



An
Bord
Pleanála

Inspector's Report ABP-304002-19

Development	Demolition of existing extension, erect new rear extension with a dormer window.
Location	4 Pembroke Cottages, Booterstown Avenue, Co. Dublin.
Planning Authority	Dún Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	DI9A/0003
Applicant(s)	David Watchorn
Type of Application	Permission
Planning Authority Decision	Grant permission with conditions
Type of Appeal	First Party
Appellant(s)	David Watchorn
Observer(s)	<ol style="list-style-type: none">1. Kerri Johnston2. John Bruckshaw
Date of Site Inspection	11 th July 2019
Inspector	Hugh Mannion

1.0 Site Location and Description

- 1.1. The application site has a stated area of 0.0098 ha and is located in a mature residential development approximately 7 km south of Dublin city centre at 4 Pembroke Cottages, Booterstown, Co. Dublin.
- 1.2. The house comprises a three-bay single storey semi-detached Victorian cottage fronting onto Pembroke Cottages with a small yard and gated side entrance. Pembroke Cottages comprises 14 houses and is designated the Pembroke Cottages Architectural Conservation Area (ACA). The dwelling has a partially covered side passage with access doorway extending from the cottage façade to the rear yard. There is a single storey rear extension with pitched roof connected to the main house at a shallower pitch. The house is a protected structure.

2.0 Proposed Development

- 2.1. The gross floor space of the proposed works is approximately 14.7m² which consist of the following:
 - The partial demolition of an existing pitched single storey rear extension and enclosure to side passage.
 - Replacement with an enlarged rear ground floor kitchen extension with partial flat roof incorporating larger kitchen/dining space.
 - Partial renovation of side passage accommodation with new flat roof and rooflight.
 - New glazed opening in bathroom gable wall within passage accommodation.
 - New rear dormer roof window to mezzanine bedroom to replace existing rooflight,
 - New larger rooflight to replace existing rooflight to living room,

And associated works at 4 Pembroke Cottages, Booterstown, Co. Dublin.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant planning permission subject to conditions. Condition No. 2 requires the omission of the proposed rear facing dormer window.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- **Planner's Report** – Recommended that permission be granted subject to conditions. The manager's order reflects this recommendation.

3.2.2. *Other Technical Reports*

- **Transportation Planning:** No objection
- **Drainage Planning:** No objection
- **Conservation Officer:** No built heritage objections with much of the proposed development but recommends the omission of the proposed rear dormer window in the interests of preserving the architectural interest of the Protected Structure and the character of the Pembroke Cottages ACA. Additionally, the proposed dormer window will give rise to overlooking issues given the limited separation distance to the rear site boundary.

3.3. Third Party Observations

- 3.4. Two nearby residents made observations to the planning authority which are, generally, reflected in the observations made to the Board as set out below.

4.0 Planning History

No recent relevant planning history on the subject site.

4.1. 2 Pembroke Cottages

D16A/0633 – Permission was granted for the retention of a single storey flat roof extension to the rear in 2016.

4.2. **6 Pembroke Cottages**

D16A/0665– Permission granted for demolition of an existing single storey flat roof rear extension and outbuildings; replacement with a new single storey rear extension with mono-pitch roof to incorporate kitchen/dining space and double bedroom and all associated works.

D15A/0749 / PL06D.246202– Permission was refused for demolition of an existing single storey flat roof extension and outbuildings and replacement with a new single storey rear extension with pitched roof on protected structure on appeal. The reason for this refusal was that it was considered that the proposed extension to the rear of the existing dwelling, by reason of the design of the roof in terms of its height and length and how it connects to the parent roof would detract from the architectural composition of the existing cottages and would disrupt views of the roofscape of No. 6 and No. 7 Pembroke Cottages, whose symmetry and harmony is considered to be an integral feature of the Architectural Conservation Area.

4.3. **79 Booterstown Avenue**

D15A/0001/ ABP Ref. PL06D.244673

Permission refused by Planning Authority and granted on appeal to the Board for extension to dwelling and widening of entrance at a protected structure.

4.4. **13 Pembroke Cottages**

D08A/1066 Permission granted for demolition of the existing single storey extensions and shed at the rear of the existing cottage and the construction of a single storey extension to the rear and creation of split-level courtyard to rear of cottage

5.0 **Policy and Context**

5.1. **The Architectural Heritage Protection Guidelines for Planning Authorities (2011).**

5.2. Section 6.8.1 General Types of Development/Extensions - appropriate new extensions can often be permitted to keep protected structures fit for modern living and keep them in viable economic use. The cumulative effect of minor additions can compromise the special interest of a structure and the character of an ACA.

