



An  
Bord  
Pleanála

## Inspector's Report

### ABP-317303-23

#### Development

PERMISSION & RETENTION: To retain playroom, previously a garage at ground floor. Permission for; (i) single storey extension to the front, (ii) extension at first floor over playroom, (iii) conversion of attic to store room and home office and dormer roof to rear, (iv) main roof to change from a hipped roof to a gable end roof.

#### Location

17 Hollybrook Grove, Clontarf, Dublin 3

#### Planning Authority

Dublin City Council North

#### Planning Authority Reg. Ref.

3435/23

#### Applicant(s)

Jim and Susan Lalor

#### Type of Application

Permission and Retention

#### Planning Authority Decision

Grant Permission

#### Type of Appeal

First Party against a condition

#### Appellant(s)

Jim and Susan Lalor

#### Observer(s)

None

#### Date of Site Inspection

3<sup>rd</sup> August 2023

#### Inspector

Joe Bonner

## 1.0 Site Location and Description

- 1.1. The site is located in Hollybrook Grove that consists of a T-shaped cul de sac of 81 houses that in turn connects via Strandville Avenue East to the Clontarf Road.
- 1.2. The site has a stated area of 0.0443ha, is rectangular in form and accommodate a two-storey semi-detached house with an adjoining flat roofed single storey (former garage). A rear ground floor extension has also been added to the house while many of the houses in Hollybrook Grove have been amended and extended from the original form.
- 1.3. The house has off street parking available at the front and a private garden at the rear. The roof type in Hollybrook Grove including those houses that have previously been extended is generally hipped with gable ended roofs on house No's 25 and 72, a side dormer at No.4 and several flat roofed side extensions.

## 2.0 Proposed Development

- 2.1. The proposed development comprises amendments to the existing dwelling consisting of:
  - Retention of existing playroom, previously a garage at ground floor.
  - Permission for:
    - a single storey flat roof extension to the front elevation to extend the existing playroom and new porch with two new roof lights.
    - first floor level extension over playroom.
    - a new attic conversion of existing attic to storeroom and home office with toilet along with a new dormer roof to the rear.
    - change the main roof from a hipped roof to a gable end roof with two new roof lights to the front elevation.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.2. On the 18<sup>th</sup> of May 2023, Dublin City Council issued a decision to grant permission and retention permission subject to the attachment of 13 No. conditions, including condition No. 4 which states:

4 The development shall incorporate the following amendments:

- a) The ridge height of the side extension shall be set down a minimum of 300mm below that of the main roof and with the eaves being immediately forward of the front elevation of the setback first floor side extension. The applicant is directed to the existing extensions to No's 16 & 19 Hollybrook Grove for reference.
- b) The rear dormer shall be contained solely within the plane of the existing rear roof with an external width of 1.5m with the glazing reduced proportionally.
- c) The two front rooflights shall be omitted in their entirety.
- d) The window to the new ensuite shall have its window equivalent in size to that of the walk-in wardrobe window with both windows, if obscured, to contain plain frosted glass with no embossed or etched pattern to the glass.

**Reason:** In the interest of the visual consistency and amenity of the streetscape and to comply with current Dublin City Development Plan requirements, in particular Appendix 18.5.0.

### 3.3. Planning Authority Reports

#### 3.3.1. Planning Reports

The Planning Officer's Report is the basis for the Planning Authority decision and includes the following:

- Reference to grants of permission at No's 16, 20, 33 and 34 Hollybrook Grove that included ground floor front and first floor side extensions.
- Appendix 18.4.0 and 18.5.0 of the development are relevant to extensions.

- Retention of the change of use of the garage to playroom presents no issues.
- The proposed ground floor extension to the front is acceptable.
- The first-floor side extension is acceptable subject to the size of the proposed en suite window being increased to match the existing front window on what will become the walk-in wardrobe.

