



An
Bord
Pleanála

inspector's Report ABP-303635-19

Development	Alterations to previously approved dwelling at 90-91 Littlepace Drive, Clonee, Dublin 15 Planning reference (FW17A/0093)
Location	90-91, Littlepace Drive, Clonee, Dublin 15
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW18B/0123
Applicant(s)	Bianca Carpa
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Gareth & Therese Downes
Observer(s)	None
Date of Site Inspection	16 th of May 2019
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The subject site is located to the east of Clonee village and is within the residential area of Littlepace. The area in proximity to the site consists primarily of two storey semi-detached houses and is close to the junction of L3025 with the R147 and R156 and the M3 is to the north.
- 1.2. The site (0.025ha) is to the rear (south) of nos. 91 and 91 Littlepace Drive and encompasses part of the rear gardens of these properties. It is to the north west of semi-detached property no. 89 Littlepace Drive and there is a block wall along this boundary. The rear of the houses in Littlepace Drive to the west and Pace Road further to the north can be seen from the site. While the site is currently fenced off due to construction works, there is also c.1.8m boundary wall along these boundaries.
- 1.3. It was noted that there were builders on site and on the site to the west (separate site – a dwelling is also being constructed on this corner site) on the day of the site visit and that the foundations of the subject dwelling house have been laid. The site is currently fenced off with restricted gated access from the public road. There is a roadside tree in close proximity to the entrance onto Littlepace Drive and a footpath and grass verge along this boundary.

2.0 Proposed Development

- 2.1. This is an application for Alterations to previously approved dwelling at 90-91 Littlepace Drive, Clonee, Dublin 15 (FW17A/0093). Alterations are to comprise roof alterations to allow for conversion of the attic space with gable walls, rear dormer and for a single storey ground floor extension and internal alterations to originally approved plan.
- 2.2. The application form provides that the g.f.s of the existing house is 116sq.m and of the proposed development is 34.5sq.m. A Site Layout Plan, Floor Plans and Elevations have been submitted.

3.0 Planning Authority Decision

3.1. Decision

On the 10th of January 2019 Fingal County Council granted permission for the proposed development subject to 15no. conditions. These concerned design, infrastructural and construction issues and development contributions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner's Report had regard to the contextual location of the site, planning history and policy and to the submissions made. Their Report included the following:

- The principle of the house in the subject location has previously been established by way of permission granted under Reg.Ref. FW17A/0093 and remains acceptable.
- The alteration of the proposal from a hipped roof house to the gabled roof will have an impact on the character of the area however there are many precedents for this style of roof extension in the general area.
- The proposed alterations will have an impact on the shadows cast by the proposed structure from that which was previously granted. However, the changes in the extent of potential overshadowing are not considered material.
- They concluded that taking account of the previous grant of permission under Reg.Ref. FW17A/0093 and the nature of the changes proposed, that the proposal is consistent with the pattern of development in the area, is not contrary to the policies in the Fingal CDP and therefore in accordance with the proper planning and sustainable development of the area.

3.3. Third Party Observations

A Submission has been received from a local resident, the subsequent Third Party Appellant. While the contents are noted these are discussed relative to the grounds of appeal below.

4.0 Planning History

The Planner's Report notes the detailed Planning History relative to the site and the surrounding area (copies of permissions are included in the History Appendix to this Report). The following is the most recent relevant to the subject site:

- FW17A/0093 – Permission granted for the construction of proposed detached two storey house with vehicular access adjoining no.89 Littlepace Drive, Clonee.

There have also been two previous Board Decisions relative to this site:

- Reg.Ref. F06A/0476 – Outline Permission granted subject to conditions by the Council for a two storey house to the rear of 90 and 91 Littlepace Drive. Condition no.2 included that the proposed development should be single storey in nature. This condition was subsequently removed by the Board (Ref. PL06F.218304 refers).
- Reg. Ref. F07A/0131 – Permission consequent was subsequently granted by the Board for a two storey detached house to the rear of 90 and 91 Littlepace Drive with vehicular access adjoining no.89 Littlepace Drive.
- Reg.Ref.F07A/0761 – Permission refused by the Council and subsequently refused by the Board for Two semi-detached houses on land to the rear of 90/91 Littlepace Drive (Ref. PL06F.225265 refers). This was refused for 3no. reasons relative to design and layout and adverse impact on the character and amenities of the area. Reason no. 3 referred to overlooking relative to no. 92 Littlepace Drive.

