



An  
Bord  
Pleanála

## Inspector's Report ABP319038-24

### Development

Attic conversion for storage with dormer window to the rear. Two velux windows to the front roof area. Single storey front extension with parapet style roof with roof window.

### Location

4 Stonemason's Green, Ballinteer,  
Dublin 16 - D16HR58.

### Planning Authority

Dun Laoghaire-Rathdown County  
Council.

### Planning Authority Reg. Ref.

D23B/C523.

### Applicant(s)

David Gunn.

### Type of Application

Permission.

### Planning Authority Decision

Grant permission with conditions.

### Type of Appeal

Third Party

### Appellant(s)

Geraldine & Ray Vaughan.

### Observer(s)

None.

### Date of Site Inspection

05/04/2024.

**Inspector**

Anthony Abbott King.

## **1.0 Site Location and Description**

- 1.1. No. 4 Stonemasons Green is located mid-terrace in a configuration of 3 two-storey pitched roof houses to the south of a cul-de-sac known as Stonemasons Green. Stonemason Green is accessed via Broadford Rise from Stonemasons Road.
- 1.2. No. 4 Stonemasons Green is a two-bay red-brick terraced house. The abutting bookend houses at no. 3 Stonemasons Green (to the west) and no. 5 Stonemasons Green (to the east) have an additional recessed bay.
- 1.3. The front brick façade of the 3 terrace houses is characterised by a slated canopy / or angled hood located above the ground floor bay windows and entrance doors demarcating the ground and first floors.
- 1.4. The canopy is a continuous projection to house no. 5 Stonemasons Green and house no.4 Stonemasons Green; there is a break in the canopy between house no. 4 and house no. 3 Stonemasons Green.
- 1.5. There is a truncated boundary wall perpendicular to the terrace elevation that projects approximately 2m from the front façade along the property boundary with no. 4 Stonemasons Green and no. 5 Stonemasons Green. There is no discernible physical boundary to the front of the terrace between no. 4 Stonemasons Green and no. 3 Stonemasons Green.
- 1.6. The site area is given as

## **2.0 Proposed Development**

- 2.1. The proposed development comprises:
  - Attic conversion for storage with dormer window to the rear;
  - Two velux windows to the front roof area;
  - Single storey front extension with parapet style roof with roof window.

### 3.0 Planning Authority Decision

#### 3.1. Decision

Grant permission with conditions.

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

The decision of the CEO of Dun Laoghaire-Rathdown County Council reflects the recommendation of the planning case officer.

##### 3.2.2. Other Technical Reports

None.

### 4.0 Planning History

There is no recent relevant planning history.

### 5.0 Policy and Context

#### 5.1. Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

The area zoning objective is "A" (Map 5): *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (i) (Extensions to the Front) is relevant and *inter alia* states:

*Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house. The scale, height, and projection from the front building line of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, 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.....*

- Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) is relevant and *inter alia* states roof alterations / expansions to main roof profiles 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/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 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 shall be set back from the eaves, gables and/or party boundaries.*

*Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear.*

## **5.2. EIA Screening**

5.3. The proposed development is not within a class where EIA would apply.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

This third-party appeal is summarised below:

- The planning authority incorrectly identified the basic particulars of the site and its neighbours. Therefore, any assumptions made are not based on fact and must be deemed to be null and void. The proposed development is not in line with the development plan and disrupts the residential amenities of the neighbouring properties, particularly in terms of overbearing and overshadowing impacts.
- The site description incorrectly states that the subject site is bounded by the adjacent properties at nos. 3 & 5 Stonemasons Green to the east and west. Rather no.3 Stonemasons Green is located to the west and no. 5 Stonemasons Green is located to the east of the subject property at no. 4 Stonemasons Green.
- The planning assessment of residential amenities states there is an existing shared flank wall dividing the subject site from no. 3 Stonemasons Green, which is erroneous as no wall exists. Photograph attached with the appeal statement.
- The planning assessment is inaccurate by stating that there is no flank wall feature between the subject site and no. 5 Stonemasons Green;
- It is claimed the planning assessment of the residential amenities of no. 3 Stonemasons Green is misleading in terms of overshadowing and overbearing impacts. The assessment states the distance between the proposed extension and the windows in the living rooms are positioned further away from the door, which would therefore be less impacted by the extension in terms of an overbearing appearance. The appellant questions the relevance of this observation.
- The distance between the proposed extension and the living room window is 1.9m. The appellant claims that there will be significant overbearing and

overshadowing impacts because of proximity. The appellant questions the metric used by the planner to determine that the separation distance is adequate. Furthermore, the absence of a flanking wall would exacerbate the impact.

