



An  
Bord  
Pleanála

## Inspector's Report 29N. 247312

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<b>Development</b>	Conversion of attic to storage including changing hipped end roof to a gable end roof and associated works.
<b>Location</b>	66 Belmont Park. Dublin 5.
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	3284/16
<b>Applicant(s)</b>	Robert Gorman
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant subject to conditions
<b>Type of Appeal</b>	First Party-v-Condition
<b>Appellant(s)</b>	Robert Gorman
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	December 5 <sup>th</sup> , 2016
<b>Inspector</b>	Breda Gannon

## 1.0 Site Location and Description

1.1. The site is located at No 66 Belmont Park, Dublin 5. It accommodates an end of terrace two-storey dwelling with a hipped roof. The ground floor front elevation is finished in brick with a plaster finish to the first floor. The roof covering consists of brown tiles. To the rear of the site there is a more recently constructed single storey extension. Ground level falls away towards the rear of the site.

1.2. The area is residential in character with houses arranged primarily in terraces facing onto the public road.

## 2.0 Proposed Development

2.1. The proposal is to convert the attic space for storage purposes and to carry out alterations to the existing house, including the replacement of the existing hipped roof with a gable roof, the provision of a dormer extension to the rear and a velux roof light to the front.

## 3.0 Planning Authority Decision

3.1. The planning authority decided to grant permission for the development subject to 9 no. conditions. The following conditions are of note;

**Condition No 2** - External finishes to match existing.

**Condition No 3** - The attic space shall be used for storage purposes only.

**Condition No 4** - Requires that the development incorporate the following amendments;

a) The proposed gabling of the hipped roof profile and proposed front rooflight shall be omitted from the development.

b) The resultant rear 2<sup>nd</sup> floor dormer shall be amended as follows – the structure

- i. Shall not constitute more than 50% of the width of the existing rear roof plane; shall not breach any ridgeline; shall be pulled up from the eaves ridge line as shown; shall be centred on the rear elevation as

much as possible; shall not be less than 500mm from the party boundary with no. 65 Belmont Park.

- ii. The dormer roof; all elevations; fascia/soffits; rainwater goods; window frames and any glazing bars shall be finished in a dark colour so as to blend with the existing roof treatment.
- iii. No flat roofed area shall be used to accommodate any solar panels whether or not it would be exempted development under the Planning and Development Regulations 2001 (as amended).

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The Planning Officer's report of 31st August 2016, notes that the proposed development would be permissible under the Z1 zoning objective. However, Section 17.9.8 and Appendix 25 of the Plan requires that extensions/amendments including roof extensions respect the character of the main dwelling, which is considered can be best achieved by adopting the subordinate approach to their form. The close replication of roof profiles, detailing, window proportions and finishes etc also contribute towards design continuity, especially where the addition is prominent in the public realm. It is stated that there may be local examples of bespoke interventions that were developed nearby prior to the current development plan (which contains specific guidance on roof extensions), but will not be relied upon as setting any sort of precedence for new proposals.

The proposed development will involve a significant unilateral change to the existing terrace profile and will profoundly alter the character of the existing hipped roof profile by changing it to a gable ended dwelling. Such a change has not occurred on the other end of the terrace. It is recommended that this element of the development be omitted.

The second floor rear dormer element, while not breaching the primary ridge height and being 'pulled up' from the eaves is relying on the extended rear profile to host it, but is not centred on the rear extended roof plane and is only 400mm from the party boundary. The rear dormer window is also larger than the largest rear first floor

window. As it is being recommended that the proposed gabling of the hipped roof be omitted, there will as a consequence be a reduced roofplane on which to develop a rear dormer. It is therefore recommended that a modified rear dormer design be conditioned, and one that is subordinate to the existing rear roof plane.

It is normally recommended that front rooflights are omitted as they are difficult to co-ordinate across a shared roofspace, with potential variance in terms of positioning, size of aperture and projection above the roofplane. It is considered that adequate daylight would be achieved through the dormer window to the rear.

No significant issues arise regarding access to sunlight/daylight to third party properties. The proposed development will be used for storage purposes and with a set back of c. 18m from the rear boundary, will not result in overlooking. It is noted that the window in the gable shown in the attic plans is not shown in the side elevational drawings. It would normally be a requirement that this be fitted with opaque glazing.

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

The Drainage Division in their report raised no objection to the development subject to standard conditions.

### **3.3. Prescribed Bodies**

None.

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

None.

## **4.0 Planning History**

There is no reference to any site history.

## 5.0 Policy Context

### 5.1. Development Plan

The operative development plan is the Dublin City Development Plan 2016-2022, which came into effect on October 21<sup>st</sup>, 2016.

The site is located in an area zoned Z1 - Sustainable Residential Neighbourhoods. with an objective 'To protect, provide and improve residential neighbourhoods' .

Section 16.10.12 (Volume 1) and Appendix 16 (Volume 2) of the recently adopted Plan are relevant to the consideration of the proposed development. Relevant extracts from the plan are appended to the back of the report for the information of the Board.

### 5.2. Natural Heritage Designations

None

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- The appeal is against Condition No 4a, which requires that the development be amended to remove the proposed gabling of the hipped roof profile and the proposed front rooflight.
- There are a number of permissions granted throughout Dublin City's jurisdiction where precedent was taken into account.
- Some 25% of the roof ends along the road containing the proposed development are currently gable ended (i.e No's 59, 60, 79 & 85). In addition, the Grange Park estate to the north and Tuscany Downs to the south consist of gabled ended houses. Therefore, this type of intervention is part of the character of the area. Given the number of previously permitted similar developments, the decision is overly harsh, without precedent and should be set aside.

