



An
Bord
Pleanála

Inspector's Report ABP – 311836 – 21.

Development	Alter and extend dwellinghouse and associated site works.
Location	65 Kincora Road Clontarf, Dublin 3.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3309 /21.
Applicant	Colin Sheridan and Lisabeth McCoy Sheridan.
Type of Application	Permission.
Planning Authority Decision	Grant permission.
Type of Appeal	First Party v Condition
Appellant	Colin Sheridan and Lisabeth McCoy Sheridan.
Observer	None.
Date of Site Inspection	9 January 2022.
Inspector	Mairead Kenny.

1.0 Site Location and Description

- 1.1. The site is located in the north suburban area of Clontarf in Dublin city in an established residential district. The dominant dwelling type in this area is semi-detached two-storey dwelling houses. The houses are of varying styles and many have been extended and altered including by way of additions the front. In the immediate area the dominant roof form is a hipped roof with a brown tile. The dwellinghouses were constructed with small garages to the side and as a consequence benefit from front garden parking. The façade treatment is a mix of render and brick.
- 1.2. The original plot of the subject dwellinghouse has been subdivided and a new dwellinghouse constructed in the rear garden. The remaining rear garden associated with the dwelling house remains spacious. At the rear the dwelling house has been extended by way of a single-storey rear extension. To the front a single-storey tiled roof extension has been developed, which encompasses the area of the original garage and extends beyond the front façade of the house.
- 1.3. Photographs which were taken by me at the time of my inspection are attached.

2.0 Proposed Development

- 2.1. Permission is sought for:
 - A first-floor extension to the side of the dwellinghouse. This would accommodate a bedroom and an office and extend as far as the party wall with no. 67.
 - A new attic space to provide a bedroom and shower room.
 - The roof level modifications associated with the attic level bedroom include a rear dormer window and a dormer style structure to the side. The hipped roof would also be extended in line with the existing.
 - A canopy projection to the front of the house.
 - Ancillary works.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to grant subject to conditions.

Condition 8 requires the following amendments:

- The front canopy to be omitted. A new hipped roof to the existing front extension may be provided to take into account the works required for the side first floor level extension. (8(a)).
- The side first floor extension to be reassessed at least 300 mm from the eastern party boundary line. The parapet wall shall be omitted and at least a vestigial roof overhang shall be achieved for the setbacks side extension. The side extension may also incorporate concealed gutters. (8(b)).
- Omission of front velux. (8(c))

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report includes the following comments:

- The proposed development incorporates a new roof over the front extension which will project beyond the existing front extension to form a canopy or veranda type element. The canopy roof will project by circa 3 m from the front building line. Due to the depth of the canopy to the front it will have a harmful impact on the character and visual amenity of the dwelling and the streetscape and would set an undesirable precedent. The canopy element should be omitted and a revised hipped roof profile over the existing front extension be provided.
- There are concerns that the proposed side first floor level extension would result in a terracing impact should the adjoining property, number 67 undertake a similar proposal. This would have a harmful impact on the character and rhythm of the streetscape. The first-floor level extension should be set back by a minimum of 0.3 m from the site boundary. A similar setback

for any first-floor level extension to number 67 would ensure that the dwellings are fully separated and a definitive visual break would result and avoid a terracing impact.

- It is not considered that the side extension will unduly overlook, overshadow or have an overbearing impact on neighbouring property.
- The side and rear dormers have been designed in accordance with the criteria under Appendix 17.11 of the development plan.
- It is not considered that there would be overlooking from the rear dormer.
- In the interest of the visual amenity of the streetscape the front rooflight should be omitted.

3.2.2. Other Technical Reports

Drainage Division report indicates no objections subject to conditions.

3.3. **Prescribed Bodies**

No reports.

3.4. **Third Party Observations**

None received.

4.0 **Planning History**

There is no recent relevant planning history relating to this site.

5.0 **Policy Context**

5.1. **Development Plan**

Under the provisions of the **Dublin City Development Plan** policy the site is in an area zoned Z1 'to protect, provide and improve residential amenities'.

The policy relating to extensions to residential development include section 16.2.2.3 which requires that extensions be integrated with the surrounding area, be sensitively designed and respect the character of the existing building.

Section 16. 10.12 requires that the amenities of adjoining properties be protected.

Appendix 17 sets out detailed provisions in relation to the approach to design and consideration of the impact on the amenities of the area.

There are no conservation objectives related to the site or the immediate surroundings.

6.0 The Appeal

6.1. Grounds of Appeal

The appeal is stated to be against condition 8.

The grounds of the appeal which are set out relate only to condition 8(a) and (b) and (c).

