



An
Bord
Pleanála

Inspector's Report PL.06S.246862

Development	Permission for new attic roof light to front and retention of existing attic dormer to rear at 74 Rathfarnham Woods, Dublin 14.
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	06S.246862
Applicant(s)	Kevin Smyth
Type of Application	Third Party v Grant of Permission
Planning Authority Decision	Grant Permission
Appellant(s)	Anthony Brislane
Observer(s)	None
Date of Site Inspection	19 th September 2016
Inspector	Joanna Kelly

1.0 Site Location and Description

1.1. The appeal site is located within Rathfarnham Woods, a residential estate accessed off Nutgrove Avenue in Rathfarnham. The estate is characterised by detached two storey units. The dwelling on site is a large detached unit located at the end of a cul-de-sac. The dormer to be retained is located on the existing rear roof plane of the two-storey dwelling.

2.0 Proposed Development

2.1. The applicant is seeking to construct a new roof light on the front elevation. He is also proposing to retain an existing attic dormer to the rear.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission subject to the following conditions:

Condition 1 Compliance with plans and particulars

Condition 2 Amendments to proposed dormer location

Condition 3 Limitation of use

Condition 4 External finishes

Condition 5 Water supply and drainage infrastructure

Condition 6 Limitation on operation on machinery

Condition 7 Financial contribution

3.2. Planning Authority Reports

The report of the area planner notes development plan policy. One submission was noted raising issues of carrying out works without permission; loss of privacy; obtrusive development; precedent.

The planner considered that the dormer roof should be set down 0.1m from the ridge of the main roof. It was considered that the development did not increase overlooking. The planner recommended a grant of permission.

3.3. Other Technical Reports

Water services report

No objection subject to conditions

Irish Water

No objection

3.4. Third Party Observations

None received

4.0 Planning History

No relevant planning history noted.

5.0 Policy Context

Development Plan

The South Dublin Development Plan 2016-2022 is the statutory plan for the area.

Section 2.4.1 deals with residential extensions and it is the policy of the Council to support the extension of existing dwellings subject to the protection of residential and visual amenities.

Section 11.3.3 of the plan provides that the design of residential extensions should accord with the South Dublin County Council House Extension Guide (2010) of any superseding standards.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal can be summarised as follows:

- The distance of the dormer is substantially less than 22 metres between the two properties.
- It is contrary to the provisions of the development plan and the house extension Design Guide Booklet.
- The dormer overlooks the appellant's rear garden.
- The size and scale of the attic dormer is inappropriate to the roof on which it is located. It has a detrimental visual impact on the built environment and is not a traditional feature in the Rathfarnham Wood Estate.
- The window is overbearing, dominant and unreasonably intrusive.
- It greatly impinges on the privacy rights of the appellant's property. The current rear attic dormer does not lend itself to privacy by prudent landscaping.
- An extract is cited from the Design Guidelines regarding "a poorly located and bulky extension...." It is submitted that there is no evidence of any consideration having been afforded to the Guidelines in this regard.

- With regard to overlooking and loss of privacy, it is set out that perhaps the installation of additional roof-lights could be an alternative design solution.
- The rear attic dormer is extremely dominant and overlarge in relation to the scale and appearance of the house and its roof.
- There is no photograph example in the House Extension Design Guide showing an acceptable rear facing dormer type attic window overlooking an opposing rear facing house similar to that proposed to be retained.
- It is requested that the reasonable objections to the proposal are taken into account.

6.2. **Planning Authority Response**

The response is summarised as follows:

- Planning Authority confirms its decision.
- Issues raised have been covered in planner's report.

7.0 **Assessment**

The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Design
- Residential Amenity
- Appropriate Assessment

7.1 Design

7.1.1 The proposal involves the insertion of a rooflight on the front elevation to serve a shower room within the attic space which is considered acceptable.

7.1.2 With regard to the attic conversion, there is an existing bedroom in the attic space and the applicant is seeking to retain this dormer window as constructed. The dormer is quite large, measuring 2.1m in height. The visual impact of the dormer is localised in that it is generally only visible from the rear of the properties within the immediate vicinity of the site. The greatest visual impact is undoubtedly on no. 51 Rathfarnham woods; the appellant's property which it was not possible to access at time of inspection. A photo is attached as an appendix of the dormer as viewed from the side of this property (flush with front elevation). No other such constructions were noted in the immediate vicinity at time of inspection.

7.1.3 The House Extension Design Guide prepared by the planning authority provides guidance for attic conversions and dormer windows. The appellant specifically sets out that the applicant fails to comply with these guidelines. The proposed dormer is excessive in scale and size and is considered too large for the roof slope resulting in an overly dominant feature on the existing roof slope. The Guidelines specifically state "*avoid dormer windows that are over-dominant in appearance...do not obscure the main ridge...*". The dormer to be retained runs counter to the provision of the Guidelines in respect of such developments and results in a feature that is alien to the existing dwelling form and which unduly detracts from the visual amenities of the area, notwithstanding the localised visual impact.

7.1.4 The planning authority has conditioned that the dormer be set down 0.1m from the ridge of the main roof. Even with this modification, the scale of the dormer would be excessive. The application before the Board is for retention and as such I consider that the proposal runs counter to the Design Guidance for such developments.

7.2.0 Residential Amenity

The existing dormer appears very obtrusive particularly when viewed from the appellant's property. The planner's report sets out that the dormer structure to be retained does not increase levels of overlooking of adjacent properties and would not therefore seriously injure the residential amenities of the area. Pursuant to inspection of the applicant's property and in particular the views from the first floor windows and the dormer window to be retained, I consider that the dormer gives rise to increased overlooking of the appellant's property, in that the entire rear amenity space is within view from the dormer window. Whilst this could be addressed by the use of opaque glass, raising the sill level or provision of a roof-light, either of these options would also detract from the amenity of the internal habitable space itself. It is considered that a fundamental revision is required which addresses both design and impact on adjoining residential amenity.

7.3.0 Appropriate Assessment

Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location, no appropriate assessment issues arise

8.0 **Recommendation**

- 8.1. I recommend that planning permission should be refused for the following reasons and considerations

9.0 **Reasons and Considerations**

Having regard to the established pattern of development in the area and the scale of the attic dormer window, it is considered that the development is contrary to section 11.3.3 of the South Dublin County Council Development Plan 2016-2022 which provides that the design of residential extensions should accord with the House Extension Guide or any superseding standards. The dormer window would seriously injure the residential amenities and depreciate the value of adjoining properties by reason of overlooking and overbearing impact on existing residential properties particularly on no. 51 Rathfarnham Woods. The proposed development would set an undesirable precedent and would be contrary to the proper planning and sustainable development of the area.

Joanna Kelly

Planning Inspector

20 September 2016