



An
Bord
Pleanála

Inspector's Report ABP303861-19

Development	Construction of extension to the rear and side of existing dwelling and proposed attic level conversion to study/storage area.
Location	234 Cooley Road, Drimnagh, Dublin D12 PL18.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	WEB/64018.
Applicant	Evan Wakefield.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	First Party -v- Condition.
Appellant	Evan Wakefield.
Observers	None.
Date of Site Inspection	27 th May, 2019.
Inspector	Paul Caprani.

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1.0 Introduction

ABP303861-19 relates to a first party appeal against a condition attached to Dublin City Council's notification to grant planning permission for an extension to the rear and side of an existing house and a change of use of attic space to storage. The appeal specifically relates to Condition No. 4(a) which requires the roof of the attic extension approved by this permission shall be set a minimum 200 millimetres below the existing roof ridge height. It is argued that such a condition is deemed to be unnecessary and would result in an unusable space at attic level. It is also stated that there are a number of precedents in the area where extensions were permitted that did not require such a reduction in ridge height. The subject site is located at 234 Cooley Road, Drimnagh.

2.0 Site Location and Description

- 2.1. No. 234 Cooley Road, Drimnagh is situated at the southern end of a small cul-de-sac area located within the larger suburban area of Drimnagh. The housing along the Cooley Road, including the subject site comprise of 1930's Corporation Housing. The subject site is located approximately 5 kilometres south-west of Dublin City Centre. No. 234 is an end house at a block of four terraced houses which face northwards onto the end of the cul-de-sac. It incorporates a generous sized triangular shaped garden which narrows at its front entrance onto the roadway. If the rear garden is approximately 11 metres in depth and 16 metres in width. It has a total area of 194 square metres. A large shed is located along its western boundary. This shed currently occupies an area of c.50 square metres. The adjacent dwellings to the east (Nos. 236 to 240) all incorporate single-storey extensions to the rear.
- 2.2. The existing dwellinghouse comprises of a two-storey structure with a living room and kitchen to the rear at ground floor level and two bedrooms and a bathroom at first floor level. The existing dwellinghouse has a stated area of 54 square metres.

3.0 Proposed Development

- 3.1. It is proposed to provide a two-storey extension to the side and rear of the subject house. The front entrance to the dwelling is to be relocated to the side and is to provide access to a new open plan kitchen and dining area together with a utility room, ground floor toilet and shower all of which are located at the side and to the rear of the dwelling. In order to accommodate the side extension, it is proposed to reduce the size of the large shed along the common boundary of the site with 232 Cooley Road to the north-west. The gross floor area of the shed is to be reduced by approximately 10 metres. An additional 45 square metres of living accommodation is to provide at ground floor level to the rear and side of the dwelling.
- 3.2. At first floor level it is proposed to reconfigure the internal layout incorporating a new stairwell leading to a landing area which will serve three bedrooms; one of which is a master bedroom with en-suite toilet facility. A separate bathroom will also be provided at first floor level. The first floor level incorporates a smaller footprint amounting to an additional 23 square metres.
- 3.3. It is also proposed to create a new attic storage space within the existing attic area. The extended roof profile will alter the existing conventional ridge to create a flat roof along the centre of the building. The pitch to the front of the building will be retained as is (see Drawing PA-200 for details of the proposed cross-section of the roof pitch).

4.0 Planning Authority's Assessment

4.1 Decision

Dublin City Council issued notification to grant planning permission subject to 11 conditions. Condition No. 4(a) stated the following:

4. *Development shall not commence until revised plans, drawings and particulars showing the following amendments have been submitted to, and agreed in writing with the Planning Authority and such works shall be fully implemented prior to occupation of the extension.*

- (a) *The roof of the attached extension approved by this permission shall be set a minimum of 200 millimetres below the existing roof ridge height.*

4.2. Documentation Submitted with the Application

- 4.2.1. The application was lodged on 30th November as well as the accompanying drawings, planning application form, public notices and fee, details of pre-application consultation discussions with the Planning Authority were also submitted, as was shadow analysis study and various photographs of the subject site.