The main points of the appeal are:

- The impact of condition 8(b), which requires a reduction in width of the bedroom by a minimum of 300 mm is presented in the attached drawing A. When insulated the condition would reduce the width of the room to 2.1 m or possibly 2.0m which would be substandard. It would not be possible to meet the dimensional requirements for '*Access for All*'.
- The required relocation of the external wall of the bedroom would create huge structural difficulties for construction purposes. The new party wall would normally be supported on the existing. If the condition is enforced, it would necessitate a beam and column to be introduced to support the recessed wall. This would have an unacceptable impact on the existing ground floor area.
- The use of the party wall has been discussed with the owners of number 67.
- Condition (a) requires the removal of the small canopy which is proposed at the existing front door. This canopy would provide a degree of shelter prior to entering the house. Shelter at the entrance is a recommendation in '*Access*

for All. As the existing house has steps at the entrance the shelter would be essential for elderly visitors.

- There are precedents for front facing velux windows in this area as shown in the attached photographs.

6.2. **Planning Authority Response**

The planning authority has not offered a substantive response.

6.3. **Observations**

None.

7.0 **Assessment**

7.1. I consider that the substantive issues in this case relate to visual amenities and compliance with the development plan policies. The appeal is solely against condition 8 and in particular references 8(a), (b) and (c). I am satisfied that *de novo* consideration is not warranted in this case and I restrict my assessment to the conditions subject of the appeal.

7.2. **Condition 8(b)**

7.2.1. The main concern in the appeal relates to the reduction in bedroom width arising from condition 8(b) and to the structural, cost and other consequences if this condition is imposed.

7.2.2. I have set out above an extract from the planner's report which sets out the rationale condition 8(b). The stated purpose is to avoid the creation of what is described as a terracing effect in the streetscape. Any such effect would only come into place in the event that similar development was permitted at the adjacent house number 67.

7.2.3. The development plan requirements for developments of this nature include that extensions follow the form of the existing building and are integrated with the existing building. There are also requirements to ensure that the scale is subordinate to the main unit. There are no specific detailed requirements relating to side extensions to semi-detached houses but there is an overall requirement that the extensions be

subordinate. In the context of the proposed side extension and the modifications at roof level, I consider that the proposed development is in compliance with the general thrust of the guidelines in appendix 17.1 and that the side extension is not overly dominant. The selected fenestration and external finishes of the proposed development at first and second floor levels would ensure that it satisfactorily integrated into the streetscape and with the rest of the house.

- 7.2.4. I note the comments in the appeal which relate to the frequent use of party walls in these circumstances, and I accept that there would be consequences for the ground floor and a requirement for works at this level and resultant increased costs. I consider that from the point of view of the applicant the condition gives rise to onerous requirements while at the same time diminishing the value of the proposed development by resulting in a narrow room.
- 7.2.5. The subject house is not a protected structure nor is it located in a residential conservation area. Having regard to my comments above, I consider that condition 8(b) is not warranted in the context of the Z1 zoning and taking into account the nature and scale of the proposed development.

7.3. **Conditions 8(a) and (c)**

- 7.3.1. Condition 8(a) requires that the canopy be omitted. I would comment that the nature of this structure is not accurately represented in the drawings. The proposed section C-C shows the additional projection from the existing front extension wall to be 800mm while the proposed ground floor and first floor plans indicate that the extension depth is in the order of 1.4 m. The proposed ground floor plan shows that the structure would project by a distance of 3m in total from the front façade – a further 1.4m beyond the existing single-storey front extension. It is shown in the elevation drawing as comprising two simple pillars and a new hipped roof. The description of a veranda style development is presented in the planner's report is reasonable.
- 7.3.2. The development plan policy is not highly prescriptive in relation to the extension of dwellinghouses to the front. However, it does set out a range of overall principles. In my opinion the proposed development is contrary in particular to the guidance provided in Appendix 17.7 which relates to the appearance of dwellinghouses and

which states that extensions should not dominate and that extensions to the front which significantly break the building line should be resisted. I consider that the existing front extension could easily be modified to provide shelter. A very small simple flat roofed porch is all that is needed in this respect. I consider that the proposed canopy would be overly dominant and excessive. I agree with the decision of the planning authority to attach a condition securing its removal. The attached condition as worded by the planning authority allows for necessary modifications to the front extension and is appropriate.

- 7.3.3. I consider that the front velux window will not be highly visible from the streetscape. I recommend that condition 8(c) be removed.

Appropriate Assessment

Having regard to the nature of the proposed development, which comprises modifications to a suburban dwellinghouse on serviced lands I am satisfied that no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

I recommend a draft order as follows:

ORDER

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 REMOVE condition 8(b) and 8(c) and to ATTACH condition number 8(a) and the reason therefor.

REASONS AND CONSIDERATIONS

It is considered that the proposed development subject to the amendments set out in condition number 8 above would not seriously injure the visual and residential

amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

Mairead Kenny
Senior Planning Inspector

09 January 2022