



An
Bord
Pleanála

Inspector's Report ABP-304276-19

Development	Extensions to front, side and rear of house, including attic, porch and garage conversions
Location	16 Maywood Park, Raheny, Dublin 5
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	2170/19
Applicant(s)	Keith McAuley & Sinead McCabe
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First-Party v Condition
Appellant(s)	Keith McAuley & Sinead McCabe
Observer(s)	None
Date of Site Inspection	24 th June 2019
Inspector	Colm McLoughlin

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.....	5
3.4. Third-Party Submissions.....	5
4.0 Planning History.....	5
4.1. Appeal Site.....	5
4.2. Surrounding Sites	5
5.0 Policy & Context.....	6
5.1. Development Plan.....	6
5.2. Environmental Impact Assessment - Preliminary Examination.....	6
6.0 The Appeal.....	6
6.1. Grounds of Appeal.....	6
6.2. Planning Authority Response	7
6.3. Observations	7
7.0 Assessment.....	8
8.0 Appropriate Assessment	11
9.0 Recommendation.....	11
10.0 Reasons and Considerations	11

1.0 Site Location and Description

1.1. The appeal site is located on Maywood Park, a tree-lined street in the residential area of Raheny, approximately 8km northeast of Dublin city centre. It is rectangular in shape and measures a stated 270sq.m. It contains a two-storey semi-detached house with an attached garage and a porch canopy projecting to the front and single-storey side and rear extensions. Vehicular access is available to the front area, which is fully hardsurfaced. The external finishes to the front of the house include a white-painted plaster frame to the plinth, mid-line, eaves and side, red-brick and white mortar to ground floor and chimneys, dashed render to first-floor, white upvc windows and door and concrete profile roof tiles. The surrounding area is generally characterised by rows of two-storey semi-detached houses set out in a linear arrangement fronting onto tree-lined streets. Ground levels in the vicinity are relatively level with a gradual drop moving southwest.

2.0 Proposed Development

The proposed development comprises:

- conversion of the garage to habitable space, partial enclosing of the recessed front porch, single-storey side extension and application of stone cladding over red-brick areas, all at ground floor;
- construction of first-floor front and side extensions over the existing garage;
- removal of a chimney and roof extensions to the side and rear, including a rear dormer window and a raised roof profile to the side.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The Planning Authority decided to grant permission subject to nine conditions, most of which are of a standard nature, but also including the following condition no.2:

‘The development hereby approved shall incorporate the following amendments:

a) The first floor front projecting element shall be omitted in its entirety and replaced by an extension which matches the front building line of the dwelling and which continues the form of the main roof over. The roof of the ground floor projecting element shall be flat roofed as per the retained porch design.

b) The rear dormer shall be reduced in width to not exceed an external width of 2.3m. The roof of the dormer shall be no higher than the ridgeline of the main roof and the window shall match the dimensions and scale of the first floor bedroom window below.

c) The new stone cladding and smooth render shall be omitted in their entirety and the existing finishes shall be maintained.

Reason: In the interest of residential and visual amenity and to comply with the requirements of the Dublin City Development Plan 2016-2022, in particular Section 16.10.12 and Appendix 17.'

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer (March 2019) reflects the decision of the Planning Authority. The Planning Officer notes the following in their report:

- the conversion of the garage and the front porch, and the construction of a single-storey side extension are considered acceptable;
- there is no precedent on the street for the extension at first-floor level, projecting forward of the main building line and its omission would be necessary to balance with the appearance of the house;
- with the omission of the front projection, the roof to the first-floor side extension should match the main roof, and the raised roof element that is required for access to roof level, should be finished in materials to match the main roof;
- the rear dormer window is excessive in width, dominating the rear roof plane, and it does not include a window matching the window below. Furthermore, it would exceed the ridge height of the main roof;

- the decorative stone cladding to the front red brick areas would render the appearance of the house substantially different to the neighbouring houses.

3.2.2. Other Technical Reports

- Engineering Department (Drainage Division) - no objection subject to conditions.

3.3. Prescribed Bodies

- Irish Water – no response.