- The appellant claims that significant morning light is received from the west in the Livingroom. The fact that the orientation of the front extension is north facing is irrelevant. The planners assessment of overshadowing impacts is based on inaccurate details.
- The assessment inaccurately claims that the proposed driveway length complies with Section 12.4.8.1 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. The driveway length of no. 4 Stonemasons Green is 5.7m not 6m, which would not accommodate a parked car and bin storage.

## **6.2. Applicant Response**

The applicant response, prepared by Kevin Tiernan Planning Consultant, is summarised below:

- The applicant urges the Board to consider the appeal within the broader planning practice framework and advocates for the decision to grant permission by the planning authority. The grounds of appeal have not raised any issues that have not been dealt with extensively by the planning authority.
- The third party appeal is substantively based on the following erroneous grounds: claim of overshadowing; claim of overbearing; driveway length, which is a misinterpretation of the drawings, and typos in the Planner's Report.
- The typos in the planning assessment are inconsequential and are minor typographical errors and do not undermine the planning decision.
- The houses to the east and west of the subject site and the flank wall are unequivocally identified in the plans and particulars submitted to the planning authority.

- The appellant at no. 3 Stonemasons Green (which is to the west of the subject site) primarily base their appeal on the overshadowing impact of the proposed extension on their morning light from the west in the living room. The houses on the terrace are north facing to the front, therefore, it is not accurate that the houses on the terrace get morning sun at the front in the location of the proposed extension. The appellants appear to be referring to ambient light, which would not be unaffected.
- There is no evidence base to support the appellant claim that the proposed modest extension would be overbearing in terms of scale. The applicant refers to a number of extensions in the vicinity granted permission, which are larger in scale than the proposed extension.
- The driveway is of sufficient length. The appellants have misinterpreted the plans and is fully aligned with Section 12.4.8.1 and Section 12.3.7.1 of the development plan.

### 6.3. Planning Authority Response

The planning authority response is summarised below:

- The Board is referred to the previous Planner's Report;
- It is considered that the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

### 6.4. Observations

None recorded.

## 7.0 Assessment

- 7.1. The following assessment covers the points made in the appeal submission and is my *de novo* consideration of the application. It is noted there are no new substantive matters for consideration.
- 7.2. The subject house is located mid-terrace in a terrace of 3 identical houses (nos. 3, 4 & 5 Stonemasons Green). The substantive matter under appeal is the construction of

a single-storey extension to the front of the house that would project 2m from the Stonemasons Green terrace for the full width of the front elevation of the subject house. The front extension would facilitate internal reconfiguration of the ground floor of the house, including the accommodation of a ground floor lavatory and the extension of the living room of no.4 Stonemasons Green to the north. The applicant also proposes a storage area in the attic and the construction of a dormer in the rear roof plane and roof lights in the front roof plane.

#### Inaccuracies in planning authority assessment

- 7.3. The appellant claims that the planning assessment of the impact of the proposed single-storey extension on the residential amenities of the adjoining property at No. 3 Stonemasons Green to the west is significant and has been incorrectly assessed owing to inaccuracies in that assessment. The stated inaccuracies relate to the relative locations of the abutting houses in the terrace to the subject house. I note this inaccuracy. I confirm that the house the subject of the application, no. 4 Stonemasons Green, is a mid-terrace house, abutting no. 3 Stonemasons Green to the west and no. 5 Stonemasons Green to the east. All located in a terrace of 3 houses facing north onto a cul-de-sac.
- 7.4. The appellant also highlights the inaccuracy of the location of a flanking wall creating a part divider between the curtilage of no. 4 Stonemasons Green and its neighbour. The flanking wall is stated in the planning assessment as located between no. 4 Stonemasons Green and no. 3 Stonemasons Green (the residence of the appellant) where in fact there is no flanking wall between these properties. I note on the day of my site visit that the subject flanking wall is located between no. 4 Stonemasons Green and no. 5 Stonemasons Green. The wall would appear to be less than 2m in height and projects between 1.5m – 2m from the terrace elevation along the shared front property boundary.
- 7.5. I do not consider the absence of the flanking wall between no. 4 Stonemasons Green and no. 3 Stonemasons Green a material consideration given the indicative height and length of the existing projecting wall between no. 4 Stonemasons Green and 5 Stonemasons Green and the north orientation of the terrace.