4.3. Planning Authority's Assessment

- 4.3.1. A report from the Engineering Department stated that there was no objection to the proposed development subject to conditions.
- 4.3.2. The planner's report notes that the proposed development would involve the alteration of an existing roof to create a flat roof profile. The attic extension would not be subordinate to the existing roof profile. The floor to ceiling height of the attic level is indicated as 1.9 metres which would not meet the Building Regulations standards for a habitable room. The purpose of the space at roof/attic level shall be confined to non-habitable purposes i.e. storage/study etc.
- 4.3.3. Reference is made to Section 17.1 of Appendix 17 of the Development Plan which gives guidance in relation to roof extensions. It is considered that the side and rear extension involves the significant alteration of the roof profile. In this regard the roof of the proposed extension shall be set a minimum of 200 millimetres below the existing roof ridge level.
- 4.3.4. In conclusion the planning report notes that the development would involve a large side and rear extension and alteration to the roof profile. Notwithstanding the size and scale of the existing proposal, which is deemed to be rather large, it is noted that the proposed extension would be set back from the neighbouring boundary at No. 232 Cooley Road thereby maintaining the characteristic townscape between the structures. However, the alteration in the roof profile would materially alter the structure in terms of scale and design. For this reason, a condition is recommended

that the roof of the attic extension be reduced in height by 200 millimetres. Dublin City Council issued notification to grant planning permission including Condition No. 4(a) accordingly.

5.0 Planning History

No planning history files are attached. The planner's report makes reference to one application relating to the site. Reference No. 2635/00 where Dublin City Council granted planning permission for a two-storey extension to the side of the subject site. However, it appears that this development was never carried out.

6.0 Grounds of Appeal

- 6.1. The decision of Dublin City Council was appealed on behalf of the applicant. The appeal requests that the Board review the application and decision and remove Condition No. 4(a) for the reasons set out below.

It is stated that the proposed elevation as part of the extension sets back the new family house extension three metres from the front elevation of the existing house. This already, it is argued constitutes a significant subservient gesture to the new extension. It is also suggested that maintaining the same ridge height between the existing and new roof creates continuity in extending homes rather than a broken ridge line.

It is also stated that comments and suggestions made by Dublin City Council were fully accepted in the design submitted and amendments made, and that pre-planning discussions supported the design as submitted. It is stated that the family require an additional bedroom and also require additional storage and a possible study for the 9 year old son. The attic level has the potential needed as a study room and extra storage space required. The reduction in ridge height from 1.9 metres to 1.7 metres would result in a space that would be unusable even for storage purposes. It would result in a room where it would be inaccessible to stand in.

It is also argued that there are numerous precedents which exist in the wider area where existing ridge heights have been permitted in the case of rear and side storey

extensions. Photographs are contained in the grounds of appeal of 193 Cooley Road and 182 Cooley Road.

- 6.2. Finally, it is stated that having consulted with the applicant's consulting structural engineer, it is not recommended from a structural perspective to cut existing rafters 200 millimetres below the ridge and apply loading of a new roof onto them. It is recommended to maintain the same ridge level between existing and the new roof. This allows the roof to support itself with clear spans. A design statement and original drawings were also submitted with the grounds of appeal.

7.0 Appeal Responses

Dublin City Council have not submitted a response to the grounds of appeal.

8.0 Development Plan Provision

- 8.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2016 – 2022. The site is governed by the zoning objective Z1 to protect, provide and improve residential amenities.
- 8.2. Section 16.10.12 relates to extensions and alterations to dwellings. It states that the design of residential extensions should have regard to the amenities of adjoining properties and in particular, the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible and the development should integrate with the existing building through use of similar finishes and windows. Extensions should be subordinate in terms of scale to the main unit.
- 8.3. Applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that:
- It will not have an adverse impact on the scale and character of the dwelling.
 - Will not adversely affect the amenities enjoyed by occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.
- 8.4. Appendix 17 of the Development Plan specifically relates to guidelines for residential extensions. Section 17.8 argues for a subordinate approach stating that "*the subordinate approach means that the extension plays a more of a 'supporting role' to*

the original dwelling. In general, the extension should not be larger or higher than the existing”.

- 8.5. Section 17.11 relates to roof extensions. It states that the roof line of a building is one of its most important dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament to a roof is carefully considered. If not treated sympathetically, dormer extensions can cause problems for immediate neighbours and in the way a street is viewed as a whole.
- 8.6. When extending the roof, the following principles should be observed.
- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.
 - Dormer windows should be visually subordinate to the roofslope, enabling a larger proportion of the original roof to remain visible.
 - Any new windows should relate to the shape, size, position and design of existing doors and windows on the lower floors.
 - Roof material should be covered in materials that match or complement the main building.

9.0 EIA Screening

A domestic extension is not a class of development for which EIAR is required.

