



An  
Bord  
Pleanála

## Inspector's Report, ABP315648-23

**Development:** domestic extension and attic conversion, including raising of existing roof line

**Location:** 17 Somerton, Dún Laoghaire, County Dublin, A96X3P0

**Planning Authority:** Dún Laoghaire-Rathdown County Council

**Planning Authority Reg. Ref.:** D22A/0457

**Applicant(s):** Michelle Gaffney

**Type of Application:** permission

**Planning Authority Decision:** refuse permission

**Type of Appeal:** first party

**Appellant(s):** Michelle Gaffney

**Observer(s):** none

**Date of Site Inspection:** 6 May 2023

**Inspector:** Diarmuid Ó Gráda

## **1.0 Site Location and Description**

**1.1** This appeal concerns a property in the south suburbs of Dublin. It is located east of the N11 (Dublin-Wicklow road). It is situated south of Kill of the Grange and west of Sallynoggin. It is reached from Rochestown Avenue, a short distance south of Sallynoggin Road. The application site is situated over 100 meters from Rochestown Avenue and it backs onto Sallynoggin Road.

**1.2** Somerton forms a U-shaped cul-de-sac, mostly comprised of two-storey semi-detached houses that are about 40 years old. It is an open plan estate (i.e. having no front fences) and the houses were laid out on the *Garden City* model i.e. at a low density, with front and rear gardens, and with grass verges bordering the carriageway to the front. Those roadside verges are extensively planted with deciduous trees.

**1.3** No.17 Somerton is a south-facing two-storey 3 bedroom house with a stated floor area of 104 sq. meters. It has a rear garden that is 11 meters long approx. There is a modern ground floor flat-roofed extension of 14 square meters approx. at the back and it extends 4 meters from the rear of the house. It includes a dining room and there are no side-facing windows. That extension was built inside the perimeter fence and it does not appear on the Ordnance Survey map.

## **2.0 Proposed Development**

**2.1** It is intended to add a two-storey extension to the rear, to be built over the ground floor extension. The existing two bedrooms at first floor level would each be enlarged by 3 square meters approx. That first floor addition would project 1.5 meters from the rear wall of the house and it would be 4.5 meters wide. The attic (second floor) level addition would be the largest part of the project, adding a space measuring

4 meters wide and over 5 meters long, including the staircase connection. It would provide a new bedroom/ensuite.

**2.2** The top floor would have a flat roof projecting 3.5 meters from the roof ridge. The new top floor bedroom would be lit by a window 2.5 meters wide, constructed 6 meters above the ground level.

**2.3** The extensions on both floors would be constructed inside the perimeter fence and would not include any side-facing windows. An external painted render finish would be used to match the existing.

### **3.0 Observation Received by Planning Authority**

**3.1** An observation was lodged by the applicant. It stated that the proposed development would serve the family needs of the applicant who was returning from abroad. A fourth bedroom was needed as the family comprises two adults and three teenage children.

## **4 Planning Authority Decision**

**4.1** Dún Laoghaire-Rathdown County Council decided to refuse permission for a single reason, briefly, serious injury to the visual amenities of the area and devaluation of nearby properties, having regard to Section 12.3.7.1 of the Development Plan, considering the extent of the proposed changes at roof level, their proximity to adjoining properties and to Sallynoggin Road, taking account of the large size and bulk, height and design of the proposed development which would be visually dominant and out of character, appearing incongruous and visually obtrusive.

## **5 Planning Authority Reports**

### **5.1 Planning Report**

**5.1.1** The first-floor extension would not have an adverse impact on the residential amenity of the immediate neighbours. However, the first-floor extension would form part of the overall scheme, including the dormer level, and that would be unacceptable.

**5.1.2** The rear window of the dormer element was too large and the roof would protrude too far, creating an unduly dominant visual impact. That damaging impact would be felt in respect of the house itself, as well as its neighbours. It would be discordant and out of character.

### **5.2 Other Technical Reports**

**5.2.1** The Drainage Division raised no objection.

## **6 Planning History**

**6.1** There have been no cases relating to the subject site. In case PA.ref.D97B/0624 (1997) permission was refused on appeal (ABP ref.06D.104671) for a rear first floor extension and permission was granted for a front porch at no.27 Somerton. The refusal of the rear extension stated:

*It is considered that the proposed first floor extension would result in an excessive degree of overshadowing of adjoining houses, would seriously injure*

*the amenities of these houses and be contrary to the proper planning and development of the area.*

**6.2** In application PA ref.D99B/0697 (1996) permission was granted for an attic conversion at no.19 Somerton. That proposal included a space described as a store, comprising 25 square meters approx., including the connecting the staircase. It was lit by a flat-roofed rear dormer with vertical slate cladding on the garden elevation.