#### Ground floor front extension

- 7.6. Section 12.3.7.1 (i) (Extensions to the Front), which *inter alia* provides that 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. The ground floor extension is modest in scale and would exhibit a parapet roofline with a flat roof. Its footprint would externally measure (2 000mm x 5046mm) approximately 10sq. The height of the parapet roof is stated as 3320mm. The material finish reading the elevation drawings comprises a plain white render. It is considered that the proposed first floor extension would in principle be acceptable in scale and design.
- 7.7. The extension would step forward of the terrace building line. The mid-terrace location of the projecting ground floor extension would ensure that the composition symmetry of the overall terrace elevation would not be compromised.
- 7.8. The canopy above the entrance door and the bay window of no. 4 Stonemasons Green would be removed to facilitate the front extension and the existing contiguous canopy feature to no. 4 and 5 would be truncated. The residual canopy would define the ground and first floor of no. 5 Stonemasons Green only, which would mirror the standalone canopy between the ground and first floor of no. 3 Stonemasons Green. The canopies to nos. 3 & 5 Stonemasons Green would be recessed either side of the front projecting extension to no. 4 Stonemasons Green.
- 7.9. The applicant has submitted two options for the detail design of the elevational treatment of the front extension. Option 1 shows the alignment of the extension parapet with the top of the existing canopy above the bay windows and entrance doors of nos. 4 & 5 Stonemasons Green.
- 7.10. The second elevation option shows the parapet line of the extension marginally higher above the height of the existing canopy. Option 2 would reinforce the height hierarchy between the centre house the subject of the appeal and the adjoining houses on either side emphasised by an existing gable roof feature.
- 7.11. The single-storey extension would read as an elongated porch to the overall terrace elevation. The ground floor projection would mirror the central emphasis provided by the gable feature at roof level above the elevation of no. 4 Stonemasons Green. I consider the composition of the terrace may be improved by reason of an enhanced central emphasis at ground floor level that would be best achieved by the additional parapet height provided by option 2.

- 7.12. I further consider there would be no discernible depreciation in visual amenity arising from the ground floor front extension subject to the agreement of the material finish. These matters can be dealt with by way of condition.

Overshadowing / overbearing impacts of the front extension

- 7.13. It is acknowledged that the proposed single-storey front extension would change the physical relationship between no. 4 Stonemasons Green (mid-terrace) and abutting houses in the terrace. In the matter of overshadowing and overbearing, the appellant has claimed that there would be a significant impact on their amenities in terms of daylight and sunlight. It is noted that the bay window to no. 3 Stonemasons Green is located approximately 2m from the proposed side elevation of the extension and is separated from the bay window by the entrance door and threshold.
- 7.14. The subject terrace is north facing with the rear gardens of the houses in the terrace enjoying a southerly aspect. I consider that the north-south orientation of the terrace, the relatively shallow projection of the ground floor front extension (2m) and the flat roof profile of the extension would mitigate daylight and overshadowing impacts. I do not consider that the proposed front extension would have a significant adverse impact in terms of daylight / sunlight on the neighbouring house at no. 3 Stonemasons Green.

Rear dormer extension

- 7.15. The applicant proposes to provide a dedicated accessible storage area at attic level. Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) provides assessment criteria for alterations to the roof plane and attic conversion of existing dwellings. The proposed dormer would be 3500mm in width. It would be located below the existing ridge of pitched roof and would be significantly set-back from the eaves.
- 7.16. The proposed dormer would satisfy the assessment criteria including set-backs from the eaves and party boundaries. I consider the proposed dormer extension is acceptable in principle and in material finish subject to condition. I further consider that the proposed front rooflights would not have a significant visual impact.

Other matters

- 7.17. The appellant claims that the driveway length of no. 4 Stonemasons Green is 5.7m not 6m, which would not accommodate a parked car and bin storage. On the day of

my site visit I noted that there is sufficient front curtilage to accommodate the extension, car parking and bin storage.

### Conclusion

- 7.18. In conclusion, the proposed development comprising a modest ground-floor front extension and a dormer extension to the rear roof plane of no. 4 Stonemasons Green, a mid-terrace two-storey dwelling in a terrace of 3 houses, would represent a reasonable improvement in accommodation on site, would not have a significant negative impact on the residential and visual amenities of neighbouring properties and would be consistent with the proper planning and sustainable development of the area.

### 7.19. **Appropriate Assessment Screening**

The proposed development comprises a modest extension in an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

## 8.0 **Recommendation**

- 8.1. The recommend a grant of permission subject to condition having regard to the reasons and considerations below.

## 9.0 **Reasons and Considerations**

Having regard to the grounds of appeal, the response of the applicant, the residential zoning objective and the policy framework for residential extensions provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, the proposed development, subject to compliance with the attached conditions, would provide a reasonable level of accommodation on site, would not have an adverse impact on the visual and residential amenities of neighbouring properties, would comply with Section 12.3.7.1 (i) ('Extensions to Dwellings-Extensions to the Front') and Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and, as such, would be consistent with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The front extension shall be design in accordance with "Option 02" illustrated on Drawing. 'Proposed Elevations' submitted to the planning authority on the 15 November, 2023.</p> <p><b>Reason:</b> In the interests of clarity and in the interests visual amenity.</p>
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
5.	<p>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. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable</p>

	<p>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 the Board to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000 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.</p>
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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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Anthony Abbott King  
Planning Inspector

12 April 2024