Site to the north west:

- FW15A/0014 – Permission granted for a detached 4 bedroom dwelling with off street parking in the side garden area of 90 Littlepace Drive to include all associated development works. This house is currently under construction on the adjoining site.

Copies of these decisions are included in the Planning History Appendix of this Report.

5.0 Policy and Context

5.1. Fingal Development Plan 2017-2023

Chapter 3 refers to Placemaking and includes regard to infill, corner and backland sites and to extensions:

Objective PM46 seeks to: *Encourage sensitively designed extension to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.*

Section 12.4 provides the Design Criteria for Residential Development. This includes that all new dwellings shall comply with Development Plan standards in relation to accommodation size, garden size and car parking.

Objective DMS39 provides: *New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.*

Objective DMS 40 provides that new corner site development shall have regard to the following:

- *Size, design, layout, relationship with existing dwelling and immediately adjacent properties.*
- *Impact on the amenities of neighbouring residents.*
- *The existing building line and respond to the roof profile of adjoining dwellings.*
- *The character of adjacent dwellings and create a sense of harmony.*
- *The provision of dual frontage development in order to avoid blank facades and maximise surveillance of the public domain.*
- *Side/gable and rear access/maintenance space.*
- *Level of visual harmony, including external finishes and colours.*

Extensions to Dwellings

This has regard to ground and first floor extensions and notes that extensions will generally be considered favourably on their merits where they do not have a

negative impact on adjoining properties or on the nature of the surrounding area. Regard is had to Overshadowing, Private Open Space provision, External finishes.

It is noted that: *Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip', will be assessed against a number of criteria including:*

- *Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures and prominence.*

Objective DMS41 includes: *Dormer extensions to roofs will only be considered where there is no negative impact on the existing character and form, and the privacy of adjacent properties. Dormer extensions shall not form a dominant part of a roof. Consideration may be given to dormer extensions proposed up to the ridge level of a house and shall not be higher than the existing ridge height of the house.*

Objective DMS42 seeks to: *Encourage more innovative design approaches for domestic extensions.*

Overlooking/Overshadowing

Objective DMS28 - *A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.*

Daylight, Sunlight and Overshadowing

Objective DMS30 - *Ensure all new residential units comply with the recommendations of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice (B.R.209, 2011) and B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting or other updated relevant documents.*

Private Open Space - Houses

Objective DMS87 seeks to: Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows:

- 3 bedroom houses or less to have a minimum of 60 sq m of private open space located behind the front building line of the house.
- Houses with 4 or more bedrooms to have a minimum of 75 sq m of private open space located behind the front building line of the house.
- Narrow strips of open space to the side of houses shall not be included in the private open space calculations.

5.2. Natural Heritage Designations

There are no designated sites proximate to the site.

5.3. EIA Screening

Having regard to the nature and scale of the development and the fact that it is a minor extension to an existing dwelling which is connected to the public water and drainage network, it is considered that 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 and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A Third Party Appeal has been submitted by local residents Gareth and Therese Downes of no.92 Littlepace Drive. Their grounds of appeal include the following:

- Overlooking of their amenity space. This proposal will worsen this issue from that previously permitted in Reg.Ref. FW17A/0093 and impact adversely on their privacy. An O.S map is included to show the impact on the rear garden of no.92. They consider it will also devalue their property.

- The garden size is inadequate for a 4 bedroom house. Proximity of the ground floor extension (6m) to their boundary wall, will result in an imposing form of development less than 10m from their boundary.
- The increased size of the proposed development including the installation of the dormer will make the proposed development more imposing.
- Overshadowing issue will be worsened – they have regard to previous surveys carried out.
- The proposal is now definitely too close to the boundary wall of no.92 and will lead to significant overlooking and casts an even bigger shadow over his house and garden and neighbouring properties, and should be refused.

