



An  
Bord  
Pleanála

## Inspector's Report

### ABP-309343-21

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<b>Development</b>	Restoration and extension of an existing one bedroom single storey terraced dwelling.
<b>Location</b>	13, Hope Street, Ringsend, Dublin 4
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	WEB1757/20
<b>Applicant(s)</b>	Paula Farrell
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Paula Farrell
<b>Date of Site Inspection</b>	10 <sup>th</sup> May 2021
<b>Inspector</b>	Colin McBride

## **1.0 Site Location and Description**

1.1. The appeal site, which has a stated area of 0.00572 hectares, is located on the eastern side of Hope Street. Hope Street is located to the east of the city centre on the southern side of the Liffey and just west of Shelbourne Park. The appeal site is occupied by a single-storey terraced dwellings with similar dwellings to the north, south and west and two-storey dwellings backing onto the eastern boundary of the site fronting onto Joy Street. The dwelling on site has small rear yard, which is characteristic of the dwellings at this location. Adjoining dwellings have been extended to varying degrees into the rear yard area.

## **2.0 Proposed Development**

2.1. Permission is sought for restoration and extension of an existing one bedroom single-storey terraced dwelling. The proposal entails the provision of a single-storey extension to the rear, a flat roof/dormer extension to the rear roof profile and a dormer extension on the front roof profile. The extension to the rear includes raising the ridge height to 5.726m. The proposed extension entails an increase in floor area by 30.20sqm with the existing dwelling having a floor area of 35.30sqm and providing a dwelling of 65.50sqm post extension.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission granted subject to six conditions. Of note is the following condition.

2. The development shall be revised as follows:

a) The front dormer shall be omitted and any revised internal alterations of reconfigurations should be undertaken within the footprint of the proposed extension with the exception of the area to be removed as requested by item 2(b) below.

b) The proposed rear extension at first floor shall be setback from the northern boundary by a minimum of 1.5m to ensure the development will not negatively impact on the residential amenities of the property at number 15 Hope Street.

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

Reason: In the interests of orderly development and visual amenity.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

Planning Report (15/12/20): The principle of extending the dwelling is acceptable. The provision of the front dormer window was considered to be unacceptable due to visual impact. The proposal would be satisfactory subject to modifications including omission of the front dormer window and set back of the rear extension at first floor from the boundary with the dwelling at no. 15.

### **3.2.2. Other Technical Reports**

Drainage Division (18/11/20): No objection subject to conditions.

## **3.3. Prescribed Bodies**

### **3.3.1 None**

## **3.4. Third Party Observations**

3.4.1 A submission was received from Anne McKeone, 15 Hope Street, Ringsend, Dublin 4.

- The front dormer is out of keeping with the architectural character of the street.
- The rear extension will impact upon aspect and daylight reaching her property particularly at first floor level.
- The drawings submitted do not include a contiguous rear elevation illustrating impact on the third party's dwelling.

## 4.0 **Planning History**

4.1 No planning history.

## 5.0 **Policy Context**

### 5.1. **Development Plan**

The relevant Development Plan is the Dublin City Development Plan 2016-2022. The appeal site is zoned Z2 with a stated objective 'to protect and/or improve the amenities of residential conservation areas'.

Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. The policy chapters, especially Chapters 11 – Built Heritage and Culture, and 16 – Development Standards, detailing the policies and objectives for residential conservation areas and standards respectively, should be consulted. Volume 4 of this plan contains the record of protected structures

#### Policy CHC4

To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.
2. Re-instatement of missing architectural detail or other important features.
3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns.
4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.
5. The repair and retention of shop- and pub-fronts of architectural interest.

#### Appendix 17.11 Roof Extensions

The roofline of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of 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.

When extending in 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 roof slope, enabling a large proportion of the original roof to remain visible.
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.
- Roof materials should be covered in materials that match or complement the main building.
- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties

## 5.2. Natural Heritage Designations

### 5.2.1 None in the vicinity.

### 5.3. EIA Screening

5.3.1 Having regard to nature and scale of the development, which is extension of an existing dwelling, enhancement works to existing open space areas and associated site works. 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 by Armstrong Fenton on behalf of Paula Farrell, 13 Hope Street, Ringsend, Dublin 4. The grounds of appeal are as follows...