## **7 Policy and Context**

### **7.1 Development Plan**

In the Dun Laoghaire Rathdown County Development Plan 2022-2028 these properties are included within the A zone where the stated objective of the Council is to provide residential development and improve residential amenity while protecting the existing residential amenities.

Under Section 12.3.7.1 of the Plan front extensions, at both ground and first level, will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. Any breach of the front building line shall not dominate the front elevation. Any significant break in the building line (even over two floors) should demonstrate that the proposal will not impact on the amenities of directly adjoining dwellings. Front extensions, particularly at first floor level, should reflect the roof shape/slope of the main dwelling. A minimum driveway of 6 meters should be maintained.

Under Section 12.3.7.1 ground floor rear extensions should match or complement the main house in terms of their length, height and proximity to mutual boundaries. First floor rear extensions will only be permitted where there will be no significant negative

impacts on surrounding residential or visual amenities. Factors to be considered include:

- Overshadowing, overbearing and overlooking - along with proximity, height and length along mutual boundaries.
- Remaining rear private open space, along with its orientation and usability.
- The set-back from mutual site boundaries.
- External finishes and design, which shall generally be in harmony with the existing.

Under Section 12.3.7 of the Plan ground floor side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation) and impact on adjoining residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height would generally be acceptable. However, a set-back from the extension's front facade and its roof profile/ridge may be sought to protect amenities, to integrate into the streetscape, and to avoid a terracing effect. External finishes shall normally be in harmony with the existing finishes.

Roof alterations/expansions to main roof profiles - changing the hip and 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 its proximity to adjacent structures.
- Existing roof variations in the streetscape.
- Distance, contrast and visibility of proposed roof end.

- Harmony with the rest of the structure, including adjacent structures and their prominence.

Dormer extensions to roofs i.e. to the front, side, and rear 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 will be set back from the eaves, gables and/or party boundaries. They should be set down from the existing ridge level so as not to read as a third-storey extension at roof level to the rear.

Under Section 12.3.7 the proposed quality of materials/finishes for dormer extensions will be considered carefully as this can greatly improve their appearance. The level/type of glazing within a dormer extension shall have regard to existing window treatments and fenestration. However, regard should also be had to the size of fenestration proposed at attic level relative to adjoining residential amenities. Particular care would 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.

Section 12.3.4.2 of the Plan deals with issues of daylight and ventilation for habitable rooms but they are connected with all new residential units, i.e. rather than domestic extensions.

## **8 Appropriate Assessment**

**8.1** Having regard to the nature and scale of the proposed development, the availability of public services, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the proposed development would not be likely to have a significant effect, either individually or in combination with other

plans or projects, on any Natura 2000 site. A Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

## **9 The Appeal**

### **9.1 Grounds of Appeal**

- This house is close to several suburban centres and is served by multiple bus routes. There is a wide variety of house extensions in the area.
- The Council appears to be imposing a blanket ban on high buildings. The site lies within an area where An Bord Pleanála has, in recent years, allowed very high density residential development.
- Ireland urgently needs more houses and this proposal would densify the existing dwelling with attractive extensions. There would be additional space, yielding necessary accommodation for the applicant's family.
- The proposal would add necessary accommodation to a modest house. The roof extension/dormer would not be too intrusive.
- This part of Somerton (in and around no.17) contains a variety of roof heights due to the sloping ground level.
- There would not be a significant alteration to the visual/residential amenity of adjoining houses and none of those neighbours lodged an objection. The roof would be raised in a manner consistent with the variety of roof heights along the estate road. There is a need to adapt housing stock to accommodate changing household requirements.
- The Council cited concerns about the impact on adjoining properties but it did not request further information. As a result the applicant was deprived of an opportunity to address the Council's concerns. In any event there would not be any significant alteration of the neighbours' residential/visual amenities. They would not suffer a property devaluation.



- A contingency submission was included, whereby a condition could be inserted in a permission that the dormer structure could be clad on three sides with standing-seam zinc material.
- The Somerton houses have an excessively low density. This proposal is in line with the statutory guidance. It strikes the correct balance between the applicant's accommodation needs and the need to protect residential/visual amenity.