#### Change from hipped to gable ended roof

- There is no precedent on the street for the change from hip to gable roof. This proposed alteration would not be in keeping with the pattern of development along the street. The building of a gable ended roof is problematic and would result in an extremely incongruous structure as per the proposed contiguous elevation.
- If permitted, other applications for similar developments would lead to a terracing effect on the streetscape which would individually and cumulatively detract severely from the visual amenities of the streetscape.
- An extended roof is acceptable subject to the roof being hipped and set down from the main ridge similar to No's 16 and 19.

#### Attic conversion and rear dormer

- As the gable ended roof form is not acceptable, the proposed dormer could not be accommodated.
- The proposed dormer is grossly overscaled, would read as a third storey and would be visually dominant.
- New build must be consistent with the established pattern of development on the street. Therefore, a 1.5m wide dormer can be provided, representing a 5.935m decrease in width from the 7.435m proposed by the applicant.
- There are no precedents for front rooflights in the streetscape, but due to the changes required to the roof it would not be possible to provide these rooflights and they should be omitted.

### 3.3.2. Other Technical Reports

Drainage Division – No objection subject to conditions

### 3.4. Prescribed Bodies

None

### 3.5. Third Party Observations

None

## 4.0 Planning History

4.1.1. There is no site specific planning history although a number of nearby planning decisions are considered relevant as they refer to the same elements of development sought in this application and are:

- **P.A. Ref. WEB1144/19** – Permission granted by DCC on 19<sup>th</sup> June 2019 for a front and rear single storey extension, proposed side and rear two storey extension at 20 Hollybrook Grove.
- **P.A. Ref. WEB1548/17 (ABP-300734-18)** – DCC decision to grant permission at 4 Hollybrook Grove for an attic conversion with dormer windows to rear and side and 2 no rooflights to front was subject to a condition requiring the omission of side dormer; amendment of design of rear dormer and omission of front rooflights. Following a first party appeal the Board removed the condition.
- **P.A. Ref. 3523/20 (ABP-308887-20)** – Permission sought to raise the ridge height of the permitted extension at 50 Hollybrook Grove by c.670mm to match the main roof ridge line of the dwelling. DCC conditioned out the raising of the roof height. Following a first party appeal the Board removed the condition.
- **P.A. Ref. 0850/93** – Permission granted on 17<sup>th</sup> June 1993 for a first floor extension to the side of No. 25 Hollybrook Grove. This house has a gable ended extension.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The relevant Development Plan is the Dublin City Development Plan 2022-2028, which came into effect on 14<sup>th</sup> December 2022.

5.1.2. The site is zoned 'Z1' Sustainable Residential Neighbourhoods with a stated objective 'to protect, provide and improve residential amenities'.

Section 4.0 of Appendix 18 addresses 'Alterations at Roof Level/ Attics/ Dormers/ Additional Floors', which provides that the following criteria will be considered in assessing alterations at roof level:

- 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/ visibility of proposed roof end.
  - Harmony with the rest of the structure, adjacent structures, and prominence.
- 5.0 Attic Conversions / Dormer Window, sets out guidance for the design and placement of dormers including: -
- Use materials to complement the existing wall or roof materials of the main house.
  - Be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
  - Relate to the shape, size, position and design of the existing doors and windows on the lower floors.
  - Be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.
  - In the case of a dormer window extension to a hipped/ gable roof, ensure it sits below the ridgeline of the existing roof.

## 5.2. Natural Heritage Designations

- None relevant

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. Condition 4(a), (b) and (c) of the decision to grant permission have been appealed by the applicant. Condition on 4(d) has not been appealed. The following is a summary of the main issues raised in the appeal:

- Condition 4(a) – requires the setting down of the ridge height of the side extension. While the Planners Report suggests that a hipped rather than a gable roof would be preferred, this is not mentioned in condition 4(a). There are a significant number of gable style roofs in the immediate area which are not set down from the main ridge, including in Hollybrook Road and the wider Clontarf area. A gable style roof is essential to providing the necessary internal space and accommodation.
- Condition 4(b) – The proposed reduction in the width of the dormer by 5.9m, to 1.5m, would mean it is would not be feasible to carry out the works as the space would be substandard. Condition 4(b) is fundamentally unreasonable and unfair especially in light of permissions granted and built for significantly wider dormers in the area.
- Condition 4(c) – Requires the proposed front rooflights to be omitted. However, there are examples of front rooflights in the immediate area including in Hollybrook Grove. The rooflights would provide light to the hall and toilet and would enhance ventilation.
- The applicant provides a precedent study including examples of two side gable extensions in Hollybrook Grove, three rear dormers one of which is in Hollybrook Grove and three examples of front rooflights with one in Hollybrook Grove. The specific examples provided as well as many others that are located in the area are part of the building fabric of both Hollybrook Grove and neighbouring streets. There is a well-established pattern of attic conversions

in the area as the original houses were not large enough for modern living and every element they are seeking permission for in this application is already in situ in other houses.

- It is requested that the Board removes Condition 4(a)(b) and (c).

## 6.2. **Planning Authority Response**

- None received

## 6.3. **Observations**

- None

## 7.0 **Assessment**

7.1. I have read all of the documentation attached to this file including the appeal and the report of the Planning Authority, in addition to having visited the site.

7.2. This is an appeal against three of the four sub parts of Condition No. 4 of the decision to grant permission of P.A. Ref. 3435/23. The applicant is contesting parts (a), (b) and (c) of Condition No 4. I consider it is appropriate that the appeal should be confined to Condition No. 4 (a), (b) and (c) only and I am satisfied that the determination by the Board of this application as if it had been made to it in the first instance would not be warranted and that it would be appropriate for the Board to use the provisions of Section 139 of the 2000 Act in this case.

### 7.3. **Condition 4(a) – Reduce ridge height**

7.3.1. In their report, the Planning Officer states that an extended roof is acceptable but with the roof being hipped and set down from the main roof ridge as seen on adjacent houses. However, those comments were not translated into the condition issued by the Planning Authority and in the appeal, the applicant correctly points out that condition No. 4(a) does not actually require the roof to be hipped, merely that the ridge be lowered by 300mm below the ridge of the main roof. This means that the Planning Authority has permitted the proposed gable end on the side extension.



- 7.3.2. The applicant is also correct to point out that there are two examples of gable ended houses in Hollybrook Grove being house No's 25 and 72 and photos of both are provided in the grounds of appeal, while No 4 has recently constructed a side dormer, the visual effect of which is similar to a full gable end.
- 7.3.3. As the condition does not require that the proposed gable end is changed to a hipped end, I am satisfied that the key matter to be considered in respect of condition no 4(a) is the ridge level.
- 7.3.4. The reason for attaching condition No 4 is in the interest of the visual consistency and amenity of the streetscape and to comply with current Dublin City Development Plan requirements, in particular Appendix 18.5.0. which includes Guidelines for attic conversions and provides that attic conversions should avoid extending the full width of the roof or right up to the gable ends.
- 7.3.5. Having visited the site and the Hollybrook Grove area, I am satisfied that there is no consistency of design in terms of amendments made to the original houses, with many different alterations having been carried on the existing houses to include two houses with full gable extensions, a side dormer and several flat roofed extensions as well as several substantial extensions to the rear of houses. The existing ridge is c2.1m while the new ridge will extend 6.9m to the permitted gable end. I am satisfied that the amenity of the streetscape at Hollybrook Grove will not be negatively affected by permitting the extension to have the same height as the existing ridge rather than reducing the ridge of the extension by 300mm as is proposed in condition 4(a).
- 7.3.6. I am satisfied that it is not necessary to reduce the height of the ridge of the extended roof in the interest of the visual consistency and amenity of the streetscape and condition No. 4(a) should be removed.

#### **7.4. Condition 4(b) – Rear Dormer**

- 7.4.1. The Planning Officer's report states that there are no rear dormers on the street proposed in this case. They also state that the proposed dormer is grossly overscaled and its width and proximity to the roof boundaries would read as a third storey which is contrary to the development plan policy set out in appendix 18.5.0. Following from the requirement to reduce the ridge height in condition 4(a), condition

4(b) reduced the external width of the dormer 1.5m (c1.1m internally). This was an effective refusal of permission for the proposed dormer by condition.

