



An
Bord
Pleanála

Inspector's Report

ABP-308685-20

Development	Two-storey extension to the side.
Location	106, Springhill Avenue, Deansgrange, Co. Dublin, A94 E778
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D20B/0124
Applicant(s)	Anne Dempsey.
Type of Application	Permission.
Planning Authority Decision	Grant with Conditions
Type of Appeal	Third Party
Appellant(s)	Timothy Fletcher and Emma McIvor
Observer(s)	None
Date of Site Inspection	29 th January 2021
Inspector	Suzanne Kehely

1.0 Site Location and Description

1.1. The appeal site relates to a semi-detached gable fronted house on the south side of Springhill Avenue. The house is part of a mature medium to low density residential enclave between Newtownpark Avenue to the west and Deansgrange Road off which it is accessed to the east. The house overlooks Springhill playground park – part of Newtown Park. The houses have a distinctive gable front shaped by a steeply sloped dormer roof with low eaves (aligned with the ground floor façade window heads) and many have low set flat-roofed dormer windows facing side boundaries. The shape is emphasised by the rendered gable and contrasting stone cladding below the low eaves. The front doors are positioned in the side and each faces the neighbouring house with an intervening screen wall that slopes down to kerb height. Adjoining single storey garages (some converted) separate the adjacent pairs of semi-detached houses. In the case of the subject dwelling it has a low set flat roofed dormer window facing the side boundary (with appellant's property) and a similar double width dormer is in the opposing slope of the adjacent dwelling. The front boundary is marked by a substantially low kerb between houses and the road frontage is dominated by hedging thereby contributing to an open sylvan character along this tree lined road.

2.0 Proposed Development

- 2.1. It is proposed to construct a two-storey extension to the side. Revised drawings incorporate a rainwater harvesting tank to accommodate the run-off. The format includes:
- Entrance lobby to side with opaque glazing facing the adjacent dwelling.
 - A two storey pitch roof extension to side effectively extending the existing dormer window and related floor area.
 - Conversion of attic over the first floor level and creation of a new dormer in the side slope. The intervening valley incorporates a small terrace.
 - A replacement single storey extension to the rear
 - Remodelling of interior to provide 4 bedrooms (drawings at attic level are annotated - bedroom 5 – but plans only indicate 4 bedrooms) with an open plan

kitchen living area integrated with the garden and separate living room and utility.
The garage is shown with a door and retains through access to the garden.

3.0 Planning Authority Decision

3.1. Decision

Following the submission of further information to the satisfaction of the planning authority notification of a decision to grant permission issued on 20th October 2020. This was subject to 9 conditions of a standard nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- In its initial appraisal further information was requested in respect of alternative proposals to direct disposal of surface water run-off generated by the roof and pavements in the proposed development so that there would no overflow to the sewer. This was addressed by incorporating permeable surfaces and rainwater harvesting tank shown to collect all roof water. This is deemed acceptable.
- The small-scale balcony is not considered to be injurious to amenities having regard to its design, positioning and scale.
- The mass and scale are acceptable and would not adversely impact other properties by way of overshadowing overlooking or overbearing impact. The proposal is considered to be compliant with development plan policy and objectives.

3.2.2. Other Technical Reports

- Surface water Drainage Division- Further information as details on surface water drainage. On receipt of this objection subject to conditions

3.3. Prescribed Bodies

- No reports

3.4. **Third Party Observations**

- Residents of adjoining house no 105 raise issues of asymmetrical imbalance of unprecedent design and site notice display.
- Appellants raises issues as raised in appeal.

4.0 **Planning History**

None

5.0 **Policy Context**

5.1. **Development Plan**

5.1.1. The objective for the site is 'To protect and/or improve residential amenities.'
(Zone A)

5.1.2. Chapter 8 sets out housing standards. Section 8.2.3.4 refers to extensions.

(i) Extensions to Dwellings First floor rear extensions will be considered on their merits, noting that they can often have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- 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.
- External finishes and design, which shall generally be in harmony with existing.

Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining.

Side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation), and impacts on residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable, though in certain cases a set-back of an extension's front facade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape and avoid a 'terracing' effect. External finishes shall normally be in harmony with existing.

