



**Development**

Change of roof type from hipped to a gable end, new window to side and a flat roof dormer to rear, attic conversion and associated works.

**Location**

71 The Green, Beaumont, Dublin 9

**Planning Authority**

Dublin City Council

**Planning Authority Reg. Ref.**

WEB1236/15

**Applicant(s)**

Josie and Philip Quinn

**Type of Application**

Permission

**Planning Authority Decision**

Grant

**Type of Appeal**

Third Party

**Appellant(s)**

Stephen King, Jennifer Kane, Paul and Sue Morel

**Observer(s)**

None

**Date of Site Inspection**

12/12/2016.

**Inspector**

Anne Marie O'Connor

# **Contents**

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision.....	3
3.1. Decision .....	3
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies.....	4
3.4. Third Party Observations .....	4
4.0 Planning History.....	4
5.0 Policy Context.....	5
5.1. Development Plan.....	5
6.0 The Appeal .....	5
6.1. Grounds of Appeal .....	5
6.2. Applicant Response .....	6
6.3. Planning Authority Response .....	6
6.4. Further Responses.....	6
7.0 Assessment .....	7
8.0 Recommendation.....	9
9.0 Reasons and Considerations.....	9
10.0 Conditions .....	9

## **1.0 Site Location and Description**

- 1.1. The site comprises a modern 2-storey semi-detached dwelling in a suburban location at The Green, Beaumont, Dublin 9. It is located in a row of 3 dwellings, a pair of semis and a detached dwelling, within a small cul-de sac. The detached dwelling has a pitched roof profile, and the pair semis have hipped roof profiles. The appeal site backs onto the rear boundary of a similar dwelling row of dwellings at 67-69 The Green. The residential estate is characterised by a mixture of similar dwelling types with some bungalows.
- 1.2. There is an existing ground floor extension to the rear of No.71, and a large shed has also been constructed in the rear garden.

## **2.0 Proposed Development**

- 2.1. Planning permission is sought for the following works in association with an attic conversion:
  - change in roof type from hipped to a gable end with a half hipped roof form
  - new window in the side elevation of the new gable end
  - dormer window to the rear.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

**Grant.** The following conditions are of note:

- C.2 Revisions to include replacement of half hip with a pitched roof with a gable end, and reduction in width of rear dormer to max.3m and set back 1m from the eaves.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The planners report reflects the decision to grant permission. The following comments are also relevant:

- The replacement of hipped roofs with gable roofs appears to be common in the immediate vicinity. There is a mixture of roof profiles in the area. A precedent already exists for this form of development in the area.
- The rear dormer window should be set back within the rear roof slope to prevent the appearance of a 2<sup>nd</sup> floor extension and to ensure that it is ancillary to the existing roof profile.
- The proposed development will have no adverse impact on the character of the dwelling and no unacceptable impact on the amenities of the adjacent dwellings.
- The attic conversion will provide storage area and not habitable living space. As such, overlooking should not be an issue.

#### **3.2.2. Other Technical Reports**

Drainage: No objection subject to conditions.

### **3.3. Prescribed Bodies**

None.

### **3.4. Third Party Observations**

The issues raised are set out in the grounds of appeal.

## **4.0 Planning History**

None.

## **5.0 Policy Context**

### **5.1. Development Plan**

The Dublin City Development Plan 2011-2017 is the County Development Plan for the area.

The site is located within Zone 1 the objective for which is “to protect, provide and improve residential amenities”.

Section 17.9              Standards for Residential Accommodation

Section 17.9.8            Extensions and Alterations to Dwellings

Appendix 25             Guidelines for Residential Extensions

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The grounds of appeal are submitted by the occupants of Nos. 68 and 69 The Green, located to the rear of the appeal site. The issues raised can be summarised as follows:

- The small size of the rear gardens means that the proposed dormer development would be overbearing, domineering and visually incongruous, and would seriously injure the amenity and value of neighbouring property.
- Combined with the existing structure in the rear garden of No.71, the proposal would constitute over-development of the site.
- The dormer window would turn No.71 into a 3-storey building with an elevation view of the rear garden and windows in the appellants' dwellings, resulting in a loss of privacy. Should the Board decide to grant permission, all windows in the rear elevation should be opaque glazed to prevent overlooking.
- The dormer extension would be visible from the estate road and would be visually incongruous and detrimental to the character of the area which is characterised by 2-storey houses and bungalows.

- A similar development was recently refused planning permission in Cork (PL04.246481). The current proposal would set an undesirable precedent for further similar type development in the future.

## 6.2. Applicant Response

The applicant has submitted revised plans to reflect the terms of Condition 2 of the planning authority's decision, and has responded to the grounds of appeal as follows:

- A 22m separation is achieved between the rear windows of the appeal dwelling and the dwelling to the rear. The amended dormer window will be set back further. The attic will be used infrequently for storage. There will be no significant change in the level of overlooking as a result of the proposed development.
- The attic conversion does not represent a physical extension to the house and would not result in over development.
- The revised design ensures that the dormer would integrate well with the existing dwelling and other properties on the street, and is in compliance with development plan policies.
- The number of windows in the rear dormer is reduced to one. Having regard to the set back, the sill height and the size of the single dormer window, there should be no need for obscure glass.