## **9.2 Applicant Response**

None

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### **9.2.1 Planning Authority Response**

No new matter has been raised that would justify a change in the attitude of the Council towards the proposal.

## **9.3 Observations**

None

## **9.4 Further Responses**

None

## **10 Assessment**

**10.1** The main issue in this appeal is the scale and design of the proposed extension at roof level. That must be considered in regard to its impact on the house itself, the

immediately adjoining houses and the wider row of houses that forms the receiving environment at Somerton.

**10.2** The house was unoccupied when I made my site inspection but it was possible to observe the property to the front and to the rear. The layout at the rear can be assessed from the public open space second next door, i.e. a triangular green area between nos.15 and 16.

**10.3** The alterations proposed at ground floor level would be confined to the interior, at the front of the house. They do not give rise to concern about their impact on third parties.

**10.4** The applicant contends that this street displays a considerable variety of building heights. It is also contended that the surrounding area contains an increasing volume of densified large-scale infill schemes. That is correct but in my opinion the context of the receiving environment is primarily defined by the layout at Somerton itself, i.e. the open plan *Garden City* type housing estate that affords the primary terms of reference for this assessment.

**10.5** The A zone of the Development Plan would allow compatible residential development where it would not have an undesirable impact on third parties. This proposal would add a new bedroom and ensuite bathroom to the house. That level of addition should be acceptable. It is its external expression, in terms of scale, design and position, that creates the incompatibility.

**10.6** The most significant change would occur on the top floor. The photomontages accompanying the appeal, view no.3 (existing) and view no.3 (proposed), are revealing in that context. The latter shows the proposed top floor addition rising starkly above its neighbours with the proposed rear window standing out in strong contrast to

the existing fenestration. That disruption would be highlighted by the streetscape context where Somerton is laid out as an open plan estate.

**10.7** That first-floor element, projecting back 1.5 meters approx. would have a material impact on third parties. The roof over the back part of the house would be raised by 1 meter approx. It would extend 3.5 meters approx. to the rear. In making that change the roof ridge of the house would be pushed back 2 meters approx. In this setting of quite closely spaced houses that would appear intrusive.

**10.8** This house would have a notably extended front roof slope and that would extend across the full width of the building. It would dominate those of its neighbours. In addition, the contextual front elevation (entitled Existing and Proposed) shows the roof oversailing no.18 by about 0.4 meter.

**10.9** To the rear, the adjoining residents on either side would see a facade measuring 4 meters by 2.5 meters, serving the top floor. There would be very little roof slope left to see and that would stand out in strong contrast to the existing roof slopes on either side. Moreover, the close spacing of these houses would add to the impact on the closest neighbours.

**10.10** I saw that no.19 Somerton (second next door) does have an attic conversion to the rear. That was allowed well over two decades ago (application ref. D97B/0624, appeal ref. D06B/0697) and it included a condition requiring the slate hanging of the rear elevation to be set at an angle of 60 degrees. That is very different because it is confined to the back and, notably, the roof ridge was not raised. For that reason, it essentially makes no change to the view from the street. In addition, the rear window serving it is appreciably smaller i.e. about half the size.

**10.11** The alterations would render the proposal intrusive and disruptive when viewed from the public realm. The contextual front elevation shows this house protruding above its neighbours on either side (nos.16 and 18). In light of the degree

of consequent intrusion and incompatibility, the proposal would create an undesirable precedent and those adjoining houses would suffer a property devaluation.

**10.12** The appellant states that the Council does not appear to have understood the care and attention given to the design of the front elevation. It is regarded as an understated design and the Council's decision was regarded as being inflexible and draconian. In noting those comments it should be borne in mind that the impact would extend to the private realm, as well as the public street. The Council decision refers to that.

## **11 Recommendation**

**11.1** I recommend that permission be refused.

## **12.0 Reasons and Considerations**

**12.1** The proposed development, by reason of its size, bulk, height and design, would seriously injure the visual amenities of the area and depreciate the value of property in the vicinity, being contrary to Section 12.3.7.1 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 regarding extensions to dwellings and alterations at roof and attic level, and having regard also to the proper planning and sustainable development of the area.

## **13.0 Declaration**

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought

to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Diarmuid Ó Gráda,

Planning Inspector,

21 August 2023

