



An  
Bord  
Pleanála

## Inspector's Report PL.06D.248295

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<b>Development</b>	Changes to roof profile, dormer windows and attic conversion.
<b>Location</b>	86, The Rise, Mount Merrion, Co. Dublin.
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council.
<b>Planning Authority Reg. Ref.</b>	D17B/0018.
<b>Applicants</b>	Darren & Paula O'Neill.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	First Party v. Condition No. 2.
<b>Appellants</b>	Darren & Paula O'Neill.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	19 <sup>th</sup> June 2017.
<b>Inspector</b>	Dáire McDevitt.

## **1.0 Site Location and Description**

- 1.1. The application site is located along the eastern side of The Rise, off Trees Road Lower in Mount Merrion, County Dublin. It is part of the established residential area of Mount Merrion situated to the west of the N11 (Stillorgan Road) built in the late 1930s. The Rise is characterised by two storey semi-detached houses of various designs, finishes and sizes.
- 1.2. The site, with a stated area of c. 0.08 hectares is a semi-detached two storey house with a single storey garage to the side. The houses along the eastern side of The Rise are set out in pairs on generous plots with long rear gardens. To the north is No. 84 which has a side dormer facing No. 86. There are a number of properties in the general area with side and rear dormers.
- 1.3. Maps, photographs and aerial images in file pouch.

## **2.0 Proposed Development**

- 2.1. Permission for the construction of a dormer style roof to the rear and side, window projection to the rear on stair core, resulting in a change of roof profile and rear wall elevation, addition of roof lights in front and rear elevation, thus allowing the use of the attic space as a habitable room with minor alterations inside to allow stairs and all ancillary site works.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission granted subject to 6 conditions. These included condition No. 2:

*The proposed side dormer shall be omitted, to ensure the intended architectural design and expression of the building is not affected. Revised drawings showing compliance with this requirement shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.*

*Reason: In the interest of visual amenity.*

## **3.2. Planning Authority Reports**

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

This forms the basis of the Planning Authority's decision and the main points referred to relate to design and visual amenity.

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

**Drainage Section.** No objection subject to conditions.

**Conservation Architect.** Recommendation to Refuse permission on the grounds that the proposal would conflict with policy AR8 as the proposed side dormer would alter the side hip of the parent roof and hence change the roofscape which would adversely affect the intended architectural design and expression of the building.

## **3.3. Prescribed Bodies**

None.

## **3.4. Third Party Observations**

None.

## **4.0 Planning History**

### **No. 86 The Rise:**

**Planning Authority Reference D16B/0352.** Permission was refused for a similar development in 2016 for two reasons: No. 1 related to non-compliance with Section 8.2.3.4 (i) as the proposed rear dormer window was considered visually dominant in the roofscape and the side dormer would be visually dominant when viewed from the public realm. No. 2 referred to the side dormer which would alter the hip of the parent roof and hence change the streetscape and would adversely affect the intended architectural design and expression of the building which would conflict with Policy AR8 of the Development Plan.

**Planning Authority Reference D06B/0215.** Permission granted for a first floor over garage extension and rear extension. Not constructed.

**No. 51 The Rise:**

**Planning Authority Reference D16B/0265 (An Bord Pleanála Reference No. PL.06D.246836).** Permission was granted in October 2016 for extension and attic conversion. The Inspector at the time recommended that a reduced scale of the dormer to the rear roof plane would be considered acceptable. The Board attached a condition that the dormer be removed and replaced with a rooflight due to its scale and visual impact.

**No. 99 The Rise:**

**Planning Authority Reference D16B/0234.** Permission refused in 2016 for a two storey extension and dormer to the front. Reasons related to design, scale and non-compliance with policy AR8.

## **5.0 Policy Context**

### **5.1. Dun Laoghaire-Rathdown County Development Plan 2016-2022.**

**Land Use Zoning Objective ‘A’** *To protect or improve residential amenity.*

**Section 8.2.3.4 (i)** refers to Extensions to Dwellings. Such proposals shall be considered in relation to a range of criteria including having regard to length, height, proximity to boundaries and quantum of usable rear private open space remaining. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations.