5.3. The key advice is;

- Section 6.8.2 General Types of Development: Extensions - Should planning permission be granted for an extension, the new work should involve the smallest possible loss of historic fabric and ensure that important features are not obscured, damaged or destroyed. In general, principal elevations of a protected structure should not be adversely affected by new extensions. The design of symmetrical buildings or elevations should not be compromised by additions that would disrupt the symmetry or be detrimental to the design of the protected structure.
- Section 9.4.22 Roofs: Consideration of Proposals Affecting Dormers Etc – Where it is proposed to install new dormers or rooflights, the extent of potential damage to historic roof structures should be considered. If the building is part of a terrace, the proposed addition may upset the balance of the whole architectural composition. New rooflights and dormers on minor or concealed slopes may be considered acceptable in some cases. Low-profile ‘conservation-type’ rooflights with a central glazing bar should be used in preference to standard modern types. Where a large increase in natural lighting is required in the roof space below, it is usually preferable to permit the use of patent glazing in place of the existing roof cladding rather than the use of excessive numbers of rooflights which would disrupt the visual appearance of the roof.

5.4. **Development Plan**

5.5. The operative Development Plan is the **Dún-Laoghaire Rathdown County Development Plan 2016-2022**. The site is zoned **Objective A** – ‘*To protect and/or improve residential amenity*’. The relevant sections of the Development Plan are as follows:

- **Section 6.1.3.1 Policy AR1:** Record of Protected Structures - Protected structures included on the RPS are to be protected from any works that would negatively impact their special character and appearance. Further, any new and

adapted uses are to be compatible with the character and special interest of the protected structure. Unless otherwise stated, a protected structure includes the interior of the structure, land and other structures within its curtilage, and all fixtures and features which form part of the interior or exterior of that structure. Boundary treatments are also included

- **Section 6.1.3.8 Policy AR8:** Nineteenth and Twentieth Century Buildings, Estates and Features - It is Council Policy to encourage the appropriate development of exemplar nineteenth and twentieth century buildings and estates to ensure their character is not compromised. The retention of features that contribute to the character of the above-mentioned buildings and estates such as roofscapes, boundary treatments and other features worthy of retention is encouraged.
- **Section 6.1.4 Policy AR12:** Architectural Conservation Areas, Architectural Conservation Area - Council policy is to protect the character and special interest of an area which has been designated an ACA. All development proposals within an ACA should be appropriate to the character of the area having regard to the Character Appraisals for each area. Any new development(s) should be of high quality, sensitive design that are complimentary and/or sympathetic to their context and scale whilst simultaneously encouraging contemporary designs. Seek the retention of all features that contribute to the character of an ACA.
- **Section 8.2.11.2 Architectural Heritage, Protected Structures** - the inclusion of a structure on the RPS does not prevent development and/or extension of the structure provided that the impact of any proposed development does not negatively affect the character of the RPS and its setting. The character and special interest of the building are not to be adversely affected by any refurbishment, reuse or redevelopment. All planning applications for works to a Protected Structure must include an Architectural Heritage Impact Assessment in accordance with Appendix B of the DoAHG 'Architectural Heritage Protection Guidelines for Planning Authorities'.

- **Section 8.2.3.4(i) Extensions to dwellings** - First floor rear extensions will be considered on their merits as they can often have potential for negative impacts on the amenities of adjacent properties. Permission will be granted only where there will be no significant negative impacts on the surrounding residential or visual amenities. The factors that will be considered in determining applications are: overshadowing, overbearing and overlooking – along with proximity, height and length along mutual boundaries; remaining rear private open space, its orientation and usability; degree of set-back from mutual side boundaries.
 - Dormer extensions to roofs will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations
 - Dormer extensions shall be set back from the eaves, gables and/or party boundaries. The proposed quality of materials/finishes for dormers will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer structure should have regard to existing window treatments and fenestration of the dwelling.
 - Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of adjacent properties.
 - Excessive overlooking of adjacent properties should be avoided unless support by the neighbours affected can be demonstrated.
 - More innovative design responses will be encouraged, particularly within sites where there may be difficulty adhering to the above guidance and where objectives of habitability and energy conservation are at stake.

