



An  
Bord  
Pleanála

## Inspector's Report PL06F.247512

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<b>Development</b>	Permission for Attic Conversion, new roof light to front elevation, new window to east facing gable elevation and dormer window to north-facing rear elevation
<b>Location</b>	6 The Wood, Hunter's Run, Clonee, Co. Dublin
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	FW16B/0088
<b>Applicant(s)</b>	Alan & Collete White
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First Party -vs- Condition No.2
<b>Appellant(s)</b>	Alan & Collete White
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	21 / 12 / 2016
<b>Inspector</b>	L. W. Howard

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## **1.0 Site Location and Description**

- 1.1. The application site is located within an established housing development, Hunters Run, located to the west of Blanchardstown Centre, within Clonee, County Dublin.
- 1.2. The application site comprises the eastern half of a pair of 2-storey semi-detached houses, which face north onto an area of public open space.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the following elements –
  - A 30m<sup>2</sup> attic conversion including a bedroom and a study.
  - A dormer to serve the attic conversion in the north facing rear slope of the roof. The proposed dormer width is stated as 4.970m, with a window c.2.5m wide.
  - A new rooflight to south facing front elevation, and a new window to east facing gable elevation.
  - The conversion of the house roof from the current hipped roof to a gable-ended roof.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Planning permission granted, subject to 9no. Conditions.
- 3.1.2. Condition No.2 is relevant in the context of the appeal. Condition No.2 requires that revised plans and elevations be submitted showing the proposed dormer –
  - reduced in size, with a total maximum external width of 4.00m,
  - set back from the rear eaves of the dwelling by a minimum of 1.5m, and
  - window detail reconfigured accordingly.

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

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

The key planning issues considered as follows :

### **Planning Principle**

- the principle of the proposed attic conversion, as a means to increase floor space within the RS Zone,
  - is in keeping with the existing dwellinghouse, and
  - does not detract significantly from the residential amenity of the adjoining dwellings.
- the proposed conversion of the roof form from half-hipped, to a full gable end is acceptable.

### **Residential Amenity**

- having regard to the proposed dormer window set back of 13.507m from the far end of the rear garden, the proposed development complies with Objective OS35 – ‘Privacy’ of the Fingal County Development plan 2011

### **Visual Amenity Impact**

- having regard to the scale and bulk of the proposed dormer feature in relation to the existing dwelling and its roof in particular, the proposed dormer would be out of proportion to the existing dwelling, incongruous and harmful to the visual amenities of neighbouring properties and the area generally.
- the proposed window design and size also detracts from the overall appearance of the dormer feature.
- in mitigation of negative visual impact, applicant to be requested to :
  - to reduce the dormer (maximum width 4.09m and set back from the rear eaves by a minimum of 1.5m). This will consequently reduce the internal depth of the dormer bedroom and en-suite by 1m.
  - ensure the dormer window feature be of similar form and design to the windows at 1<sup>st</sup> floor level.
- these design changes to be secured by way of Condition attached to any grant of planning permission decided.

### **Appropriate Assessment**

- The Planning Authority do not consider that the proposed development would be likely to have a significant effect individually, or in combination with other plans or projects, on a European site.

## **Conclusion**

- Subject to the design changes to the dormer element, the proposed development deemed as acceptable.
- Subject to Conditions, the proposed development considered to be in accordance with the proper planning and sustainable development of the area.

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

None

### **3.3. Prescribed Bodies**

None

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

None

## **4.0 Planning History**

None.

## **5.0 Policy Context**

### **5.1. Development Plan**

#### **5.1.1. Fingal Co. Development Plan (2011-2017):**

Relevant provisions incl. –

Chapt. 9 Land Use Zoning:

Zoning Objective “RS” Residential

Objective: Provide for residential development and protect and improve residential amenity.

### **5.2. Natural Heritage Designations**

None

## 6.0 The Appeal

### 6.1. Grounds of Appeal

#### 6.1.1. Impact of Condition No.2

- The reduction in the dormer size removes a significant amount of usable floor area, and requires an internal reconfiguration of the 2<sup>nd</sup> floor / attic level plan.
- Effectively, the proposed study area must be removed. The modest study / office area is considered a crucial element of the proposed development.

#### 6.1.2. Design of the Dormer Element

- A key consideration was that a dormer extension needed to be sympathetic to the existing house.
- The design intention was to pick up the lines of the existing house, specifically the outer edges of the existing 1<sup>st</sup> floor fenestration, and use the lines of the proposed dormer element to visually frame the upper floors, all whilst retaining an appropriate distance from the adjoining property.
- The proposed design takes the existing proportions of the house, and extend them to the 2<sup>nd</sup> floor level
- The size of the dormer is mitigated by the fact that the dormer feature visually frames existing fenestration and ties the existing house to the proposed new development.