**Section 8.2.8.4 (ii)** refers to standards for minimum separation distances between first floor opposing windows and garden depths.

**Policy AR8** refers to development of nineteenth and twentieth century buildings, estates and features and the need to ensure their character is not compromised and to encourage the retention of features that contribute to their character such as roofscapes and boundary treatments.

## **5.2. Natural Heritage Designations**

None.

## **6.0 The Appeal**

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

The grounds of appeal are in relation to condition no. 2

- The proposed dormer window would not injure visual amenities and does not conflict with policy AR8. The Planning Authority has permitted other similar applications for dormers and side extensions.
- Photographs of properties in the area with side dormers submitted.
- Reference to the PL.06D.246836 (No. 51 The Rise) decision and the reason for the omission of the dormer was on scale and visual amenity and not by reference to Policy AR8.
- The Rise is an area of individual house designs and there is no uniform character. There is a precedent for side dormers.
- The area is not an Architectural Conservation Area and the house is not a Protected Structure.
- The proposal complies with the requirements of the Development Plan for domestic extensions and the installation of dormer windows.
- The recommendation by the Conservation Officer to refuse permission as the proposal would alter the profile of the roofscape and conflict with AR8. This conflict with AR8 would render it difficult for any extensions and alterations to the side of houses in the area and any dormer will alter the parent roof profile.
- Request that condition no. 2 be omitted.

## **6.2. Planning Authority Response**

The appeal does not raise any new matters which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

## **6.3. Observations**

None

## **7.0 Assessment**

Having regard to the nature and scale of the development and the specific issue arising, that being a first party appeal against Condition number 2 of the Planning Authority decision, I am of the opinion that the determination of the application as if it had been made to the Board in the first instance is not warranted. In that regard I note the provisions of section 139 of the Planning & Development Act 2000 (as amended). This assessment will therefore be confined to the specific appeal of Condition number 2 of the Planning Authority decision. The issue of appropriate assessment screening also needs to be addressed.

The issues can be dealt with under the following headings:

- Design.
- Appropriate Assessment.

## **7.1 Design**

**7.1.1** Section 8.2.3.4 (i) of the County Development Plan refers to the criteria set out for domestic extensions. Policy AR8 refers to works affecting nineteenth and twentieth century buildings and features and the need to protect their character. The Planning Authority raised concerns that the installation of a side dormer to the roof of No. 86 by altering the side hip of the roof would change the

roofscape which would adversely affect the intended architectural design and expression of the building and attached condition no. 2 requiring that the proposed dormer to be omitted.

7.1.2 The proposed side dormer is screened on all approaches due to the setting of No. 86. There are no long views of No. 86 as it is not located on a prominent exposed site as was the case with No. 51 (PL. 06D. 246836). In my view, the overall scale of the dormer to the side would not be considered overbearing. The proposal for a side dormer is considered acceptable and would not detract from the architectural design and expression of the building.

7.1.3 The existing house is a two storey semi-detached dwelling with an attractive character. The Area is not designated as an Architectural Conservation Area and the house in question is not a Protected Structure. I am satisfied that the proposal complies with Section 8.2.3.4 (i) and would not conflict with Policy AR8 of the County Development Plan and the removal of the side dormer as set out in Condition No. 2 is not required to safeguard the architectural integrity of the building and visual amenities of the area.

## **7.2 Appropriate Assessment**

7.2.1 Having regard to the nature of the proposed development and the location of the site in a fully serviced built up suburban area, no Appropriate Assessment issues arise and it is not considered 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.

## **8.0 Recommendation**

I recommend that the Board consider the appeal in the context of section 139 of the Planning & Development Act 2000 (as amended). I further recommend that the Board direct the Planning Authority to remove Condition No. 2.

## **9.0 Reasons and Considerations**

Having regard to the design and nature of the development proposed it is considered that the proposed side dormer will not detract from the architectural design and expression of the building, would not adversely impact on the residential amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

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Dáire McDevitt  
Planning Inspector

21<sup>st</sup> June 2017