6.2. Applicant's Response

6.2.1. BG Architectural Services has submitted a response to the Third Party Appeal, which includes the following:

- They refer to the revised plan and note that the layout indicated the position of the proposed rear dormer window at second floor level of the proposed development is at a distance of 26.6m. from the rear of no.92 Littlepace Drive.
- The ground floor extension has been designed to ensure minimal private open space requirements.
- The development would be permitted under exempt development guidelines.
- Although 60sq.m is indicated as the private open space area available it excludes the spaces to each side elevation where the space to the north elevation is at a minimum of 1.6m.
- A line is shown on the site layout plan between the closest corner of the proposed ground floor extension to the rear of no. 92 Littlepace Drive. This line indicates a dimension of 21.5m. The height of their development at this corner is approx. 2.6m. They believe this is a reasonable set back from the appellant's property that will not adversely affect residential amenity.
- Regarding the shadow survey referred to, their development does not significantly impact or change the shadowing onto no. 91 Littlepace Drive.

- They conclude that they have shown that the development is set back significantly from no. 92 Littlepace Drive so that there will be no adverse impacts on the appellants property. They believe that the development does not impact on the residential amenity of the surrounding dwellings including no. 92 Littlepace Drive. They request that permission be granted.

6.3. **Planning Authority Response**

Fingal County Council notes the issues raised in the Third Party appeal concerning the impacts of the proposal on residential amenity and consider that this has been dealt with adequately in the Planner's Report. The impact of the proposed development is not considered to be materially increased from that which was previously permitted. They ask the Board to uphold the decision of the PA to grant permission with Condition the 15no. conditions applied.

7.0 **Assessment**

7.1. **Principle of Development and Planning Policy**

- 7.1.1. The appeal site is located on lands that are zoned Objective 'RS' Residential Development with a stated objective '*to provide for residential development and to protect and improve residential amenity*' under the provisions of the Fingal Development Plan, 2017-2023. Under this land use zoning objective '*Residential*' development is identified as a permissible use. Section 12.4 provides the Design Criteria for Residential Development and this includes that Extensions to dwellings are generally considered favourably on their merits provided they do not have a negative impact on the amenities of adjoining properties or on the nature of the surrounding area.
- 7.1.2. The First Party considers the proposal provides acceptable alterations to a previously approved dwellinghouse, that will not impact adversely on adjoining properties. The Third Party is concerned about the impact of the proposal on the residential amenities of their property. This includes relative to overlooking, loss of privacy, overshadowing and impact on the character and amenities of the area. They consider that this proposal which includes alterations and the residential use of the

attic floorspace and the insertion of a rear dormer window will be more detrimental for them than that previously granted in Reg.Ref. FW17A/0093.

- 7.1.3. Having regard to the residential landuse zoning and the established pattern of development in the area and the planning history of the site, the proposal is acceptable in principle, subject to compliance with relevant policies in the plan and particularly those that relate specifically to residential extensions and design and layout as set out in Objective PM46 (Extensions) and Section 12.4 of the plan. Regard is had to the impact of the alterations to this previously approved dwelling (FW17A/0093 refers) on the character and amenities of the area and on neighbouring properties in the Assessment below.