- 7.4.2. The reason for the planning authority not permitting a wide dormer is that it would read as a third floor. However, one needs to consider where this third floor would be visible from. The existing house forms the left side of a pair of semi-detached houses and the presence of No 18 to the immediate right (southwest) would eliminate any potential views of the dormer from the southwest west off the site. As the proposed gable end has not been required to be removed by condition, a dormer would not be visible from directly in front of the house. A small part of the side of the proposed dormer, which is to be set back 0.765m from the edge of the gable end, would be visible for area in front of No's 15 and 16 of Hollybrook Grove, and I am satisfied that it would not be prominent in or visually dominant from the streetscape.
- 7.4.3. The land to the rear of the site is undeveloped, is accessed by a narrow lane c3m in width, located between No's 24 and 25 Hollybrook Grove and provides access to the rear of the houses 1-25 Hollybrook Grove via lane/track immediately adjacent to the rear boundaries of the houses. A line of mature deciduous trees is located on the other side of the lane and separates the rear of the site from this undeveloped land and would reduce or eliminate any potential views of the proposed dormer window. while other buildings bounding this land would also eliminate views of the proposed dormer from the rear.
- 7.4.4. Rear dormers are located at house No's 4 and 28 Hollybrook Grove, while sizeable extensions have been added to the rear of a number of the other houses in development.
- 7.4.5. As Condition No 4(a) has not required that the gable end be removed, simply that it be lowered in height by 300mm and following from my assessment above that condition No 4(a) is unnecessary and should be removed, I am satisfied that the visual impact of the side of the proposed dormer as submitted to the planning authority would be negligible and I am further satisfied that condition No. 4(b) should be removed.

## 7.5. **Condition 4(c) – Front Rooflights**

- 7.5.1. Because of the changes that would be required on foot of proposed conditions 4(a) and 4(b), the design of the proposed roof would have been altered to the extent that

the Planning Officer considered that the front rooflights would be neither required nor necessary. The basis for this part of the condition was that the gable would not be in permitted, but it has not been excluded by way of a condition or a refusal of permission and has thus been permitted.

- 7.5.2. The rooflights are proposed to be staggered in the roof with the toilet roof light set at a lower level than the landing light.
- 7.5.3. The Planning Officer's report stated that there was no precedent for front rooflights in the street.
- 7.5.4. In the grounds of appeal, the applicant has provided photographic evidence of two rooflights on the front roof elevation of No 4 Hollybrook Grove, the site of which lies less than 40m south-west of the application site. The Planning Authority had conditioned that these front rooflights be removed (P.A. Ref. WEB1548/17) but the Board removed that condition and they have been installed (ABP-300734-18).
- 7.5.5. Although the proposed rooms where the rooflight would be located are proposed to be used for non-habitable purposes, there is no specific development plan policy restricting the use of rooflights on the front elevation of houses and Appendix 18.5.0 of the Dublin City Development Plan 2022-2028 provides that the use of roof lights to serve attic bedrooms will be considered on a case-by-case basis. Considering this and a recent and local precedent for front rooflights, I am satisfied that the two proposed front rooflights would not be out of character with existing developments in the immediately surrounding area, would not be highly visible from the public realm, would not dominate the roofslope and would not negatively impact the visual and residential amenities of the area.

## 7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/or a hydrological connection, the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

## 8.0 Recommendation

- 8.1. 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 parts a), b) and c) of Condition 4.

## 9.0 Reasons and Considerations

- 9.1.1. It is considered that the proposed development would not be out of character with the pattern of development in the vicinity, would not set an undesirable precedent for development and would be consistent with the Z1 zoning objective pertaining to the site, the objective of which 'to protect, provide and improve residential amenities'. The proposed development would, therefore be in accordance with the proper planning and sustainable development of the area.

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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Joe Bonner  
Senior Planning Inspector

31<sup>st</sup> August 2023