- The appeal is under Section 139 and relates to application of condition no. 2.
- The existing dwelling is restricted in nature and requires extension for modern living standards. The proposal is to extend into the external courtyard with it noted that there has been extension of properties in the vicinity into the rear yards and such have become overlooked and developed by extensions.
- In relation to part 2(a) of the extension it is noted that the design and scale of the front dormer extension is appropriate in scale and design and should be permitted. It is noted that there are examples of front dormer windows elsewhere in the Dublin City Council area.
- There is a significant variety in ridge height and roof space along Hope Street and the proposal is an appropriately designed contemporary extension. Dormer extensions on the front are apparent on the adjoining streets.
- In relation to part 2(b) of the condition the appellant indicates that the proposal is satisfactory in scale and in the context of adjoining residential amenity. A daylight/sunlight study submitted with the appeal submission demonstrates this fact. The proposal will not impact adversely on the existing residential amenities of no. 15 Hope Street.
- The design of the proposals in accordance with Appendix 17 of the Dublin City Development Plan in relation to house extensions.

- The appellant lists examples of front facing dormer extensions in similar circumstances within the City Council area.

## 6.2. Planning Authority Response

6.2.1 No response.

## 7.0 Assessment

7.1. At the outset, I wish to point out that following consideration of the documentation on the appeal file and the site location and context, I am satisfied consideration of the proposal on a de novo basis, (that is as if the application had been made to the Board in the first instance), is unwarranted and that it is appropriate to determine the appeal in accordance with the provisions of Section 139 of the Planning and Development Act, 2000 as amended. Having inspected the site and examined the associated documentation, the following are the relevant issues in this appeal.

Condition no. 2

7.2. Condition no. 2:

7.2.1 The appeal is in relation to the application of condition no. 2 in which the development is to be revised to omit the front dormer and the proposed rear extension at first floor is to be setback from the northern boundary by a minimum of 1.5m to ensure the development will not negatively impact on the residential amenities of the property at number 15 Hope Street.

7.2.2 In relation to the front dormer the appeal site is located in a Residential Conservation Area characterised by single-storey terraced dwellings. Hope Street is one of a number of streets with this pattern and scale of development including Howards Street and Gerald Street to the west and South Dock to the north and Gordon Street to the south. The applicant/appellant points out examples of houses with front dormer windows. These examples are noted, however it is notable that none of dwellings on Hope Street or on the streets in the vicinity that define the conservation area feature front dormer windows. The dormer intervention on the front elevation is a significant intervention and would have a significant visual impact and alter the

character of the dwelling. Having regard to fact the area is a residential conservation area and there are no other front dormer windows either constructed or permitted within the Conservation Area, I am of the view that the proposed dormer window would be an inappropriate intervention, would be contrary Development Plan policy in relation to Conservation Areas and would set an undesirable precedent. I would recommend that this element of proposal be omitted as per condition no. 2.

7.2.3 The provision of a rear extension and raised ridge height is consistent with the existing pattern of development with a number of dwellings in the vicinity having similar extensions. Part 2(b) of the condition requires that the first floor shall be setback from the northern boundary by a minimum of 1.5m to ensure the development will not negatively impact on the residential amenities of the property at number 15 Hope Street. The dwellings to the north and south (no. 15 and no. 11) have both been extended previously at first floor level with dormer extension at first floor. No 15 has a single-storey projection to the rear and a dormer extension at first floor level and no. 11 has dormer extension to the rear and increased ridge height. The proposed extension steps out 1.1m beyond the building line of both the first floor extensions on either side. I would consider the requirement to step back the first floor by 1.5m as unnecessary. I am of the view that the first floor extension is in keeping with pattern of development and it steps out a marginal amount relative to the adjoining properties. The applicant submitted a shadow analysis with the appeal submission. I am of the view that overall scale of the rear extension is satisfactory in the context of adjoining amenity and would not result in significant loss of light to adjoining properties or be injurious to existing residential amenity.

7.2.4 I would recommend that condition no. 2 be amended to retain the part omitting the front dormer window and remove part 2(b) altering the first floor extension.

## 8.0 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 AMEND Condition No 2., and the reasons therefor.

2. The development shall be revised as follows:

a) The front dormer shall be omitted and any revised internal alterations or reconfigurations should be undertaken within the footprint of the proposed extension.

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

Reason: In the interests of orderly development and visual amenity.

## 9.0 Reasons and Considerations

(a) Having regard to the design and scale of the front dormer extension and its location within a Residential Conservation Area, where there are no constructed or permitted dormer windows, the front dormer window would be a significant visual intrusion and detrimental to character of the conservation area, be contrary Development Plan policy in regards to such and would set an undesirable precedent.

(b) Having regard to the design and scale of the rear extension, which is in keeping with the existing pattern of development, the scale of similar extensions on adjoining sites, the overall scale of the such relative to adjoining properties is satisfactory in the context of existing residential amenity and would not result in significant loss of light to those properties. The proposal would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Colin McBride  
Planning Inspector

10<sup>th</sup> May 2021