7.2. Regard to Planning History

- 7.2.1. The considerable previous planning history relative to this site has been noted in the relevant section above and also in the Planner's Report. The current application seeks to make alterations to the approved dwelling on this site (Reg.Ref.17A/0093 refers). In that case permission was granted for a two storey dwelling on the subject site. The plans show a 3 bedroom detached dwelling with a hipped roof - 116sq.m in floor area. The height of the hipped roof is shown 8m. The Planner's Report then noted concerns of overlooking to no.92 Littlepace Drive. In response to the Council's F.I request the applicant submitted revised plans which showed that the windows of bedroom 2 to the rear of the proposed development a stated distance of 10m from the rear boundary of the site. The Planner considered the revised plans to be acceptable. They also noted that a shadow analysis relative to the impact of the proposed development on surrounding properties i.e nos. 89,90,91 and 92 Littlepace had been submitted. This provided that the while there would be some overshadowing caused by that development it would not be significant. Permission was subsequently granted by the Council subject to conditions. Condition no.2 provided a restriction on exemption. Condition no.4 noted the attic floorspace does not comply with Building Regulations and provided a restriction on use for human habitation.
- 7.2.2. Also of note relative to this application is Reg.Ref. FW15A/0014 where permission was granted on the adjoining corner site to the north west for a detached 4 bedroom dwelling with off street parking in the side garden of 90 Littlepace Drive, to include all

associated development works. This is of note due to its proximity to the subject site and because as shown on the elevations it includes a hipped roof 8m in height. This dwelling is currently under construction and it is noted that the plot is longer and differently orientated than the subject plot. While it also provides a detached house adjacent to a semi-detached pair, it is more in character with the hipped roof types in the area, although as noted on the Site Layout Plan it disrupts the building line of Littlepace Drive. The proposal on the subject site does not disrupt the building line.

7.3. Design and Layout and impact on the Adjoining Properties

- 7.3.1. In the current application the proposal comprises roof alterations to allow for conversion of the attic space with gable walls, rear dormer and a single storey ground floor extension and internal alterations to the originally approved plans (Reg.Ref. FW17A/0093 refers). The permitted floor space is 116sq.m and the proposed extensions and alterations will result in an additional 34.5sq.m on this site of 0.0255sq.m.
- 7.3.2. It is of note that the revised proposal will create a bedroom in the extended and converted attic space. However as pointed out in the First Party response and as shown on the floor plans submitted, this will not result in a 4bedroom house. It is proposed to change bedroom 3 at first floor level in the dwelling originally permitted to a study and the floor area is to be reduced, to allow for the insertion of the stairs to second floor level. Therefore, this proposal will still result in a 3 bedroomed house, albeit with a larger floor area at second floor level.
- 7.3.3. A contextual elevation is included showing the conversion from hip to gable relative to no. 89 Littlepace Drive. A Section is included showing a large box dormer at the rear. The resultant internal height achieved is shown as 2.3m marginally below Building Regulation Standards for habitable accommodation, although it is noted that these are dealt with under separate remit. As shown on the elevations the rear dormer window will not be visible on the front elevation and it is recommended that if the Board decide to permit that it be conditioned that the dormer be sited below the ridge level of the roof.
- 7.3.4. The proposed single storey ground floor extension, is shown 1.6m in length and 7.44m in width i.e to extend the full width of the property i.e 11.9sq.m. Permission is

needed for the single storey extension in view of the restriction on exemption provided in Condition no. 2 of FW17A/0093. The rear garden of the revised dwelling will be reduced to c.6m in length bringing it closer to the boundary with no.92 Littlepace Drive. As shown on the Site Layout Plan, it will also reduce the area of private open space to c.61sq.m. As per Objective DMS87 the minimum standard is 60sq.m for a 3 bedroom house and 75sq.m for a 4 bedroom house. This includes that narrow strips of open space to the side of houses shall not be included in the private open space calculations. Therefore, the area of private open space would be deficient for a 4 bedroom house.

- 7.3.5. The Third Party is concerned that the proposed development will bring the property even closer to his boundary than that previously permitted and is a very large development for a small plot of land. He is also concerned about overlooking and loss of privacy. They consider that this application changes the nature of this development from a three bedroom to a four bedroom detached house and concerns also include overshadowing, overlooking and loss of privacy.
- 7.3.6. As noted above a shadow analysis was done relative to the development that has been permitted on this site (Reg.Ref. FW17A/0093 refers). While an updated one has not been submitted with the current application it is considered that the proposed revisions would have at most a marginal impact relative to this issue. Having regard to overlooking, the box dormer will have a perceived additional impact at roof level. However, in view of the site orientation separation distances of 22m between opposing first floor windows as per Objective DMS28 are retained.
- 7.3.7. It is of note that the proposed access from Littlepace Drive is as shown on the plans originally approved. It is recommended if the Board decide to permit that other than the conditions relevant to the proposed alterations that the development be in accordance with the original conditions.