Any planning application submitted in relation to extensions shall clearly indicate on all drawings the extent of demolition/wall removal required to facilitate the proposed development and a structural report may be required to determine the integrity of walls/structures to be retained and outline potential impacts on adjoining properties. This requirement should be ascertained at pre-planning stage. A structural report must be submitted in all instances where a basement or new first/upper floor level is proposed within the envelope of an existing dwelling.

Side gable, protruding parapet walls at eaves/gutter level of hip-roofs are not encouraged.

The proposed construction of new building structures directly onto the boundary with the public realm (including footpaths/open space/roads etc) is not acceptable and it will be required that they are set within the existing boundary on site. The provision of windows (particularly at first floor level) within the side elevation of extensions adjacent to public open space will be encouraged in order to promote passive surveillance.⁸

Roof alterations/expansions to main roof profiles -

changing the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip' for example – will be assessed against a number of criteria including:

- Careful consideration and special 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.

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.

RES4 states that it is Council policy to improve and conserve housing stock of the County, to densify existing built-up areas, having due regard to the amenities of existing established residential communities and to retain and improve residential amenities in established residential communities.

5.2. Natural Heritage Designations

5.2.1. The following Natura 2000 sites are located within 1.5km of the proposed development site:

- The South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024).
- The South Dublin Bay Special Area of Conservation (Site Code: 000210).

5.3. EIA Screening

5.3.1. Having regard to 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 third-party appeal has been lodged by Eden Architects on behalf of the neighbouring residents in no.107 (opposing front doors) and the grounds of objection are based on the following:

- Scale, form and location of two storey side extension
- Scale and form of the attic extension
- Placement of large room- sized window in ground floor facing boundary

3 D Visualisations are attached (in pouch at back of file).

6.2. Applicant Response

No response within timeframe.

6.3. Planning Authority Response

No further comments to planning report.

6.4. Observations

None

7.0 Assessment

7.1. Issues

7.1.1. This appeal relates to a proposal for a domestic extension to a semi-detached house. It incorporates a complex two storey extension to the side at a point where there are directly opposing front doors and reduces the separation of 5m between these adjacent dwellings. It also proposes an additional dormer window at attic

level. There is no dispute arising in the case of the extension to the rear. From my inspection and review of the file, the key issues relate the side extension in respect of:

- Impact of character of house and streetscape
- Impact on neighbouring dwelling

7.2. Impact of character of house and streetscape

- 7.2.1. The appellants hold the view that the scale and extent of the extension to the side and the introduction of an attic dormer are each by themselves and together completely at variance with the pattern of development and detracts from the character of the particular house style.
- 7.2.2. The development plan criteria for assessing alterations and extensions to roof profiles is highlighted by the appellant in respect of character, size, position in streetscape, existing variations and harmony and the assessment by the planning authority is considered to have been insufficient. Within this framework it is submitted by the appellants with the assistance of 3D images that the replication of the gable feature in a series of different pitched roofs in varying recessed planes is not complimentary in nature – it is submitted to be random and incoherent and to detract from the original strong simple gable feature. It is submitted that there is no precedence among these houses for such variance or for a balcony which would also be invasive on the neighbouring amenity.
- 7.2.3. It is further submitted that due regard to these matters by reference to the development plan criteria was not given by the planning authority and permission should be refused.
- 7.2.4. As part of my site inspection I looked at the nature of similar extensions to the side. It is clear that the design of the original house and its semi-detached nature makes a two storey extension to the rear difficult, both, internally and in terms of impact on adjacent neighbours. The depth of the house and extent of slope however allows for a generous dormer to the side and appears to be the preferred way of extending the upper floors of these houses. I note that there is a wide variety of style and formats as evident in my photographs and these include very large scaled dormers from just below the ridge and close to façade gable (e.g. houses that back onto the subject