- The impact of existing gable conversions is minimal and does not detract from the amenity of the estate.
- The purpose of the alteration is to provide space for an accessible stairs to the attic storage space created by the insertion of the rear dormer window. The omission of this gable alteration would render the attic space inaccessible effectively negating the entire permission.
- The rear window is north facing and the light will be of poor quality and accordingly the velux light to the front is required to provide adequate daylight. It is not considered that its inclusion into the roofspace will have a detrimental impact on the amenity of the area. The positioning and size of the rooflight can be conditioned to ensure uniformity for future applications within the estate.

## 6.2. Planning Authority Response

- No response to the grounds of appeal was submitted by the planning authority.

## 7.0 Assessment

7.1. The proposal is to convert the existing attic space for storage purposes and to carry out alterations to the existing house, including the replacement of the existing hipped roof to a gable roof, the provision of a dormer extension to the rear and a velux roof light to the front.

7.2. A new Dublin City Council Development Plan has been adopted since the planning officer's report was prepared and the planning authority's decision was made on the application. The general provisions in the newly adopted plan (section 16.10.12) regarding extensions and alterations to dwellings remain largely unchanged i.e that extensions should not result in any adverse impact on the scale and character of the dwelling and that the amenities of adjacent buildings (privacy, access to sunlight and daylight ) are not compromised. The plan also specifies similar requirements with respect to the appearance and finishes of extensions and that they are subordinate to the main dwelling.

- 7.3. The previous development plan also set out guiding principles regarding roof extensions and these are replicated in the recently adopted plan.
- 7.4. The plan (Appendix 17) recognises that there are a wide variety of house types and styles within Dublin city and that it is not possible to deal with every type of addition. The plan sets out the general principles that should be addressed in all cases such as residential amenity issues, privacy, relationship between dwellings and extensions, daylight and sunlight, appearance, subordinate approach and materials.
- 7.5. There has, therefore, been no significant alteration to Dublin City Council's policy regarding extensions/alterations to dwellings as it applies to the proposed development.
- 7.6. The appeal is against Condition No 4 (a) only. The removal of this condition would allow the development to proceed as proposed. The question that arises for determination by the Board is whether this would result in a dormer extension that would not adhere to the guidance provided in the development plan. Having regard to the nature of the condition the subject of the appeal, I consider that the determination by the Board of the application as if it had been made to it in the first instance would be warranted.
- 7.7. The dormer extension does not break or project above the skyline and is set back from the eaves as required. Notwithstanding this, it presents quite a dominant feature in the roof, which could set an undesirable precedent for future similar development. I accept that while not objectionable in principle, the relocation of the dormer centrally in the roof with appropriate set back from the ridge line and the installation of smaller windows to match existing ones, as required by the planning authority, would result in a more visually acceptable and subordinate development.
- 7.8. I note the provisions of the development plan where it is acknowledged that the roof is the most dominant feature of a building and that any proposal to change its shape etc., must be carefully considered. Having inspected the area, I accept that the roof profile in Belmont Park is largely intact. I do note that there are a number of properties where similar roof alterations have been carried out i.e No's 32, 52 and 85.

7.9. The attic conversion cannot be used for habitable purposes as it does not comply with the Building Regulations. It is difficult, in my opinion, to justify the significant roof alterations proposed by the applicant in terms of the limited future use of the attic space. I also accept, as stated by the planning authority, that the proposal would result in a change to the roof profile of part of the terrace, which is not replicated on the other side, resulting in a discordant and visually unacceptable intervention.

7.10. Condition No 4(a) also requires the proposed front roof light be omitted. I note that there is only house in the locality with a similar roof light (No 79). Whilst I acknowledge the benefits that will accrue from the south facing aspect of the rooflight, I consider that adequate light and ventilation will be provided for the storage area from the rear window, without the need for further intervention in the roof at the front of the house.

## **8.0 Appropriate Assessment**

The nearest Natura 2000 sites are Baldoyle SAC and SPA to the east and North Dublin SAC and North Bull Island SPA to the south. Having regard to the location of the development within a built up area, the nature and scale of the development and the separation distance from the Natura 2000 sites, I consider that the proposed development either alone, or, in combination with other plans or projects, does not have the potential to impact adversely on the qualifying interests of any Natura 2000 site. Appropriate Assessment is not therefore required.

## **9.0 Recommendation**

Having regard to the nature of the condition the subject of the appeal, I consider that the Board should consider the appeal as if it had been made to it in the first instance. I recommend that permission be granted for the proposed development for the reasons and considerations set out below.



## 10.0 Reasons and Considerations

Having regard to the pattern of development in the area and the nature and scale of the proposed development, it is considered that subject to compliance with the conditions set out below the proposed development would not detract from the visual or residential 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.

## 11.0 Conditions

1. 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 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 interests of clarity.

2. The dormer shall be amended as follows:
  - i) The proposed gabling of the hipped roof profile and proposed front roof light shall be omitted from the development.
  - ii) The proposed dormer shall not constitute more than 50% of the width of the existing roof plane, shall not breach any ridgeline, shall be set back from the eaves as shown and shall be centred on the rear elevation as much as possible. The dormer shall not be less than 500mm from the adjoining party boundary to the west.

Prior to the commencement of development revised plans incorporating the amendments outlined above shall be submitted to and agreed in writing with the planning authority.

**Reason:** In the interests of visual amenity and to ensure that the dormer extension is subordinate to the roof slope.

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

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

4. The proposed dormer extension shall be used for storage purposes only.

**Reason:** In the interests of residential amenity.

5. 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 interests of public health.

6. Site development and building works shall be carried out only between the hours of 07.00 am to 18.00 hours Monday to Fridays inclusive, between 08.00 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall be allowed only in exceptional circumstances where prior written approval has been received from the planning authority.

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

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Breda Gannon

Planning Inspector

15<sup>th</sup> December 2016.