7.4. Impact on the Character and Amenities of the Area

- 7.4.1. This area of Littlepace consists primarily of similar type two storey semi-detached hipped roof type properties. There are also some detached properties which are generally hipped roof. It has been noted that the dwelling being constructed on the site to the north west is hipped roof. Reg. Ref. FW15A/0014 refers.

- 7.4.2. This is a new dwelling being constructed, currently as seen on the day of the site visit, only up to foundation level, so it could be seen as a revised house type rather than as alterations and extensions to the house type permitted. I would consider that this proposal will result in this house appearing more visually prominent in the streetscape in that it will be seen in the context of existing development, which is primarily hipped roof. It will form an end house to the building line to the east of Littlepace Drive and will be seen from the junction and the green area. As such it will introduce a new gable element to this location which will not be consistent with the existing street/roofscape. I would consider that the hipped roof as originally permitted in Reg.Ref. FW17A/0093 would be preferable in that it would blend in more sensitively with the character of the dwellings in the area.
- 7.4.3. I also note that the proposed large box dormer at the rear will be a new feature and did not see any similar type dormers in the rear of adjoining properties on the day of my site visit. Therefore, it could set a precedent for such in this area. As shown on the section it is marginally under minimal height standards for habitable accommodation, provided it can be sited to match the ridge of the roof. I would be concerned that in view of its size and bulk that it will form a dominant part of the roof, contrary to Objective DMS41 of the Fingal CDP.
- 7.4.4. The alterations to the floor plans have been noted, as has the omission of the first floor bedroom 3. As per Objective DMS87, the proposal is under the private open space provision as specified for a 4 bedroom house but provides minimal open space for a 3 bedroom house.
- 7.4.5. Having regard to these issues I would consider that the design and layout of the house type as currently permitted under Reg.Ref. FW17A/0093 to be preferable on this site, as a more sensitive infill development. While I would not object to the proposed single storey rear extension, I would consider that the proposed roof alterations will result in a cramped form of development that would not add to the attractiveness or be in character with the existing residential area and would be contrary to Objective PM46 relative to sensitively designed extensions.

7.5. **Screening for Appropriate Assessment**

Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 **Recommendation**

- 8.1. I recommend a split decision i.e. that permission be granted for the proposed single storey rear extension (Schedule 1) and be refused for the proposed roof alterations (Schedule 2) for the reasons and considerations below.

9.0 **Schedule 1 – Reasons and Considerations**

Having regard to the form and character of the established dwelling on the site, to the design and scale of the proposed single storey rear extension, 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 vicinity and would be in accordance with the provisions of the current Fingal Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 **Conditions**

1. The Conditions of permission Reg.Ref. FW17A/0093 shall be complied with, except as may otherwise be required in order to comply with the following conditions below.

Reason: In the interest of clarity

2. This Permission is granted only for that part of the development entailing the construction of the ground floor extension to the rear of the house only, and shall be carried out in its entirety in accordance with the plans and particulars submitted.

Reason: In the interest of clarity.

3. The external finishes of the extension shall match those of the existing dwelling.

Reason: In the interest of visual amenity.

- 4 Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

11.0 Schedule 2 - Reasons and Considerations

1. The proposed development comprising roof alterations to the permitted dwelling (Reg.Ref. FW17A/0093) would produce a cramped and substandard form of development on this visually prominent site, the proposed changes to the roof profile from hip to gable would appear bulky and would introduce a large dominant dormer into the roof at the rear that would be contrary to Objective DMS41. As such it is considered that this proposal would detract from the character of the area and be contrary to Objective PM46 relative to sensitively designed extensions, of the said Plan and to the proper planning and sustainable development of the area.

Angela Brereton
Planning Inspector

21st of May 2019