



An  
Bord  
Pleanála

## Inspector's Report ABP316215-23

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**Planning Authority:**

Dún Laoghaire-Rathdown Co. Council

**Planning Authority Reg. Ref.:**

D23A/0038

**Applicant(s):**

Niamh Nowlan & Colin Boyle

**Type of Application:** Permission

**Type of Appeal:** First Party

**Appellant(s):**

Niamh Nowlan & Colin Boyle

**Observer(s):**

None

**Date of Site Inspection** 26 June 2023

**Inspector** Diarmuid Ó Gráda

## 1.0 SITE LOCATION AND DESCRIPTION

The appeal site is located in Dundrum, Dublin 14. It is situated 0.5 kilometer approx. west of Dundrum shopping centre. The site forms part of a mature suburban residential area that was laid out at a low density about fifty years ago. It mostly comprises two-storey semi-detached houses and dormer bungalows fronting onto roads that are generally arranged in a long and straight linear form.

Laurel Road follows that pattern. There are similar houses fronting onto each side of the street. The application site fronts onto the south side of Laurel Road and it is occupied by a semi-detached dormer bungalow that is quite typical of the prevailing house type and layout within the area, i.e. including two dormer windows in the front slope of the roof. The low eaves of the front elevation is a prominent feature of the house type.

This two-bedroom house has a stated floor area of 98 square meters. It has a 9 meter front garden and there is a rear garden of almost 30 meters. A single-storey extension to the side is occupied by a flat-roofed domestic garage and, as stated above, there is a pair of first floor dormer windows to the front.

In that layout the house/garage occupies the full width of the site i.e. there is no side passage.

## 2.0 PROPOSED DEVELOPMENT

- 2.1. It is intended to extend the house by 65 square meters. That would include a front porch extension, a garage conversion, vehicular access widening, a rear partly single-storey and partly two-storey extension, rear dormer windows and a window in the gable-end at first floor level.

As stated above the garage is set back 9 meters behind the house front and about half of that front space would be built up with new accommodation including part of the

utility/pantry and front hall. That proposed side wing would have a flat roof incorporating four roof-lights, each measuring 1 square meter approx.

The proposed kitchen/dining room would replace the garage and extend eastwards across the back by a further 4 meters approx. It would also project about 8 meters further to the rear. It would have a flat roof as well, save where it is to be built over by the first floor additions.

At first floor level an additional two bedrooms would be added, together with a bathroom. That first floor extension would be L-shaped, i.e. extending across 6.5 meters at the back of the house, with a return projecting out over 3 meters in the centre of the site.

The first floor level would abut the site perimeter on the east over a length of two meters approx., with the remainder set back 2.5 meters approx. On the west it would likewise maintain a separation of 2.5 meters approx.

The largest of the proposed bedrooms (at first floor level) would have a substantial rear-facing window (2.4 meters wide, 1.3 meter high). A slightly smaller rear-facing window (1.7 meters wide, 1.3 meters high) would serve the other proposed bedroom. At first floor level there would also be two small windows, each of 1.2 square meters, on the west side i.e. facing no.41. One would light a walk-in wardrobe and the other would serve a proposed bathroom. It is stated in the appeal that they would be opaque-glazed.

The lodged plans state the external wall finish would comprise painted rendering, combined with brick. However, the drawings show what appears to be some stonework at ground floor level, along with some use of proprietary sheeting at first floor level.

## 3.0 Planning Authority Decision

Dún Laoghaire-Rathdown County Council decided to grant permission subject to 14 conditions, notably,

- 2 Prior to the commencement of development the applicant shall lodge revised drawings omitting the first floor level extension and showing the ground floor covered with a flat roof. That flat roof area shall not be used as either a balcony or a roof terrace.
- 6 The width of the proposed front driveway entrance shall not exceed 3.5 meters.
- 11 Payment of a financial contribution of €14.60 for public drainage works,
- 12 Payment of a financial contribution of €333.80 for public roads infrastructure,
- 13 Payment of a financial contribution of €216.55 for public community and parks infrastructure.

## 3.1. Planning Authority Reports

### 3.1.1. The Planning Report

- It was noted the location of the site lies within the A zone where domestic extensions are acceptable in principle.
- The scale of the ground floor extension was deemed acceptable.
- Overbearing on no.45 (the adjoining house on the east side) would be mitigated by the set-back.
- There would not be overlooking from ground floor windows.
- At first floor level the depth and massing of the proposed two dormer bedrooms would be excessive. They would not to be adequately separated from the eaves or the gable.

- The dormer windows would also bring a substantial alteration to the roof. It would become overbearing and visually dominant. For that reason it should be refused.

