to the neighbouring property, I consider that the planning authority restriction to 1.6m width would be preferable in terms avoiding unduly overlooking. The height of the proposed windows is, however, similar to that at the No.96 and I have no objection to same.

Condition 3(c) - Rooflights

- 7.8. The proposed development includes three roof lights on the front roof slope which serve the stairwell and bedroom. The appellant has pointed out that planning permission has been granted for numerous rooflights on the front roofslope in the general vicinity, including by the Board (PL29N.245542 6 Dollymount Park).
- 7.9. I note from my site visit that there is a proliferation of such rooflights in the vicinity and I agree that to omit them in this instance is unnecessary.

Other Matters

- 7.10. Having regard to the nature and scale of the proposed development, its location in a serviced urban area, the distance to the nearest European sites, I am of the view

that no **appropriate assessment** issues arise, and 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. I recommend that Condition 3 is amended so as to remove 3(a) and 3(c), and amend 3(b) as set out below.

9.0 Reasons and Considerations

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to **AMEND** condition number 3 and the reason therefor as follows:

3. The glazing to the attic bedroom shall not exceed a maximum width of 1.6m. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

REASONS AND CONSIDERATIONS

Having regard to the nature and scale of the proposed development and the existing pattern of development in the area, it is considered that, the width of the proposed dormer window, the height of the bedroom and en-suite windows, and the rooflights in the front roofslope would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Anne Marie O'Connor
Planning Inspectorate

26 November 2018