



An
Bord
Pleanála

Inspector's Report ABP-311948-21

Development	Demolition of extension to rear, construction of two storey extension, conversion of attic and all associated site works.
Location	No. 2A Doris Street, Ringend, Dublin 4
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	2828/21
Applicant(s)	Kevin Mahony & Genevieve Ryan
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Ann Kennedy
Observer(s)	None
Date of Site Inspection	12 th February 2021
Inspector	Donal Donnelly

1.0 Site Location and Description

- 1.1. The appeal site is located on Doris Street in Ringsend to the south-east of Dublin city centre. Doris Street extends west from South Lotts Road to a 'T' junction with Joy Street. The street comprises of 2-storey street fronting terraced dwellings with red-brick finish and distinctive brick surrounds on window and door openings. A number of dwellings on the street have dormer extensions on front/ rear roof slopes and single and 2-storey extensions to the rear.
- 1.2. No. 2A Doris Street is an end-of-terrace dwelling situated on the northern side of the street at its western end, with gable facing onto Joy Street. There is a single storey extension to the rear of the dwelling and a small yard with pedestrian access onto Joy Street. The stated floor area of the dwelling is 51.65 sq.m. and the area of the site is given as c. 51 sq.m. No. 2 to the east also has a yard to the rear and a shallower single storey extension.

2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
 - Demolition of an existing single storey extension to the rear of the building,
 - Construction of a 2-storey extension to the rear of the dwelling,
 - Conversion of the attic space to include a dormer window and raising of the ridgeline by 250mm and incorporating 2 no. velux type roof lights to the front elevation,
 - All associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council issued notification of decision to grant permission for the proposed development subject to eight conditions.

3.1.2. Condition 2 states that the attic space shall not be used for human habitation unless it complies with current Building Regulations. Under Condition 3, all external finishes shall harmonise with the finishes of the existing house.

3.2. **Planning Authority Reports**

3.2.1. The recommendation to grant permission in the final Planner's Report reflects the decision of the Planning Authority. The main points raised under the assessment of the proposal in the initial report are as follows:

- There are a number of similar extensions on Doris Street, and as such, it is considered that a 2-storey extension and attic conversion is acceptable in principle.
- Given orientation of site, the proposed 1st floor extension is unlikely to result in an unacceptable negative impact on adjoining property in terms of loss of access to daylight/ sunlight and overlooking.
- Extension is similar in size to previously permitted developments in the vicinity.
- Scale of proposed dormer will have a significant visual impact on this residential conservation area – subject dormer extends the full width of the roof and does not appear subordinate to the roof slope.

3.2.2. Further information was sought from the applicant requesting that the dormer extension be amended so that it reflects the character of the area, is visually subordinate to the roof slope and is appropriately set back from the eaves to minimise its visual impact. It is also stated that the roof material should match or complement the main roof.

3.2.3. Revised drawings were submitted by the applicant showing the dormer reduced in scale. The dormer is set back from the eaves and set in from the gable and finished with slate. It is recognised by the Planning Authority that the scale of the dormer is large but that there are dormers in the area of similar or greater size. It is considered that the dormer will be less dominant and overbearing than originally proposed and is now acceptable. The rear extension has also been set back from the adjoining boundary by 1.77m and this is considered acceptable.

3.3. Third Party Observations

- 3.3.1. Four third party observations were received on the planning application on a range of matters including those relating to drawing inaccuracies, loss of light, loss of property value, overdevelopment of site, overshadowing, insufficient open space, inconsistency with other dormers, possible use of flat roof as balcony, and overlooking.

4.0 Planning History

Dublin City Council Reg. Ref: 4409/17

- 4.1. Permission granted at No. 18 Doris Street for the construction of a first-floor extension (to provide a second bedroom) above an existing single storey rear return and a new dormer window within the roof. All works are proposed to be to the rear of the existing one-bedroom terrace property and will also include some internal refurbishment works and associated site works.
- 4.2. A condition attached to this permission stated that the attic space shall only be used for storage.

Dublin City Council Reg. Ref: 2913/15

- 4.3. Permission granted at No. 48 Doris Street for the construction of a two storey extension with dormer to the rear of the dwelling, conversion of the attic space to include raising the existing ridge line by 350mm and incorporating velux type roof windows to the front elevation and demolition of existing 1.39 sq.m. coal store to the rear of the dwelling.

Dublin City Council Reg. Ref: 2005/19

- 4.4. Permission granted at No. 20 Doris Street for demolition of an existing single storey extension, construction of a part single and a part two storey extension, and an attic conversion with a dormer roof extension, all to the rear, and 2 light domes on the roof.
- 4.5. It was a condition of this permission that the proposed development shall be revised so that the height of the dormer roof extension shall match the ridge height of the existing house; the first floor rear extension shall be reduced in depth to approximately 2 metres and in any event, shall not extend beyond the rear building

line of the adjacent, permitted, first floor rear extensions at no. 18 and 22 Doris Street. It was also a condition that the attic shall only be used for storage.