5.6. Natural Heritage Designations

5.6.1. Not applicable

5.7. EIA Screening

5.8. Having regard to the modest extent of the proposed works and foreseeable emissions therefrom I am satisfied that the development would not result in a real likelihood of significant effects on the environment. 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

- The planning authority's conservation architect's report on the Pembroke Cottages ACA makes explicit that the importance of the Cottages lies in 'their streetscape value' when it recommended their removal from the Record of Protected Structures upon adoption as an ACA.
- The rear slope of the pitched roof at No. 4 is not part of the street frontage and therefore does not comprise part of the streetscape.
- The rear slope is not original to the structure as it dates from the 1980s when the house was extended to the rear
- This 1980s extension has no relation to the structure's intrinsic measure or character. As part of this extension, the roof pitch of the rear slope was made shallower than the front slope of the pitched roof
- No. 9 & No. 11 Pembroke Cottages have rear dormer windows which were added later on their rear elevations – therefore No. 4 is following rather than setting a precedent.
- Dormer windows are noted as original features on some of the other cottages in the ACA.

- To the claim that the dormer window would render the roof profile 'inconsistent with its neighbour', the appellant notes that in four of the six pairs of single storey Pembroke Cottages in Booterstown, one or both cottages in the pair have extensions which result in that pair being asymmetrical in roof structure to the rear
- The current proposal is for a dormer window to an existing mezzanine, whereas No. 2, No. 9, No. 11 and No. 12 all have two storey extensions
- The extension of No. 2 – which is cited as being of identical design to No. 4 in its original construction – is very large and almost doubled the square footage of the cottage
- Rooflights are unsatisfactory in addressing spatial limitations when incorporating attic space as standing area would only be possible in a tiny fraction of the floor area
- It is contended that the proposed dormer window will result in no more overlooking than is already possible from the existing Velux window in the rear roof of No. 4
- The appellant's decision to purchase was informed by the other extensions in the area.
- The proposed development addresses serious shortcomings inherent in the design of the Pembroke Cottages and does not detract from the importance of the structure or the ACA.

6.2. **Planning Authority Response**

6.3. No comments.

6.4. **Observation**

6.5. The observers make the following points.

- There is no objection to the extension in principle but there is an objection to the proposed first floor dormer windows which will overlook adjoining property, especially the courtyard, living and sleeping quarters of No. 2 Pembroke Cottage.
- The proposed height of the proposed windows is 5.208 metres which increases the potential intrusion to 1, 2, 3 and 5 Pembroke Cottages.
- Trellis fencing/and or raising boundary walls on adjoining property is not a solution to overlooking.

7.0 **Assessment**

7.1. **Introduction.**

7.2. Having regard to the location of the application site in a developed residential area, to the availability of public piped services in the area and the nature of the application as referring solely to the rear of the house, the reports on file and the submissions made in relation to the appeal I conclude that the proposed development will not impact on the streetscape value of the house within the ACA, is acceptable in principle and I recommend that the Board consider only the condition number 2.

7.3. **Impact on Residential Amenity**

7.4. The proposed development occurs within a small residential square of 19th century cottages. Many of these have been subject to extension and modification but remain small by modern standards of residential accommodation. The rule of thumb of 22m separation between opposing rear windows is not achievable within the square so that rear extensions will often have greater visual impact than would be the case in more housing modern layouts. The development plan recognises that some compromises may be required where improved accommodation standards are in question.

7.5. Balancing this visual impact is the desirability of allowing house holders to improve the accommodation standards available to them within individual sites. The proposed development will be visible from other property in the vicinity and afford overlooking of some private yards but on the other hand the bedroom will only be in use

intermittently over the course of the day and privacy is already limited in the confined environment of the rear private spaces of the houses in Pembroke Cottages. I conclude therefore that the proposed dormer window will not seriously injure the residential amenity of adjoining property by reason of overlooking or overshadowing is acceptable in terms of impacts on adjoining property.

7.6. The reason for the imposition of condition 2 is given by the planning authority as the protection of the special architectural interest and amenity of the ACA and the protected structure. The proposed dormer window will not be ordinarily visible from the public realm and, therefore, will not detract from the ACA or the streetscape value of the amended house.

7.7. **Appropriate Assessment – Screening**

7.8. Having regard to the modest scale of the proposed development it is reasonable to conclude that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on any European Site.

8.0 **Recommendation**

8.1. It is recommended that the planning authority be directed to remove condition 2 and the reason therefor for the reasons and considerations set out below.

9.0 **Reasons and Considerations**

The proposed development comprises alterations to a protected structure located in the Pembroke Cottages Architectural Conservation and in an area zoned to protect and/or improve residential amenity in the Dun Laoghaire Rathdown County Development Plan 2016-2022. Having regard to the modest scale of the dormer window, its purpose to serve a bedroom and the pattern of development within Pembroke Cottages it is considered that the dormer window will not detract from the special architectural interest of the architectural conservation area or seriously injure the amenity of nearby property through overlooking or overshadowing and would otherwise accord with Dun Laoghaire Rathdown County Development Plan and with the proper planning and sustainable development of the area.

Hugh Mannion
Senior Planning Inspector

16th July 2019