



An  
Bord  
Pleanála

## Inspector's Report ABP-312394-22

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<b>Development</b>	Single storey extension to front and two storey extension to side of house. Attic conversion and associated site development works.
<b>Location</b>	No. 88 Clancy Road, Finglas East, Dublin 11
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	3781/21
<b>Applicant(s)</b>	Patrick & Amanda Lauanders
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third party
<b>Appellant(s)</b>	Richard & Amy Sutton
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	11 <sup>th</sup> March 2022
<b>Inspector</b>	Donal Donnelly

## 1.0 Site Location and Description

- 1.1. The appeal site is located on Clancy Road in Finglas approximately 5km north-east of Dublin city centre. Clancy Road forms part of a wider residential area comprising mostly of 2-storey terraced dwellings with hipped roofs on end units. Houses generally retain their original scale and appearance with some having been adapted through extensions to the front, side and rear and at roof level.
- 1.2. No. 88 Clancy Road is semi-detached dwelling positioned at a corner location between terraces. The semi-detached pair of dwellings face south over a green space. The site is triangular shaped with a stated area of 260 sq.m. The existing dwelling on site has a stated floor area of 77 sq.m. No. 86 to the north-west is an end of terrace south-west facing dwelling that has recently been extended to the front and rear.

## 2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
  - Single storey extension to the front;
  - 2-storey extension to the side; and
  - Attic conversion including dormer window to the rear and rooflight to the side of roof.
- 2.2. The total floor area of new build is given as 60 sq.m.

## 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 ten conditions.
- 3.1.2. Condition 10 states that the new ensuite window in the north-facing (rear) wall at first floor level shall be permanently glazed with obscure glass. Under Condition 9, the attic shall not be used for human habitation and Condition 8 requires the external finishes to harmonise within the existing house.

## 3.2. Planning Authority Reports

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

- Extension to the house in this residential zoning is acceptable in principle subject to compliance with development plan policies and objectives, and the protection of neighbouring amenities.
- As the extensions are proposed to the front and side, there will be no change to the private open space (c. 53 sq.m.) to the rear.
- In the context of the character of surrounding properties, where there are a number of deep porches and front extensions, the proposed front porch is acceptable. Building line is only broken at ground level, it would not be overly obtrusive in the streetscape and it is set well back from house at No. 90.
- Side extension would be located to the south-east of No. 86 but given the distance to that property, it would not have undue overshadowing impacts over the garden.
- There would be some loss of sunlight/ daylight to the obscured window at ground level of No. 86; however, this room is served by a second window and would remain adequately lit.
- There would be no overbearing impacts due to the location of the extension, and the orientation of the properties relative to each other.
- Condition should be attached that new first floor ensuite window to the rear is permanently obscured.
- New dormer would be located 8m from the boundary and would not have undue impacts on neighbouring privacy given the angle, setback from eaves, the considerable distance to opposing windows and the relative size of the window.
- Dormer allows for a large proportion of the roof to remain visible. Given the pan tiles, it would not be appropriate to clad the dormer in materials similar to the roof and a render finish is therefore acceptable.

### 3.3. Third Party Observations

- 3.3.1. An observation was received from the residents of No. 86, which is the neighbouring dwelling to the west. These residents are also the third party appellants.

## 4.0 Planning History

Dublin City Council Reg. Ref: 4201/10 (PL29N.238628)

- 4.1. Permission was sought at No. 86 Clancy Road for a pitched roof to existing first floor extension over garage with velux roof lights to rear, and single storey extensions to front and rear.
- 4.2. The Board granted permission on condition that the proposed gable end roof extension shall be changed to a hipped roof profile.

Dublin City Council Reg. Ref: 2869/21

- 4.3. Permission granted at No. 74 Clancy Road for conversion of attic comprising modification of existing roof structure, new access stairs and flat roof dormer to the rear.

Dublin City Council Reg. Ref: WEB1486/17

- 4.4. Permission granted at No. 98 Clancy Road for conversion and extension of existing garage with new part ground, part 2-storey extension to side/ rear of existing dwelling with new ground floor extension to the front, including new entrance porch area, with internal modifications and associated site works.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan, 2016-2022

- 5.1.1. The appeal site is zoned "Z1" where the objective is *"to protect, provide and improve residential amenities."*
- 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 by the residents of No. 86 Clancy Road. The grounds of appeal and main points raised in this submission are summarised as follows:

- Established building lines have been clearly ignored in the design process – it can be regarded as massing towards the existing dwelling and properties in the area.
- Morning, midday and afternoon sun will be affected to the front of appellant's property and the little natural sunlight in rear garden will be greatly reduced or removed.
- No contiguous elevations submitted to highlight visual impact on appellant's property.
- Site layout plan has minimal dimensions and appears to be inaccurately drawn – misleading information regarding the placement of the gable wall and building on site.
- Scale of proposed dormer seems dominant in rear elevation and no set-back dimension has been provided.
- Render finish to match existing would be in contradiction with Council's preferred policy of dark cladding to dormers.
- Dormer adds to overlooking and overshadowing of appellant's property.
- Proposed plan does not adhere to the Development Plan for points 16.10.12 & 16.10.9.