5.0 Policy Context

5.1. Dublin City Development Plan, 2016-2022

- 5.1.1. The appeal site is zoned “Z2” where the objective is “to protect and/ or improve the amenities of residential conservation areas.” It is a general objective to protect residential conservation areas from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.
- 5.1.2. Development standards for extensions to residential dwellings are set out in Section 16.10.12. It is stated that permission to extend dwellings will only be granted where the proposal will:
- Not have an adverse impact on the scale and character of the dwelling.
 - Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.
- 5.1.3. Appendix 17 contains guidelines for residential extensions including roof extensions.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A third party appeal against the Council’s decision was submitted on behalf of the resident of No. 2 Doris Street, which adjoins the appeal site to the east. The grounds of appeal and main points raised in this submission are summarised as follows:
- Any proposed development of this site will be clearly visible from many angles (sketches included to show 3-dimensional impact of the proposed design). Proposal is incompatible with the designation of the area as a residential conservation area.

- Appellant’s rear enclosure has become an important extra “room” and without the benefits of this outdoor space, her residential amenity and enjoyment of her house would be extremely reduced.
- Impact of the proposed extensions will be far higher than would be the case in some of the mid-terraced precedents elsewhere in the South Lotts area.
- Planning Authority has not carried out a critical assessment of the impact of this proposal on the streetscape, in contravention of Policy CHC1 and the true meaning and intent of Zoning Z2.
- Proposal represents a considerable overdevelopment of the site under any calculation of plot ratio or site coverage. Proposed works are an increase of floor area of over 50% and there is a lack of open/ amenity space.
- Overshadowing will prevent appellant from getting enough sunlight for garden plants, or to enjoy the evening sun in her rear yard. Extension should not adversely affect the amenities enjoyed by the occupants of adjacent building in terms of privacy, access to daylight and sunlight.
- Heights indicated on section and elevations are different – effect of overshadowing will be considerably in excess of the relative position as shown on elevations. Each 100mm in height will have a tangible effect of appellant’s future wellbeing.
- Open space being provided would not be acceptable as the balcony in an apartment.
- Sketch shows that form of the original gable has been obliterated by the first floor extension, which damages the streetscape – first floor extension presents a high blank wall to the street and the visual impact of the dormer is even more forbidding and dominating.
- Raising of roof will make house inconsistent with other dormer extensions in the area. Any steelwork will present an unacceptable risk to the structural integrity of appellant’s property.
- Proposed dormer is seriously deficient in terms of the criteria under Development Plan guidelines for roof extensions. Dormer will be higher than the original roof and occupies at least 90% of the available roof slope – could

not be considered visually subordinate. Coherence of the Residential Conservation Area will be irretrievably lost if this proposal is given permission.

- Appellant is concerned that the roofs over the proposed new development could be used as a balcony – if permission is granted, strict conditions should be imposed to prevent an invasion of privacy.
- Appellant will not permit access to her private yard for any plastering work to be carried out.
- Applicant will be required to underpin the existing boundary wall to ensure that the proposed construction works do not destabilise the existing wall.
- Appellant will be greatly inconvenienced by the high level of building activity, dust and noise generated by construction works.

7.0 **Assessment**

7.1. I consider that the key issues in determining this appeal are as follows:

- Development principle;
- Impact on residential amenity;
- Visual impact;
- Appropriate Assessment.

7.2. **Development Principle**

7.2.1. The appeal site is zoned “Z2” where the objective is *“to protect and improve the amenities of residential conservation areas.”*

7.2.2. In normal circumstances, a proposal for a dormer and 2-storey extension to a dwelling would be acceptable in principle subject to an assessment of the proposal under relevant Development Plan criteria.

7.3. **Impact on residential amenity**

7.3.1. The appellant has raised a number of issues regarding the impact of the proposal in terms of overshadowing and loss of privacy. Other concerns have been raised

relating to boundary issues and structural stability which are outside the remit of planning.

- 7.3.2. It is submitted by the appellant that the proposed 2-storey extension will limit the amount of sunlight accessing her rear garden, as well as her enjoyment of the rear amenity space, which has become an outdoor room. The appellant also has concerns that the roofs over the proposed new development could be used as balconies. In the event of a grant of permission, it is requested that strict conditions should be imposed to prevent such an invasion of privacy.
- 7.3.3. The report of the Planning Authority highlights the precedent set on Doris Street by a number of similar 2-storey extensions. Furthermore, it is considered that the proposed first floor extension is unlikely to result in an unacceptable negative impact on adjoining property in terms of loss of daylight/ sunlight given the orientation of the site.
- 7.3.4. I acknowledge that there is clear precedent for both 2-storey extensions and dormer windows on surrounding streets of similar character. What is not clear, however, is the degree to which 2-storey extensions result in overshadowing of adjoining properties. It may be the case that a 2-storey extension adjoins a single storey extension of similar projection, with the majority of overshadowing cast onto an adjoining roof.
- 7.3.5. The proposed 2-storey extension will be located to the west of the appellant's rear amenity space and therefore a limited amount of additional overshadowing can be expected in late evenings at certain times of the year. Daylight levels may also be reduced at other times when the sun is not directly shining to the rear of the property.
- 7.3.6. Notwithstanding this, it should also be acknowledged that this is a tightly built up area, with existing structures already overshadowing small amenity spaces. Houses are small by current standards and there is a general acceptance of modest new extensions. I note, however, that a 2-storey extension was granted at No. 20 on condition that it be reduced in depth to approximately 2m.
- 7.3.7. The proposed floor plans show the first floor extension accommodating a single bedroom with dimensions of 3.38m x 2.77m. The Quality Housing for Sustainable Development: Design Guidelines advise that the minimum area of a single bedroom should be 7.1m, with the minimum single room width being 2.1m. There is scope to