### **Drainage Division Report**

No objection subject to

- Discharge of surface water to a soak-away as shown in the application
- Any changes to parking and hard-standing areas to have permeable surfacing in accordance with the Greater Dublin Strategic Drainage Study.

### **Transportation Planning Report**

No objection subject to

- 1 The site entrance width not to exceed 3.5 meters
- 2 The footpath and verge to be dished at the applicant's expense
- 3 Any changes to the driveway to accord with the Greater Dublin Strategic Drainage Study
- 4 No conflict between the development and road traffic during the course of the works
- 5 Mud and debris must be kept off the roadway.

## **4.0 Planning History**

There have not been any notable recent cases concerning the application site or those directly abutting it.

Over a decade ago permission was granted by the Council (ref. D10B/0227) for a rear first-floor extension at no.53 Laurel Road, i.e. five houses to the east, with the same house type. That proposal was for replicating the existing front dormer windows in terms of their scale and overall design. It provided for a lateral separation of over 1

meter from the side boundaries of the site. Five years ago permission was granted (ref. D18B/0125) for retention works on that site. They related to the two-storey rear extension and the dormer part of it. That permission was granted subject to conditions, inter alia, reducing the size of the first floor. That proposal was larger and higher than what is intended in the current case.

At no.21 Laurel Road, eleven houses to the west, permission was granted (D20B/0414) for a two-storey rear extension that was comparable in some respects. That did, however, show the proposed first floor level abutting the side boundary.

## **5.0 Policy and Context**

### **5.1. Development Plan**

Section 12.3.7.1 provides guidance in relation to extensions with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extensions.

#### **(i) Front Extensions**

Section 12.3.7.1 of the Plan states that the scale, height and projection from the front building line shall not be excessive so as to dominate the front elevation of the dwelling. Any porch should complement the existing house and a more contemporary design approach can be considered.

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. A break in the front building line will be acceptable, over two floors to the front elevation, subject to scale and design. However, a significant break in the building line should be resisted unless the design can demonstrate that the proposal will not impact on the visual/residential amenities of directly adjoining dwellings. Excessive scale should be avoided. 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.

#### (ii) Rear Extensions

Section 12.3.7.1 of the Plan states that ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and the amount of remaining usable private open space to the rear. The extension should match or complement the main house. First floor rear extensions can have potential negative impacts on the amenities of adjacent properties and will only be permitted where there will be no significant negative impacts on surrounding residential or visual amenities. Accordingly, the following factors will be considered:

- 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 setback from mutual site boundaries
- External finishes and design, which shall generally be in harmony with the existing.

#### (iii) Extensions to the Side

Under Section 12.3.7.1 of the Plan ground floor side extensions will be evaluated against proximity to boundaries, size and visual harmony with the existing (especially front) elevation and the 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, in certain cases 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.

Any planning application in relation to extensions, basements or new first/upper floor level shall indicate on all drawings the extent of demolition/wall removal required to

facilitate the proposed development. Side gable, protruding parapet walls at eaves/gutter level of hip roofs are not encouraged.

#### (iv) Alterations at Roof/Attic Level

Roof alteration/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 proximity to adjacent structures
- Existing roof variations on the streetscape
- Distance/contrast stroke visibility of proposed roof end
- Harmony with the rest of the structure, adjacent structures and prominence.

Dormer extensions to roofs i.e. to the front, side, and rear will be considered with regard to impacts on existing character/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.

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.

## 5.2. EIA Screening

Having regard to the minor nature and scale of the development proposed, the site location outside of any protected site, the nature of the receiving environment in an existing built-up area, the intervening pattern of development, the limited ecological value of the lands in question, the availability of public services, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. 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

A first party appeal has been lodged against Condition no.2.

- Condition no.2 would impose severe restrictions on the residential accommodation needs of the occupants. It is unreasonable and it would leave the dwelling with one habitable bedroom.
- The proposed development should be regarded as a typical residential extension within the local area. It is a modest extension.
- The proposed extension is necessary for accommodation purposes having regard to modern standards.
- The design would prevent loss of residential amenity by adjoining residents. The first floor extension has been designed to complement the existing and adjoining structures. It will use muted zinc-effect cladding (or similar) to blend into the existing roof.
- The house has not been altered since 1962 (when it was built).

- The windows of the south elevation would be 25 meters minimum from the opposing boundary. The first floor extension would have maximum set-backs from boundaries.
- There are precedents and the proposal was modelled on several local examples. Precedents include no.53 Meadow Grove (ref. D18B/0125) i.e. a first floor extension reaching out 4.4 meters from the rear building line, set in 2.5 meters from the eastern boundary and 1.3 meters from the west boundary. Permission was granted for a two-storey extension at no.21 Laurel Road (ref.20B/0414) which is seen to be similar to the current proposal.

