



An
Bord
Pleanála

Inspector's Report ABP-305671-19

Development	Demolition of extension and shed, the construction of single storey rear extension and new attic room with dormer roof construction to rear with new roof lights to the front.
Location	99 Dollymount Park, Clontarf, Dublin 3
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3607/19
Applicant(s)	Brian Cahill & Niamh O'Shea
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	First Party v Condition
Appellant(s)	Brian Cahill & Niamh O'Shea
Observer(s)	None
Date of Site Inspection	08/12/2019
Inspector	Rachel Kenny

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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 99 Dollymount Park is located on 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.99 have single storey rear extensions and no.100 to the east of the site has two attic dormer windows (to side and rear). 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 (c.5.8m in width and c.6.5m in length)
 - Attic conversion including rear zinc clad dormer window, approx. 5.1m in length with two windows one serving the en-suite and second serving the new bedroom
 - 2 no. rooflights to front
 - Demolition of existing small shed to the rear (access from laneway).

3.0 Planning Authority Decision

3.1. Decision

Grant – Condition 2 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 front roof lights on the front roof plane shall be omitted.

(c) All fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof.

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.2

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

3026233 (3463/18) – 95 Dollymount Park, Clontarf, Dublin 3 – construction of a single storey extension with attic conversion – Granted and condition 3 omitted on appeal.

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

6.0 The Appeal

6.1. Grounds of Appeal

The applicant has appealed Condition No.2 relating the restriction on the size of the dormer window, and the omission of the 2 rooflights to the front. The grounds of appeal can be summarised as follows:

- Condition 2(a) and (c). The restriction on the 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. 9, 11, 12, 16, 17, 18, 36, 58 and 97 Dollymount Park.
- Condition 2(b). 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).
- Also highlighted was the permission granted on appeal last December (under 302633), where a similar condition restricting the width of the dormer extension and removal of roof lights was omitted.

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.2 which restricts the size of the rear dormer extension and the width of the glazing, and omits two proposed roof lights to the front. The planning authority raised no objections to the single storey rear extension, 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 2(a) – Dormer width

- 7.2. The proposed rear dormer extension measures c.5.1m in width. Condition 2(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.99 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. The immediately adjacent house (no.100) has two dormer extensions on the roof, and as this house is end of terrace and is visible from the lane and public realm/street a visual precedence has been established, although I would again note that the dormer to no.99 would not be visible from the public road.

- 7.4. I note that although the proposed dormer at No. 99 extends across almost the full width of the roof (set back c. 500mm on either side), it is set below the ridgeline of the roof. 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.100, 97 and 96 has been constructed without any detriment to the amenities of the area. And no.95 permitted December 2018.
- 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 2(a) and (c) – Dormer width and glazing

- 7.6. The proposed dormer includes a large window to the bedroom (1.45m), together with a narrower window to the en-suite (600mm). Both windows are c.1.4m in height.
- 7.7. The planning authority have made no comment regarding the removal of these windows, however in restricting the width of the extension amendments to the internal configuration and accommodation would be required, the details of which would require agreement at compliance stage if the condition were to remain. As the issue would appear largely to be one of visual/aesthetic merit rather than overlooking, and given the noted precedence for this type of development along this terrace, I do not consider this to be sufficient justification or rationale for the reduction in width of the dormer, where only neighbours with similar dormer extensions can see the development and no-one on the public road will see it.

Condition 2(b) - Rooflights

- 7.8. The proposed development includes two 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 (under 302633, 95 Dollymount Park), et al.

- 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 2 is amended so as to remove 2(a) and 2(b), and retain 2(c) 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 2 and the reason therefor as follows:

2. All fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof.

Reason: In interest of visual amenity.

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, and the rooflights in the front roof slope 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.

Rachel Kenny
Planning Inspectorate

8 December 2019