#### 6.1.3. Visual Amenity Impact

- The setback distances are all within development guidelines
- No 3<sup>rd</sup> party objections were lodged.
- Threat of negative visual impact will be offset through detail design and careful selection of materials, in order to produce a high standard of finish, in keeping with the locality.
- Whereas as proposed rendered in off-white, now propose that rendering or cladding the dormer in a colour which references the slate of the roof plane, will significantly reduce potential for negative visual amenity impact.
- Reference several similar developments as precedent, and which emulate the aesthetic of the proposed dormer.

- Detailed design and careful selection of materials, will mitigate any harm to visual amenities of surrounding properties.

#### 6.1.4. Design and Size of the Window

- The proportions of the proposed dormer window were generated by the proportions of the existing fenestration to the rear of the house.
- At 1<sup>st</sup> floor level, each window pane is 850mm. These proportions are reflected at dormer level.
- Acknowledge the 3<sup>rd</sup> pane brings the fenestration out of line with the window below it. Applicant felt it unnecessary to keep strictly with the proportions of the existing house, rather favouring installation of a crisply detailed aluminium window, enhancing the contemporary design of the dormer.
- However, the dormer fenestration is a secondary issue in the current appeal. The applicant is prepared to amend the window detail if required.

#### 6.1.5. Local Precedent – 205 LittlePace, Clonee, D15

- Similar in proportion, the dormer element projects over a large proportion of the roof plane.
- Located 850m away, precedent for the type of development is created.

#### 6.1.6. Development Standards

- County Development Plan 2011 Development Standards – the minimum floor area for a 3-bedroom house over 2-floors is 100m<sup>2</sup>-101m<sup>2</sup>.
- The existing house is below this minimum standard.
- The Standard for 4-bedroom over 3-stories is 115m<sup>2</sup> - 120m<sup>2</sup>. The proposed development brings the accommodation area from 97m<sup>2</sup> to 127m<sup>2</sup>, just above the minimum standard.
- Therefore, the proposed development brings the applicant's house into line with contemporary development standards for a house in this area.

## 6.2. Planning Authority Response

Condition No.2 is considered appropriate and reasonable in the interest of residential amenity.

### 6.3. **Observations**

None

### 6.4. **Further Responses**

None

## 7.0 **Assessment**

7.1. This is a first party appeal against Condition No.2 of the grant of permission under **Reg.Ref.No.FW16B/0088**. Under Section 139 of the Planning and Development Act, 2000 (as amended), the Board has the discretion to consider this condition in isolation from the remainder of the application. I consider, having regard to the nature of Condition No.2, that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted, and the appeal should be determined under the provisions of Section 139.

7.2. I have examined the file and available planning history, considered the prevailing local and national policies, physically inspected the site and assessed the proposal and all of the submissions. Having regard to Condition No.2, I consider the relevant planning issues relate to :

- Impact of Condition No.2
- Design of the Dormer Element
- Design and Size of the Window
- Visual and Residential Amenity Impact

### 7.3. **Impact of Condition No.2**

7.3.1. I note the applicants existing 2-storey home is shown as c.97.5m<sup>2</sup> (ie. ground floor – 52.5m<sup>2</sup> + first floor – 45m<sup>2</sup>). At present, I note that at 'Table RD01 – Houses' of the County Development Plan 2011, Development Standards provide that the minimum floor area for a 3-bedroom house over 2-floors of a comparable household size is 100m<sup>2</sup>. Clearly, the existing house is below this minimum Standard.



- 7.3.2. The Development Plan 2011 provides further that the Standard for 4-bedroom over 3-floors is 115m<sup>2</sup>. The proposed development would increase the applicants accommodation / living area from c.97.5m<sup>2</sup> to 127m<sup>2</sup>, satisfactorily above the minimum Standard and in line with their domestic requirements.
- 7.3.3. Accordingly, the reduction in the dormer size consequent of Condition No.2, by implication clearly removes a significant amount of usable floor area, and would require an internal reconfiguration of the 2<sup>nd</sup> floor / attic level plan. Specifically, I note that this would include the omission of the proposed modest study / office area considered by the applicants as a crucial element of the proposed development. I understand further, that this consequence would threaten the applicants compliance with the relevant minimum floor area standards set out at 'Table RD01 – Houses' of the County Development Plan 2011. In my view, this is a reasonable, material consideration by the applicants against Condition No.2.
- 7.3.4. The challenge to the applicants' however, having regard to planning design 'principle' and the relevant requirements of the Fingal Co. Dev. Plan 2011, is to ensure their proposed rear attic conversion development has no disproportionate adverse impact on the scale & character of existing No.6, and no unacceptable impact on the amenities enjoyed by adjacent neighbours (ie. loss of privacy; access to natural light & visual). In this regard, I have had detailed review of all the plans and drawings outlining the proposed development, submitted by the applicant.