row of houses) . I accept that the proposed design is different and somewhat complex however in its favour the ridge heights of the two additional pitch roofs are lower and the massing is reduced by the different ridges and set backs from the façade/road frontage and in this way it is a visually subordinate extension as viewed from the streetscape. The pitch is retained and the gabled façades mirror the primary frontage without, in my judgement detracting from the character of the house. While I except the extension partially steps forward from the existing building line of the recessed garage to the side, (by a width of 1.4m and depth of 3.39m) the set back from the façade at around 3.3m and also from the existing raised boundary contains the extension in a manner that would not be incongruous or detract from the street elevation. It will not be apparent from views up the road and there will be limited views of it down the road and in this regard I consider it compares favourably to some other dormers that are for example closer to the principal gable façade and in this way more prominent. The extension to the side will be most apparent from the immediate frontage which has a limited viewshed along the road. Accordingly in terms of streetscape I consider the proposed to be acceptable subject to matching of material and finishes and this is addressed in the cover letter. In terms of a wider visual impact I note that views from the park potentially extend the visibility of the house, however it is in a more distant context and so the massing and scale is more readily absorbed as one of a number of varying designs and as part of a landscape that includes mature trees . I do not consider the proposal to be visually incongruous in this wider setting.

7.3. Impact on neighbouring dwelling

- 7.3.1. It is submitted that the extension sideways in the direction of the appellant's front entrance is unprecedented and will have an oppressive and intrusive effect on their entrance and daily living. The scale and extent of the ground floor window close to the boundary and front entrance will also be a source of nuisance and intrusive on their space such as for example by light and movement.
- 7.3.2. In terms of privacy the proposal, while stepping 1.4m closer to the boundary where it is presently set back 2.5m is I consider marginal. With respect to the first floor dormer windows the proposal is such that the existing window arrangement will be effectively relocated from a position of facing (the boundary) a pair of opposing

windows at a similar distance, to a position where it is orientated to the road and the bathroom oriented to the rear which is a considerable improvement in terms of privacy. It also has potential to permit better access to light due to aspect and reduced reliance on privacy screening.

- 7.3.3. In terms of impact on amenity, the extension at attic level is opposed on grounds of overlooking, particularly from the balcony. The balcony however is set into the valley between the attic dormer roof and first floor dormer by way of cutting into the eastern slope of new pitched roof over the first floor extension and in this way encloses a small terrace and restricts views. There would be very limited views into the rear garden of no.107. The vertical window facilitates a habitable room and it would be less intrusive than re-positioning the window in the rear elevation where it would command more extensive views.
- 7.3.4. With respect to the ground floor extension and impact of the expansive window at the entrance, I note that it will be opaque glazing and that the front door is repositioned from facing the side boundary and opposing front door to a position facing the road frontage – a redesign that has been carried out in many houses. While the repositioning of the door will improve privacy, I accept that the window in such close proximity and facing the neighbouring front door, notwithstanding the opaqueness could be a source of nuisance. The high section of the boundary wall is not delineated in the drawings and it is unclear whether or not it is sufficient to block the light. This could be reduced in width to 2m (as measured from the existing recessed building line) so as to reduce this nuisance factor to a level that would be imperceptible as compared to the existing arrangement.
- 7.3.5. On balance I consider the approach to extending the house to the side by 1.4m and in the scale and format proposed to be reasonable and that it would not unduly detract from the character of the house or streetscape. Nor do I consider that it would seriously injure residential amenities of adjacent dwellings. The proposed development would accordingly be in accordance with the proper planning and sustainable development of the area.

8.0 Appropriate Assessment

- 8.1. Having regard to the minor nature of the proposed development and 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. I recommend that planning permission for the proposed development be granted based on the following reasons and considerations, as set out below.

10.0 Reasons and Considerations

Having regard to the provisions of the Dun Laoghaire-Rathdown Development Plan 2016-2022, the existing pattern of development in the area, and the nature of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract from the streetscape or visual amenities of the area, would give rise to any significant overlooking and would therefore not seriously injure the amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 29th day of September 2020 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the

development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to commencement of development the developer shall submit to, and agree in writing with, the planning authority the following-

a) Revised drawings suitably scaled, showing the reduction to a width of 2m of the opaque side window in the west elevation of the proposed hall/porch extension at ground level. This shall be measured from the existing recessing building line set by the garage.

Reason: In the interests of residential amenity.

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

Reason: In the interest of public health.

4. The external finishes of the proposed extension (including roof tiles and render) shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. Site development and building works shall be carried out only between the hours of 0800 to 1930 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by

or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Suzanne Kehely

Senior Planning Inspector

29th January 2021