## 6.2. **Applicant's Response**

Not applicable

## 6.3. **Planning Authority Response**

The grounds of appeal do not raise any new issue that would justify a change in the Council's attitude.

## 6.4. **Observations**

None

## 6.5. **Further Responses**

None

## 7.0 **Assessment**

- 8.0 The main issue concerns the size and scale of the first floor extension proposed at the rear of the house. Conversion of the domestic garage and bringing the new (replacement) structure forward 4 meters on the driveway would be acceptable. That would include the extended hallway incorporating the entrance, having the front door facing the street. The space involved in that part of the work is in the current driveway

and the extension would remain behind the front building line. It would be quite unobtrusive when viewed from the public realm.

- 9.0 The access and drainage arrangements are satisfactory. Ample private open space would be retained to the rear of the house i.e. it would maintain a garden length of almost 20 meters.
- 10.0 The Council's implementation of the A zone in this area is uneven. Current appeal ref. ABP316183-23 (application ref. D22A/0889) is a comparable proposal nearby (at no.54 Mountain View Drive). That nearby case did involve a somewhat different house type but it likewise involves a proposed first floor rear extension that is south-facing. The Council allowed that nearby proposal showing a first floor abutting the site boundary while it refused the current application that provides for a lateral separation of 2.5 meters approx.
- 11.0 Some aspects of the drawings require clarification. There is an inconsistency between what currently exists and what is proposed. The drawing named Existing Section A-A shows the east elevation details as well as the proposed ground floor/first floor extensions, i.e. mixing up the existing and intended works. In addition, the corresponding line of Section A-A is not shown on the floor plans.
- 12.0 The confusion goes further because the drawings show a pergola/arcade addition to the rear. However, that is missing from the ground floor plan but it is included instead in the proposed first floor plan.
- 13.0 Those inconsistencies are substantial and they should be resolved by the applicant in order to remove uncertainty when the works are carried out. An appropriate conditioning can be used for that in the decision .i.e. making it part of an amended Condition no.2.
- 14.0 In terms of scale and bulk the rear extension should be acceptable in this setting, having regard to the scale of the dwelling itself and its relationship with its neighbours. The external finishes would, however, be excessively bright when seen on a flat-roofed structure where these dormer bungalows have low eaves and a dark roof that inform

the scale and appearance of the receiving environment. That issue can also be addressed by condition.

- 15.0 The proposed west elevation facing no.41 would contain two small windows, one for the bathroom and the other for the wardrobe serving the master bedroom. They would be set back 2.5 meters approx. from the dividing boundary. Concerns about overlooking could likewise be addressed by means of a condition, i.e. amending Condition no.2.
- 16.0 The rear elevation, at first floor level, would contain two large windows. Potential overlooking/overbearing could be reduced to an acceptable degree if they were changed to a vertical design, with the window of bedroom no.1 set 1.5 meters minimum from the dividing boundary.
- 17.0 As stated above, a requirement should be included that the first floor extension have a dark finish in order to blend in better than the bright roof shown on the drawings. That can be addressed by the amended Condition no.2.

## 18.0 Recommendation

- 19.0 It is considered that the issues arising can be addressed solely under Condition no.2 but it needs to be amended. It is recommended that permission be granted for the reasons and considerations set out below.

## 20.0 Reasons and Considerations

Having regard to the A zoning objective pertaining to the site it is considered that, subject to compliance with the conditions set out below, the development would not seriously injure the residential amenities of the area or of property in the vicinity, would be acceptable from a visual amenity perspective and would generally be acceptable in terms of compliance with the criteria stipulated under the Dún Laoghaire-Rathdown

County Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 21.0 Conditions

2	<p>Prior to the commencement of development revised drawings shall be lodged for the written agreement of the planning authority. They shall include:</p> <p>(a) The proposed window for the room named Guest Bed /Office shall be set back 1.5 meters from the site boundary.</p> <p>(b) The two windows contained in the rear elevation of the proposed first floor extension shall have a vertical design.</p> <p>(c) The two first floor windows of the west elevation shall be obscure-glazed.</p> <p>(d) The proposed first floor extension shall have a dark roof colour.</p> <p>(e) The amended drawings to be submitted to the planning authority shall correct the inconsistencies shown in the lodged drawings. That requirement relates to the drawing entitled Existing Section A-A. In addition the line of Section A-A shall be shown on the floor plans, as well as the pergola/arcade proposed to the rear.</p> <p>Reason: In the interest of clarity, and in the interest of visual and residential amenity.</p>

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.

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Diarmuid Ó Gráda,  
Planning Inspector

9 July 2023