#### **7.4. Design of the Dormer Element**

- 7.4.1. I have had regard to the clarification argued by the applicants, that a key consideration 'in principle' was that the proposed dormer extension needed to be sympathetic to the existing house.
- 7.4.2. Specifically, I note their design intention was to pick up the lines at the rear of their existing house, specifically the outer edges of the existing 1st floor fenestration, and to use the lines of the proposed dormer element to visually frame the upper floors, all whilst retaining an appropriate distance from the adjoining property.
- 7.4.3. In my view, by taking the existing proportions at the rear elevation of their house, and extending them to the 2nd floor level, this has been reasonably and satisfactorily achieved by the applicants (see Drawing No.PL-008).

7.4.4. I accept the applicants argument as reasonable, that the size of the proposed dormer is mitigated by the fact that the considered design of the dormer feature visually frames existing fenestration and integrates the existing house to the proposed new development.

## **7.5. Design and Size of the Window**

7.5.1. By the applicants own acknowledgement, the 3rd pane within the dormer window, brings the fenestration out of line with the c.850mm window and patio door below it, as well as the kitchen rear window. Whereas in this regard, the applicants felt from an architectural design perspective, it unnecessary to keep strictly with the proportions of the existing house, I rather share the Planning Authority's concern that the dormer window should ideally be of similar form and design to the existing fenestration below. However, in the interests of residential amenity, I am inclined to the view that the 3rd pane as proposed would allow for satisfactory inflow of natural light into the proposed attic bedroom, enabling satisfactory residential amenity of the applicants. I deem this as a reasonable trade-off. Certainly, no obvious disproportionate compromise to residential amenity Standards will result consequent of the 3<sup>rd</sup> pane. For this reason, I have no objection to the retention of the 3rd pane in the dormer window, as proposed.

## **7.6. Visual and Residential Amenity Impact**

7.6.1. From the front, the proposed rear dormer element would not be visible from the public realm. From the rear, intervisibility is restricted to the rear elevations and rear yards / gardens of surrounding properties, all of which appear to satisfactorily comply with back to back separation standards in accordance with Objective OS35 – 'Privacy', of the County Development Plan 2011.

7.6.2. I consider it relevant that no neighbours or other Hunters Run property owners lodged an objection to the applicants' modest rear attic conversion proposed at No.6, at all, never mind the proposed dormer element specifically.

7.6.3. In my view, retention of Condition No.2, as argued for and applied by the Planning Authority, would be disproportionate to the argued infringement, if such were to be

the case at all, and having regard to the fact that a consequent visual impact, must logically and reasonably be expected of any attic conversion, or any other type of home alteration, conversion or extension development on the application site. In my view, this cannot be avoided, subject to compliance with relevant provisions of the County Development Plan 2011.

7.6.4. Application of the provisions of the Co. Dev. Plan 2011, should be towards positively enabling reasonable home improvements, and protection of residential amenities both of individual property owners, as well as collectively at Hunters Run.

7.6.5. I do share the applicants conviction that threat of negative visual impact would reasonably be offset through detail design and careful selection of materials, in order to produce a high standard of finish, in keeping with the Hunters Run local character.

In this regard, I note the applicants proactive suggestions that whereas as proposed rendered in off-white and accentuating contrast, alternative rendering or cladding of the dormer element in a colour and / or material which references the slate of the roof plane, will significantly reduce potential for negative visual amenity impact. This could reasonably be achieved by way of compliance by the applicants as required under Condition No.3.

7.6.6. I am therefore inclined to the view of the resultant change in the prevailing 'Hunters Run' estate-scape, consequent of supplementation with the proposed rear attic conversion to No.6, as proposed, as minor, and would not be overbearing on the common scale and uniformity of the immediate adjacent residents, and the neighbourhood in context, with no obvious disproportionate negative impact on the prevailing visual and residential amenity. Subject to all external finishes harmonising in colour and texture with the existing house, as required under Condition No.3, I believe that the proposed development would be in accordance with the proper planning and sustainable development of the area.

7.6.7. Accordingly, I conclude that Condition No.2, as written by the Planning Authority, be omitted,

## **8.0 Recommendation**

- 8.1. I recommend that the Board, based on the reasons and considerations set out below, directs the said Council under Section 139 of the Planning and Development Act, 2000 to REMOVE Condition No.2.

## **9.0 Reasons and Considerations**

- 9.1. Having regard to the extent of the proposed development to the rear roof of a 2-storey semi-detached dwellinghouse, the orientation and outlook of the proposed dormer, and the pattern of development in the vicinity, it is considered that the requirements of Condition No.2 restricting the size and extent of the proposed dormer are not necessary, and that the proposed development would not impact on the amenities of adjoining property by reason of negative visual externality, overlooking and loss of privacy.

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**L.W. Howard**  
**Planning Inspector**

**05<sup>th</sup> January 2017**