## 6.2. Response

6.2.1. The applicant's agent responded to the third party appeal with the following comments:

- Proposed development will have minimal impact on surrounding dwellings as the design is consistent with the pattern of development in the immediate area and is designed to respect the residential amenity of neighbouring dwellings.
- Extensions have been purposely positioned on site so as to respect the building line set by the adjoining property to the extent possible. Footprint and height of dwelling is wholly appropriate and will not present any undue impact.
- There is precedent for the proposed development at No. 76 Clancy Avenue.
- Under permission granted for obscured window at ground level of No. 86 (Reg. Ref: 4201/10), it was concluded that it would remain adequately lit. Separation distance exceeds 7m and this will ensure there is no undue impact on daylight access for the adjoining property.
- Board is welcome to review the dimensions on submitted drawings.
- Both scale and finishing of proposed extensions are appropriate.
- There is precedent for the dormer at No. 14 Grove Avenue and, 42 Plunkett Green.
- Conditions 8 & 9 attached to the Council's decision are sufficient to ensure the protection of residential amenity.
- Proposed extension will enhance and aligns with the character of the existing dwelling and streetscape.
- Proposed extensions are comprised of self-coloured render – this design aspect has been implemented to ensure that the proposed extensions integrate well with the existing dwelling and streetscape.
- Proposed development represents high quality and modest additions to the house, which will improve the standard of accommodation for occupants.

## 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 “Z1” where the objective is *“to protect, provide and improve residential amenities.”*

7.2.2. In normal circumstances, a proposal for a single storey extension to the front, 2-storey extension to the rear and attic conversion with dormer 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 third party appellant has raised a number of issues regarding the impact of the proposal in terms of overshadowing and loss of privacy. It is submitted that the morning, midday, and afternoon sun will be affected to the front of appellant’s property and the little natural sunlight in rear garden will be greatly reduced or removed. The appellant also considers that the proposed dormer adds to overlooking and overshadowing of their property.

7.3.2. In my opinion, the main amenity space to the rear of the appellant’s property would already be overshadowed by the existing dwellings located to the south-west, south and south-east thereof. The proposed 2-storey extension to the side will not give rise to any significant diminution of sunlight or daylight accessing this space. Furthermore, as confirmed by the Planning Authority, the proposed side extension will not reduce the daylight access to the rear ground floor room of the adjacent property given that it is served by both side and rear window openings.

- 7.3.3. Overall, I consider that the proposal will not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight. The proposed extension is adequately set back from the boundary with No. 86 and orientated in such a way that will not create any overbearing or overshadowing impacts. The dormer structure is also set back significantly from the adjoining boundaries to an extent that will not result in any overshadowing or overlooking impacts.
- 7.3.4. I accept the appellant's contention that there is a lack of dimensions on the dormer structure; however, the principal dimensions of the overall development are included, and having scaled from the drawings, I am satisfied that they are accurate and representative.

#### **7.4. Visual Impact**

- 7.4.1. The appellant has outlined a number of issues relating to the visual impact of different aspects of the proposed development. It is submitted that the front extension breaches the established building line and no contiguous elevations have been submitted to highlight the visual impact on the appellant's property. It is also considered that the scale of the dormer is overly dominant in the rear elevation and the render of this structure would contradict the Council's preferred policy of dark cladding to dormers.
- 7.4.2. There is clear precedent for ground floor extensions to the front of properties in the immediate vicinity including the appellant's dwelling. I would be satisfied that the proposed extension to the front is appropriate in terms of projection, lean-to design and solids to voids ratio. In general, this element of the proposed development is consistent with the established pattern of development in the area.
- 7.4.3. I note that the front elevations of the existing and proposed developments only shows No. 88 and the semi-detached adjoining dwelling at No. 90. In my opinion, it would be difficult to illustrate the adjacent terrace to the north-west in contiguous form given the angle in question.
- 7.4.4. With respect to the scale and proposed finishes of the proposed dormer, and in reference to Appendix 17 of the Dublin City Development Plan, 2016-2022, I would be in agreement that the structure is visually subordinate to the roof slope with a

large proportion rear roof slope remaining visible. The new window opening is centrally positioned between the windows at first floor level and I consider this to be visually acceptable. The dormer is set back adequately from eaves and is set down marginally from the ridge level. I agree with the Planning Authority that a rendered finish is acceptable in this case rather than a finish matching the existing roof tiles.

- 7.4.5. I consider that the scale of the proposed extension to the side is acceptable having regard to the dimensions of the site and the angled building lines. The single storey extension to the front will also help to break down the massing of the new dwelling width.

## **7.5. Appropriate Assessment**

- 7.5.1. 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, 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 new ensuite window in the north-facing (rear) wall at 1<sup>st</sup> floor level shall be permanently glazed with obscure glass.

**Reason:** In the interests of privacy and amenity.

3. External finishes shall harmonise with the existing house in respect of materials and colour.

**Reason:** In the interest of visual amenity.

4. 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.

5. 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.

6. 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.

7. 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.

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Donal Donnelly  
Senior Planning Inspector

14<sup>th</sup> March 2022