## 6.3. Planning Authority Response

The planner's report adequately deals with the proposal. No further comment.

## 6.4. Further Responses

Issues relating to overbearing impact, loss of privacy, over-development of the site are reiterated. The use of the attic conversion for storage is questioned given the nature of the proposal and the unwillingness to fit the window with obscure glass. The separation distance of 22m is also questioned.

## **7.0 Assessment**

- 7.1. The applicant has submitted revised plans to reflect the amendments required by Condition 2 of the planning authority's decision, comprising the omission of the half-hipped feature in the (now) full gable roof, and amendments to the rear dormer window. The dormer window has been reduced in width from 4.2m to 3m, and is set back 1m from the eaves. It also now has a single window compared to the two originally proposed. The following assessment of the appeal has regard to the amended plans.
- 7.2. The grounds of appeal submitted by the properties to the rear relate to issues of residential and visual amenity and I consider these to be the main issues in this case. The matter of appropriate assessment also needs to be addressed.

### **Residential Amenity**

- 7.3. The grounds of appeal consider that the proposed dormer window will have an overbearing impact on their property and will result in overlooking from the window. The appellants also draw attention to the small size of the rear gardens. The applicant states that a separation distance of 22m is achieved between the rear elevation of the opposing dwellings. This is contested by the appellants but no alternative separation distance is provided. I note that the site layout drawing submitted is not at a correct scale, but the OSI map does support the applicant's contention. Certainly, the relationship between the plots in question is fairly typical in terms of modern suburban development, and although the garden areas are not large, I have found no evidence of a substandard separation distance. The provision of rear dormers is also a typical form of development in residential developments and are facilitated, subject to certain design criteria, by the City Development Plan (Appendix 25). Having regard to the reduction in the scale of the dormer, and the set back from the eaves, I do not consider that the proposal would have an overbearing impact on neighbouring properties, or result in an unacceptable level of overlooking.
- 7.4. I have considered the request for opaque glazing in the dormer window. However, having regard to the reduced size of the window, the adequate separation distance, and the existing first floor windows which have a similar relationship with the properties to the rear, I do not consider such a measure to be necessary.

7.5. I also note that a window to serve the attic is also proposed in the new gable elevation which faces the side of the adjacent detached dwelling at No.70. This window serves the stairwell, will face the blank gable wall of No.70, and will not seriously injure the residential amenity of that property.

### **Visual Amenity**

- 7.6. The grounds of appeal argue that the proposed dormer window would be incongruous in the streetscape and detrimental to the visual amenities of the area. In this respect I note that the dormer window would be visible from the estate road to the north, and that there are no similar structures in the immediate vicinity. While the design of the structure originally submitted could be considered a somewhat dominant feature, the amendments as required by the planning authority ensure that the revised proposal is visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible, and complies with the requirements for roof extensions set out in Appendix 25 of the CDP. I also note that the dormer is no higher than the existing ridgeline and is centred in the roofslope.
- 7.7. I am satisfied that scale, form and design of the revised dormer is appropriate to the visual context of the site located within an established housing estate, and would not appear over dominant or incongruous in the streetscape so as to negatively affect the visual amenities of the area.
- 7.8. The amended design also proposes the conversion of the hipped roof to a full gable wall, omitting the half hipped feature originally proposed. I note that this would result in a gable to one end of the semi-detached pair. The adjoining detached dwelling at No.70 is, however, gable ended and the appeal dwelling is located in a group of just three houses within a cul-de-sac so that it does not form part of a set piece or streetscape of similar roof forms. I also note that there are a variety of the roof forms in the area, including bungalows, and I do not consider that the proposal would be visually incongruous in this respect. I agree with the planning authority that the omission of the half-hipped feature is more consistent with existing roof forms and would result in less visual clutter.

### **Other matters**

- 7.9. The grounds of appeal also argue that the proposal represents **over-development** of the site. I note that the scale and nature of the attic conversion is relatively minor

and, notwithstanding the existing modest ground floor extension and the garden shed structure, would not result in an excessive quantity of development on the site.

- 7.10. Having regard to the lack of a significant impact on the residential or visual amenities of property in the vicinity discussed above, there is no evidence to support the appellants' contention that the proposal would negatively affect **property values** in the area.
- 7.11. The appellant also questions the use of the attic conversion as a storage area. Having regard to the conclusion in respect of the lack of any significant adverse impact on the amenities of neighbouring properties, I do not consider this to be a relevant consideration in this appeal.
- 7.12. Having regard to the nature and scale of the proposed development, its location in a serviced urban area, the distance to the nearest European sites, and the lack of a pathway to those sites, I am of the view that no **appropriate assessment** issues arise, and that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dublin City Development Plan 2011-2017 and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the

plans and particulars received by An Bord Pleanála on the 27<sup>th</sup> day of September 2016, 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.

**Reason:** In the interest of clarity.

2. The external finishes of the proposed extension including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

- .3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

5. . Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. . The external finishes of the proposed extension including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

---

. Anne Marie O'Connor  
Inspectorate

13/12/2016