reduce the depth of the rear extension by 0.5m and the resulting floor area of the single bedroom (7.67 sq.m) would still be in excess of the minimum recommended standards. The proposed first floor extension projects approximately 1.4m beyond the existing adjoining single storey extension to No. 2. The setting back of the extension by 0.5m should therefore reduce the impacts of overshadowing on the appellant's rear amenity space to a meaningful degree without seriously compromising the new internal space of the proposed extension. I recommend the attachment of a condition to any grant of permission reflecting same.

7.3.8. I also recommend the attachment of condition stating that the flat roofs of the proposed dwelling shall not be used for general access or as a roof terrace/ garden and access onto the roof shall be for maintenance purposes only.

7.3.9. I do not consider that the proposed development will give rise to any significant issues of overlooking of the appellant's rear amenity space given its dimensions and location. It should be noted that the proposed attic window sits to the gable side of the dormer.

7.4. Visual Impact

7.4.1. The appellant submits that the proposed dormer and 2-storey extension will be visible from many angles and that the proposal is incompatible with the designation of the area as a residential conservation area. It is also considered that the visual impact of the proposed extensions will be far higher than would be the case in some of the mid-terraced precedents elsewhere in the South Lotts area. The appellant considers that the proposed raising of the ridge level is inconsistent with other dormer extensions in the area and that the proposed dormer structure is seriously deficient in terms of the criteria under Development Plan guidelines for roof extensions.

7.4.2. It is recognised within Appendix 17 of the Dublin City Development Plan, 2016-2022 that 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. It is stated that 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; roofs should be covered in materials that match or complement the main building; and the dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

- 7.4.3. The proposed dormer and raising of the ridge level is clearly at variance with the Development Plan guidance in this regard. The Planning Authority also had concerns regarding the scale of the proposed dormer window and requested further information from the applicant to amend the design so that it reflects the character of the area, is visually subordinate to the roof slope and is appropriately set back from the eaves to minimise its visual impact. In response, the dormer was reduced in scale by setting it back from the eaves and setting it in from the gable. It is considered by the Planning Authority that the revised dormer is now less dominant and overbearing than originally proposed.
- 7.4.4. It should be noted that a condition was also attached to the development at No. 20 requiring the dormer to be revised so that its height shall match the ridge height of the existing house. Given the more prominent location of the appeal site, I consider that a similar condition should be attached to any grant of permission in the current case. The proposed attic is shown with a floor to ceiling height of 2.4m; however, it would appear that this room may not qualify as habitable space in any event given that much of the higher floorspace is taken up by the staircase.
- 7.4.5. I would otherwise be of the view that the visual impact of the proposed development when viewed from the street will be improved with the reduced ridge height and reduction in first floor extension depth. Having regard to the precedent set in the surrounding streetscape, I consider that the amended development is acceptable from a visual perspective.

7.5. Other

- 7.5.1. The appellant has raised a number of other issues relating to construction works, drawing discrepancies, overdevelopment of the site and lack of open space.

7.5.2. I consider that any drawing discrepancies can be corrected within revised plans that will be submitted to the Planning Authority. Construction works will result in adverse impacts but these will be temporary in nature and controlled by condition.

7.5.3. In my opinion, current standards for open space and overdevelopment do not apply in this historic urban quarter, which was constructed long before such standards were adopted.

7.6. **Appropriate Assessment**

7.6.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, no appropriate assessment issues arise.

8.0 **Recommendation**

8.1. It is considered that the proposed development should be granted for the reasons and considerations hereunder and subject to the conditions below.

9.0 **Reasons and Considerations**

Having regard to the zoning objective for the site and pattern of development in the area, together with the design, scale and layout, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, and would provide for a satisfactory standard of accommodation for future residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 **Conditions**

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by further plans and particulars submitted to the Planning Authority on the 23rd day of September 2021, 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. The proposed development shall be amended as follows:
 - (a) The proposed first floor extension shall be reduced in depth by at least 0.5m.
 - (b) The height of the dormer roof extension shall match the ridge height of the existing house.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential amenity.

3. Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development

Reason: In the interest of visual amenity.

4. The flat roofs of the proposed dwelling shall not be used for general access or as a roof terrace/ garden and access onto the roof shall be for maintenance purposes only.

Reason: In the interests of residential amenity.

5. 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.

6. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

Donal Donnelly
Senior Planning Inspector

14th February 2022