10.0 Planning Assessment

- 10.1. I have read the entire contents of the file, visited the site and its surroundings and have had particular regard to the issue raised in the grounds of appeal. I consider that the principle of extending the existing dwellinghouse is acceptable and appropriate. I am also satisfied having regard to the size and scale of the site that the proposed extension will not have any undue adverse impacts on surrounding residential amenity having regard to the site's location on a corner site and the relative size and dimension of the rear garden. I further note that no letters of objection were received by either Dublin City Council or An Bord Pleanála in respect of the proposed extension sought. For these reasons I consider that the Board can

restrict its deliberations to the issue raised in the grounds of the first party appeal; namely the appropriateness of reducing the ridge height of the proposed dwelling by 200 millimetres in order to protect the visual amenities of the area.

- 10.2. The existing dwellinghouse on site is of a modest size amounting to 54 square metres. It contains a living room and kitchen at ground floor level and two modest sized bedrooms and a bathroom at first floor level. The proposed development before the Board seeks to substantially increase the floor area of the house in order to cater for growing family needs. The proposed extension will more than double the size of the dwellinghouse resulting in a gross floor area of 132 square metres. While the extension itself is large, the overall size and scale of the dwellinghouse cannot be considered excessive by modern day standards. Furthermore, as mentioned in the appeal above, the extension to the side is stepped back to ensure that appropriate separation distances are maintained between the proposed dwelling and No. 232 Cooley Road adjacent.
- 10.3. Families living in built-up areas, particularly areas of large scale inter-war housing such as Cooley Road and its environs where traditional such houses are modest in size, should be permitted the reasonable expectation to extend the dwellinghouse in order to cater for growing family needs provided that such extensions do not adversely affect surrounding residential amenity by way of excessive overlooking, impact on privacy and impact on daylight and sunlight.
- 10.4. I do note however that the development plan does require that extensions to houses should be subordinate in scale to the main dwellinghouse. While the proposal constitutes a large extension, most of the extension is located to the rear of the dwellinghouse and does not in my view upset the overall scale of the dwelling in the context of surrounding dwellings. The applicant has indicated that the conversion at roof level from attic space to storage/study area will not be used as a habitable room. Any such use of this space as a habitable room would contravene the Building Regulations. However, the reduction of the roof height by 200 millimetres would result in a floor to ceiling height be reduced from 1.9 metres to 1.7 metres. As the appellant points out in the grounds of appeal there would not be sufficient space to stand up in the attic which would in my view render the space unusable particularly as a study area. Reducing the ridge height by 200 millimetres would in my view have a negligible impact in reducing the overall size and scale of the extension. The

receiving environment cannot be considered sensitive in terms of visual amenity. The site is not located in a residential conservation area nor are there any protected structures within the immediate vicinity of the site which would warrant or justify a reduction in the height of the roof ridge in order to appease the visual amenities of the area.

- 10.5. Any perceived advantages in the reduction of ridge height on visual amenity grounds must in my view be balanced against the needs and expectations of a family to extend their living accommodation in order to cater for changing family needs and requirements. In this regard I don't consider that the reduction in ridge height of the proposed extension would serve any greater purpose in visual terms than the requirements of the individual family to provide quality living accommodation and storage space.
- 10.6. Finally, in relation to this matter, the applicant has highlighted numerous precedents in the immediate vicinity of the site where Dublin City Council have permitted extensions to the side and rear which incorporate the same ridge height as the existing buildings and as such the proposed extension permitted does not appear to be ancillary or subservient to the main dwellinghouse. I have also included in the photo's attached to this report, details of 2-storey extensions in the vicinity which have been permitted and are in my view, are less sympathetic to the visual amenities of the area than that proposed under the current application.

11.0 Recommendation

Arising from my assessment above therefore I consider the development as originally submitted to the Planning Authority to be acceptable and I therefore recommend that Condition 4(a) be removed in any decision issued by the Board.

12.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest 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.

13.0 Decision

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 remove Condition No. 4(a) and the reason therefore.

14.0 Reasons and Considerations

Having regard to the existing pattern of development in the vicinity of the appeal site, together with a limited scale of the proposed development and the precedent in the wider area for similar sized roof extensions, it is considered that the development, as proposed in accordance with the plans and particulars lodged with the planning application, would be compatible with the established streetscape character at this location, would not seriously injure the visual or residential amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

15.0 Matters Considered

In making its decision the Board had regard to those matters which by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Paul Caprani,
Senior Planning Inspector.

6th June, 2019.