3.4. Third-Party Submissions

3.4.1. None received.

4.0 Planning History

4.1. Appeal Site

4.1.1. I am not aware of any other planning applications relating to the appeal site.

4.2. Surrounding Sites

4.2.1. The following planning applications relating to neighbouring properties on Maywood Park are referenced by the Planning Authority:

- No.10 – Dublin City Council (DCC) Ref. WEB1053/11 – permission granted (June 2011) for a first-floor side extension;
- No.21 – DCC Ref. 6143/06 permission granted (January 2007) for a first-floor side extension and single-storey front and rear extensions;
- No.12 – DCC Ref. 3408/01 – permission granted (January 2002) for roof extensions, including a rear dormer window and a hipped roof;
- No.12 –DCC Ref. 0473/01 permission granted (September 2001) following the withdrawal of appeal (ABP Ref. PL29N.124724) for a first-floor side extension.

5.0 Policy & Context

5.1. Development Plan

- 5.1.1. The appeal site has a zoning objective 'Z1 - Sustainable Residential Neighbourhoods' within the Dublin City Development Plan 2016-2022, with a stated objective 'to protect, provide and improve residential amenities'.
- 5.1.2. Relevant planning policies and objectives for residential development are set out under Section 5 (Quality Housing) and Section 16 (Development Standards) within Volume 1 of the Development Plan. Appendix 17 (Volume 2) of the Development Plan provides guidance specifically relating to residential extensions.

5.2. Environmental Impact Assessment - Preliminary Examination

- 5.2.1. Having regard to the existing development on site, the limited nature and scale of the proposed development and the absence of any connectivity to any sensitive location, 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

- 6.1.1. A first-party appeal has been lodged only against condition no.2, which was attached to the Planning Authority notification of a decision to grant planning permission. The following grounds of appeal are raised:
- condition no.2 should be omitted from the decision, as it unduly affects the feasibility of the extensions and reduces the amenity for residents;
 - the proposed works would allow the development provide for the evolving needs of the applicants and their family, while being in compliance with land-use zoning objectives for the area;

- the existing garage and porch, sitting forward of the main building line, is replicated along the immediate streetscape;
- there is a variety of different styles of first-floor side extensions in the wider Maywood residential estate, including the extensions to No.2 Maywood Park and Nos.1 & 11 Maywood Avenue, and the Planning Authority did not give due consideration to the precedence set by same. Photographs of these properties are included, as well as computer-generated images of the proposed development and a possible rear dormer window replicated onto No.14 Maywood Park;
- the extension would not impact on the amenities of No.18 Maywood Park, with a 1m set-in from the boundary, thus avoiding a terracing effect;
- the design and scale of the roof extensions were chosen to ensure that the extensions are subordinate to and in keeping with host house. The raised ridge to the side is required to provide sufficient internal head height;
- condition 2b requiring a reduced width and height to the rear dormer window extension would impact on the habitable space that would be available based on the requirements of the Building Regulations and the rear extensions over roof ridge level would not be visible from the front street area, while taking up only 40% of the extended rear roof plane;
- the applicant is happy to omit use of the decorative stone clad materials as per condition 2c.

6.2. Planning Authority Response

6.2.1. The Planning Authority did not respond to the grounds of appeal.

6.3. Observations

6.3.1. None received.

7.0 Assessment

- 7.1. This is a first-party appeal only against condition no.2 attached to the Planning Authority's decision to grant permission. Condition 2a requires the omission of the first-floor front extension. Condition 2b requires the rear dormer window to be reduced in width and height, and to incorporate a window matching the existing window directly below. Condition 2c requires the stone cladding intended to be applied over the brick areas to be omitted from the proposals and the applicants have advised that they are satisfied to comply with this.
- 7.2. Having regard to the nature and scale of the proposed development and the nature of condition no.2, it is considered that the determination by the Board of the application, as if it had been made to it in the first instance, would not be warranted. Therefore, the Board should determine the matters raised in the appeal only in accordance with Section 139 of the Planning and Development Act 2000, as amended.
- 7.3. The grounds of appeal assert that the imposition of the condition would impact on the feasibility of the project and would reduce the amenity for the applicants and their family. It is also asserted in the grounds of appeal that there is existing precedent in the surrounding area for first-floor front extensions and that the extensions have been designed to be subordinate and complementary to the host house. The grounds of appeal also assert that condition 2b would restrict the extent of floor area available at roof level that would have a head height of 2.4m and that a sufficient area of the extended rear roof plane would remain following the installation of the rear dormer. The grounds of appeal do not contest the need for the window in the dormer to match the window directly below.
- 7.4. The Planning Authority's reason for attaching condition no.2 to their notification of a decision to grant permission is stated as being 'in the interest of residential and visual amenity and to comply with the requirements of the Dublin City Development Plan 2016-2022, in particular Section 16.10.12 and Appendix 17'. Within the Planning Officer's report assessing the proposed development it is stated that there is no precedent on the street for the front extension element at first-floor level and that its omission would be necessary to complement the host house. It is also stated

that the rear dormer window is excessive in width, dominating the rear roof plane, and excessive in height, exceeding the main roof ridge height.

