



An  
Bord  
Pleanála

## Inspector's Report PL29N.248668

---

<b>Development</b>	Attic dormer conversion with dormer window to rear, alteration to roof profile, removal of chimney and 2 velux windows to front and rear.
<b>Location</b>	17 Thorndale Lawns, Artane, Dublin 5.
<b>Planning Authority</b>	Dublin City Council.
<b>Planning Authority Reg. Ref.</b>	WEB 1128/17.
<b>Applicant</b>	Dumitru Vladeanu.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse.
<b>Type of Appeal</b>	First Party -v- Refusal.
<b>Appellant</b>	Dumitru Vladeanu.
<b>Observers</b>	None.
<b>Date of Site Inspection</b>	18 <sup>th</sup> August, 2017.
<b>Inspector</b>	Paul Caprani.

## **Contents**

1.0 Introduction .....	3
2.0 Site Location and Description .....	3
3.0 Proposed Development .....	3
4.0 Planning Authority's Decision .....	4
5.0 Planning History.....	5
6.0 Grounds of Appeal.....	6
7.0 Appeal Responses.....	7
8.0 Development Plan Provision.....	7
9.0 Planning Assessment .....	8
10.0 Appropriate Assessment .....	10
11.0 Reasons and Considerations .....	10

## 1.0 Introduction

PL29N.248668 relates to a first party appeal against the decision of Dublin City Council to refuse planning permission for an attic dormer conversion together with dormer window to the rear and alteration to the roof profile at a dwellinghouse at Thorndale Lawns, Artane, Dublin 5. Dublin City Council issued notification to refuse planning permission for two reasons. The first reason related to the adverse impact on the visual amenity of the area while the second reason stated that the proposed development would be contrary to the guidelines in respect of roof extensions set out in Appendix 17.11 of the Dublin City development plan.

## 2.0 Site Location and Description

- 2.1. No. 17 Thorndale Lawns is located on the western side of the Malahide Road in the suburban area of Artane approximately 4 to 5 kilometres north-east of the city centre. Thorndale Lawn is accessed off Elm Mount Road. The junction of Elm Mount Road and the Malahide Road is approximately 300 metres north of Collins Avenue.
- 2.2. No. 17 Thorndale Lawns occupies a corner site between the junction of Thorndale Lawns and Thorndale Avenue. The side garden of No. 17 has been developed as a detached dwellinghouse (No. 17A). No. 17 faces north-westwards onto Thorndale Lawns. It backs onto No. 1 Thorndale Crescent which likewise occupies a corner site but to date the side garden has not been developed at No. 1 Thorndale Crescent. No. 17 has a rear garden length of 9.25 metres. At ground floor it accommodates sitting room, kitchen and small dining room/play area to the rear. The dining room and play area are incorporated in a single-storey extension to the back of the house. Four bedrooms are provided at first floor level as well as en-suite bathroom, walk-in wardrobes etc. Currently there is no accommodation provided in the attic space.

## 3.0 Proposed Development

Planning permission is sought to alter the roof profile by raising the roof ridge height by 0.63 metres and to accommodate a new projecting dormer window on the rear

elevation in order to accommodate a new bedroom within the attic space. The new dormer window to the rear is to project out onto the existing rear elevation at first floor level. The dormer extension to the rear is 4.2 metres in width and 2.5 metres in height. It will incorporate a window 2.4 metres x 1.4 metres in size. Two velux-type windows are to be incorporated into the roof pitch on either side of the dormer extension. The extension is to incorporate a new bedroom (34.5 square metres) together with bathroom, storage area and a walk-in wardrobe. Two velux windows are also proposed to be incorporated in the roof pitch on the front elevation.

#### 4.0 Planning Authority's Decision

4.1. Dublin City Council issued notification to refuse planning permission for two reasons which are set out in full below:

1. *The current City Development Plan 2016 – 2022 sets out the requirement for domestic extensions in Section 16.10.2 which includes that such extensions do not have an adverse impact on the scale and character of the dwelling. The raising of the roof ridge and alteration to the angle of slope of the front and rear roof planes would create a visually incongruous roof profile inconsistent with the established roof form on the street. The alteration of the roof would have an adverse impact on the visual character of the streetscape and would, in itself and by the precedent set for such development, cause serious injury to the residential amenities of properties in the vicinity and would be contrary to both the current Dublin City Development Plan and the proper planning and sustainable development of the area.*
2. *The current City Development Plan 2016 – 2022 sets out requirements for roof extensions in Appendix 17.11 including the requirement that any dormer extension be visually subordinate to the main roof. The proposed rear dormer, in its overall size, width and height would be overscaled and visually dominant on the amended rear roof plane and would in itself and by the precedent for such overscaled dormer extensions cause serious injury to the residential amenities of property in the vicinity and would be contrary to both the current City Development Plan and the proper planning and sustainable development of the area.*

## 4.2. Planning Assessment

- 4.2.1. The planning application was lodged with the Planning Authority on 21<sup>st</sup> March, 2017. It was accompanied by a planning application form and drawings.
- 4.2.2. A report from the Engineering Department Drainage Division states that there is no objection to this development subject to standard conditions.
- 4.2.3. The planner's report notes that the existing roof profile and ridge height is generally consistent with other dwellings on the street and the proposed alteration under the current application is visually incongruous. The raising of the ridge and the alteration to the angle of the roof profile would not be consistent with this uniformed appearance on the streetscape. Concerns are also expressed in relation to the large dormer which is proposed to the rear. It is considered that this dormer would visually dominate the rear roof plane. The proposal will create an undesirable and unsustainable precedent and would be out of keeping with the prevailing character of the area. The proposal would also be contrary to the requirements set out in the development plan specifically in Appendix 17.11.
- 4.2.4. Dublin City Council therefore refused planning permission for the reasons set out above.

## 5.0 Planning History

No planning appeal files are attached. Relevant planning history is referred to in the planner's report and is briefly set out below:

Under Reg. Ref. 1863/06 (subject site) permission was granted for the demolition of an existing shed and the construction of a two-storey extension to the side and rear together with a new pitched roof to the rear and four velux windows and new porch area.

Under Reg. Ref. 4992/03 (adjacent site) planning permission was granted for a two-storey detached house to the side of the existing dwelling with an additional new front driveway and vehicular entrance.

Under Reg. Ref. 5043/06 planning permission was granted at 17A (adjoining site) for the retention of alterations and elevation and floor plan layout of a two-storey residence previously approved under Reg. Ref. 4992/03.

## 6.0 Grounds of Appeal

The decision of Dublin City Council to issue notification to refuse planning permission was the subject of a first party appeal. The grounds of appeal are outlined below:

The grounds of appeal set out the zoning objective, the site description, the proposal and the relevant site history for the subject site and the adjoining site.

Reference is made to Section 16.10.12 of the development plan and it is argued that the proposed development seeks minor changes to the ridge level. It is stated that the neighbouring roofs are higher and therefore the impact would be minor.

Reference is made to An Bord Pleanála Ref. PL29N.235382 (copy of inspector's report attached to the grounds of appeal) where a hipped roof was replaced by a gable roof and a large dormer was added.

It is also argued that the applicant would have no difficulty with obscure glass being incorporated into the dormer window. It is stated that the proposed dormer is of a modest size and scale. Overall the proposed development in its form, design and positioning will not result in any unreasonable loss of privacy or natural light to neighbouring properties.

It is argued that the proposed development is in keeping with the quoted precedent in the case of An Bord Pleanála Ref. PL29N.235382.

It is stated that the existing roof profile and ridge height is not generally consistent with other dwellings on the street and therefore would not be visually incongruous and out of character with the streetscape. The raising of the ridge and alteration in the angle of the roof profile would be consistent with the diverse appearance of the streetscape and would be in accordance with development plan policy.

The development is in keeping with the prevailing character of the area and this house type in Dublin, and is thus in keeping with the clear requirements of the development plan which allow for developments in this area of up to 16 metres in height.

It is also noted that no observations or objections were submitted from neighbours. They have all expressed their support for the proposal.

Photographs are attached to the grounds of appeal which provide examples of inappropriate type extensions to roofs in the wider area.

## 7.0 Appeal Responses

It appears that Dublin City Council have not submitted a response to the grounds of appeal.

## 8.0 Development Plan Provision

8.1. The subject site is zoned Z1 – to protect, provide and improve residential amenities.

8.2. Section 16.10.12 relates to extensions and alterations to dwellings. It states the following:

The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible and the development should integrate with the existing building through the use of similar finishes and windows. Extensions should be subordinate in terms of scale to the main unit.

Applications for planning permission to extend dwellings will only be granted where the Planning Authority is satisfied that the proposal will:

- Not have an adverse impact on the scale and character of the dwelling.
- Not adversely affect the amenities enjoyed by occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

8.3. Appendix 17.11 of the development plan specifically relates to roof extensions. It states the following:

The roof line of a building is one of the most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of a roof is carefully considered. If not treated sympathetically, dormer extensions can cause problems for immediate neighbours and in the way a street is viewed as a whole. When extending the roof, the following principles should be observed.

- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.

- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
- Any new windows should relate to the shape, size, position and design of existing doors and windows on the lower floors.
- Roof materials should be covered in materials that match or complement the main building.
- Dormer windows should be set back from the eaves level to minimise the visual impact and reduce the potential for overlooking of adjoining properties.

## 9.0 Planning Assessment

- 9.1. I have read the entire contents of the file, visited the site in question and have had particular regard to Dublin City Council's reason for refusal and the grounds of the first party appeal. The grounds of appeal rely heavily on the fact that An Bord Pleanála granted permission for a roof extension of similar size and design under PL29N 235382. I consider that any reference to the above application and appeal is not wholly relevant to the current application and appeal before the Board. Montrose Drive (to which PL 29N 235382 relates) is located near Beaumont Hospital and is located over 1 kilometre to the north of the subject site. It is located in a different residential estate which may or may not have precedence with regard to roof extensions in the area. I also note that the planning inspector's report notes in paragraph 12.1 of the report that "*a precedent for similar developments has already been established in the area*" (paragraph 12.1). Furthermore, the Board will note that that in granting permission for the proposed extension on Montrose Drive, Dublin City Council incorporated a number of conditions in relation to the proposal which were the subject of the first party appeal. The same does not hold true in the current case before the Board in that Dublin City Council refused planning permission for the proposed extension. While the proposal under PL29N 235382, was deemed to be acceptable in principle by the City Council, the same cannot be said in the case of the current application before the Board.
- 9.2. I would have a number of concerns in respect of the current application and appeal before the Board. I would agree with the Planning Authority's assessment that there is uniformity in roof ridge heights and roof ridge pitches in the immediate area



surrounding the subject site. This is apparent from the photographs attached to this report. The proposed increase in ridge height in my view would be incongruous and would impact on the visual amenities of the area. While I acknowledge that there is a variation in the symmetry of the roof pitch at No. 17A Thorndale Lawn this symmetrical imbalance is not apparent when viewing the front elevations of the house but is only apparent when viewed from the rear (see photographs attached).

- 9.3. Increasing the ridge height of No. 17 and the consequent changes in the roof pitch that would arise, would in my view have a significant and profound impact on the visual amenities of the area having regard to the uniformity in roof profiles which are generally apparent in the wider area. The impact would be further exacerbated in my view with the incorporation of a large dormer extension in the rear elevation of No. 17. It is clear again from the photographs attached that the rear of No. 17 is readily visible from public vantage points along the entire length of Thorndale Avenue. I consider the size and scale of the dormer extension which is of 4 metres in width and over 2.5 metres in height would be excessive in size and scale having regard to its prominent location near a corner site within the estate. As such I do not consider that the extension proposed can be considered to be subordinate to the roof slope.
- 9.4. The incorporation of a large window could also give rise to significant levels of overlooking of the adjoining rear garden and rear elevation of No. 1 Thorndale Crescent. There is less than 20 metres separation distance between the proposed dormer window and the rear return of No. 1 Thorndale Crescent. There is a general requirement for a separation distance of 22 metres between opposing windows for two-storey dwellings. Where an additional floor is to be created it could be reasonably argued that the separation distance should be increased commensurately. The grounds of appeal suggest that obscure glazing could be incorporated into the proposed dormer window. I would not consider it appropriate to address any issues of overlooking by incorporating obscure glazing on a window that serves as the main window for a habitable room
- 9.5. Arising from my assessment therefore I consider that the decision of Dublin City Council should be upheld in this instance and that planning permission should be refused for the alterations sought based on the reasons and considerations set out below.

## 10.0 **Appropriate Assessment**

Having regard to the nature and scale of the proposed development and the nature of the receiving environment together with the proximity to the nearest European site, 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 and projects on a European site.

## 11.0 **Reasons and Considerations**

It is considered that the proposed alterations sought would result in a visually inappropriate roof profile which would be inconsistent with the established roof form in the surrounding area. The proposed development would be contrary to the requirements set out in the Dublin City Development Plan 2016 – 2022 and in particular Appendix 17.11 which requires that any new dormer windows should be visually subordinate to the roof slope. The alterations to the roof profile together with the incorporation of a dormer window on the rear of the roof would seriously injure the visual amenities of the area and property in the vicinity and would therefore be contrary to the proper planning and sustainable development of the area.

---

Paul Caprani,  
Senior Planning Inspector.

22nd September, 2017.