- 7.5. Section 16.10.12 of the Dublin City Development Plan 2016-2022 states that applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal would not have an adverse impact on the scale and character of the host dwelling and where they would not have an unacceptable impact on the amenities of adjacent residences. Appendix 17 (in Volume 2) to the Development Plan provides guidance specifically relating to the appearance of residential extensions (section 17.7), the need to adhere to the subordinate approach (section 17.8) and the requirements for extensions at roof level (section 17.11).
- 7.6. Adjoining to the west is No.18 Maywood Park and to the east is No.14, both of which do not feature first-floor or roof extensions, and are situated on similar ground levels and building lines to the subject house. Many of the houses along the immediate stretch of Maywood Park feature garages that have been converted into habitable rooms and their original recessed open porches have been enclosed. A number of these houses also feature pitched roofs replacing the flat roof over the original garage and recessed porch elements.
- 7.7. In addressing the appearance of residential extensions, Section 17.7 of Volume 2 to the Development Plan outlines that 'extensions to the front, which significantly break the building line, should be resisted'. The proposed front extension at first-floor level would break the primary building line to the house and the street by 1.7m. The surrounding area does not have any conservation status and based on my visit to the area, the original character and rhythm of the streetscape is largely intact, despite the alterations to the original ground-floor front projecting elements. While the grounds of appeal assert that there is precedent in the immediate area for first-floor front extensions, I note that these relate to houses along another street to the north (Maywood Avenue) and at No.2 Maywood Park, which is 50m to the east of the appeal site. I am not aware of any planning permission for these extensions, which do not appear to be recent additions. In conclusion, based on the provisions of the Development Plan, the immediate context and the visual amenities of the area, I am satisfied that there is not sufficient justification for allowing the subject first-floor

extension substantially breaking the primary building line to the house and the streetscape and, therefore, there is merit in attaching condition 2a to the decision.

- 7.7.1. The neighbouring properties along the northern side of Maywood Park do not feature roof extensions of a similar scale to that proposed. The area (6.9sq.m) that the proposed dormer would occupy would amount to approximately 60% of the original rear roof plane (11.6sq.m). The Planning Authority assert that the scale of the rear dormer window would not be compliant with Section 17.11 of Volume 2 to the Development Plan, which requires such extensions to 'be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible'. To address this the Planning Authority require the width and height of the extension to be reduced, which I note would result in the proposed rear dormer occupying 42% of the original roof plane. Despite the rear dormer exceeding the main roof ridge height, the grounds of appeal assert that the proposed rear dormer extension would not be visible from the front street area.
- 7.7.2. The proposed dormer window extension would dominate the rear roof plane and would be raised above the original roof ridge height to the house. I am not aware of similar scale roof extensions to neighbouring properties along Maywood Park. I am satisfied that the proposed rear dormer window extension would fail to respect the character of the existing house on site and housing in the area and would have an incongruous appearance where visible from the immediate area. Given the scale and height of the proposed rear dormer window extension, the surrounding context and the provisions of the Development Plan, I am satisfied that reducing the width and height of the rear dormer would be necessary to ensure that the proposed development does not have an adverse impact on the scale and character of the main house and in order to safeguard the visual amenities of the area.
- 7.8. In conclusion, I am satisfied that Condition No.2, requiring omission of the proposed first-floor front extension and a reduced height and width for the proposed rear dormer window extension, would be warranted, as the requested amendments would be necessary in safeguarding the visual amenities of the area.

8.0 Appropriate Assessment

- 8.1. Having regard to the minor nature of the proposed development and to the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

- 9.1. It is recommended that the Planning Authority be directed to attach condition number 2, for the reasons and considerations hereunder.

10.0 Reasons and Considerations

1. Having regard to the nature and scale of the proposed development and the pattern of development in the area, it is considered that the modifications to the proposed development, as required by the planning authority in its imposition of condition number 2, are warranted, and that the proposed development, with the attachment of condition number 2, would be in accordance with the provisions of the Dublin City Development Plan 2016-2022 and would safeguard the visual amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Colm McLoughlin
Planning Inspector

3rd July 2019