



An
Bord
Pleanála

Inspector's Report ABP-301118-18

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| Development | Dormer window to rear roof slope and two roof lights to front. |
| Location | 73, Grange Abbey Drive, Donaghmede, Dublin 13 |
| Planning Authority | Dublin City Council |
| Planning Authority Reg. Ref. | 4447/17 |
| Applicant(s) | Claudia & Gerard Corcoran |
| Type of Application | Permission |
| Planning Authority Decision | GRANT with conditions. |
| Type of Appeal | 1 st Party against condition |
| Appellant(s) | Claudia & Gerard Corcoran |
| Observer(s) | None |
| Date of Site Inspection | 22/06/18 |
| Inspector | John Desmond |

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1.0 Site Location and Description

- 1.1. The site is located in Donaghmede, in Dublin City's northeast fringe c.570m southwest of Clontarf train station, within an expansive area of relatively low density suburban housing.
- 1.2. The application relates to a semi-detached dwelling of 83-sq.m staged gross floor area, excluding any attic floorspace, on a site of 187-sq.m stated area. The dwelling and neighbouring residences date, I estimate, from the 1970s. A number of neighbouring dwellings have existing box dormers to the rear.

2.0 Proposed Development

- 2.1. It is proposed to erect a box-dormer structure to the rear (north) roof slope, with two rooflights to the front (south) roof slope.

3.0 Planning Authority Decision

3.1. Decision

GRANT subject to conditions. **Condition no.2**, subject of this appeal, states:

The development hereby approved shall incorporate the following amendment:

- a) *The dormer shall be reduced in width to be a maximum width of 3.5m external width and shall be centrally located within the rear roof plane insofar as is possible;*
- b) *The resultant dormer ope or opes shall be no larger than the existing largest 1st floor ope below.*

Reason: In the interests of orderly development and visual amenity.

Other conditions of note may be summarised as follow:

Condition no.3 restricts the external elements of the dormer to a dark colour to blend with the existing roof.

Condition no.4 prohibits erection of solar panels on the rear dormer, whether or not covered by exempted development provisions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer (08/02/18) is consistent with the decision of the planning authority and the conditions attaching thereto.

3.2.2. Other Technical Reports:

Drainage Division (10/01/18) – no objections subject to standard condition.

4.0 Planning History

Reg.ref.1299/04: Permission **GRANTED** by the Planning Authority (FG 22/04/04) for attic conversion with dormer window to rear of 138, Grange Abbey Drive, Baldoyle, Dublin 13.

Reg.ref.2322/07: Permission **GRANTED** by the Planning Authority (FG 26/06/07) for retention of extension at no.13A Grange Abbey Drive. The proposed retention of dormer extension in rear of attic omitted by condition no.3.

5.0 Policy Context

5.1. Development Plan

Dublin City Development Plan 2016-2022

Land use zoning objective Z1 *'To protect, provide and improve residential amenities'*.

Section 16.10.2 Residential Quality Standards – Houses: ...Aspect, Natural Light and Ventilation: *Living rooms and bedrooms shall not be lit solely by roof lights.*

Section 16.10.12 Extensions and Alterations to Dwellings: *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 amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.*

Appendix 17 Guidance for Residential Extensions: S.17.3 Residential Amenity Issues; S.17.4 Privacy: *Extensions should not result in any significant loss of privacy*

to the residents of adjoining. properties. Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided. Where essential, the size of such windows should be kept as small as possible and consideration should be given to the use of high-level windows and/or the use of obscure glazing where the window serves a bathroom or landing. Balconies will only be allowed where they are well screened and do not adversely overlook adjoining properties. The use of the roofs of flat roof extensions as balconies can often lead to problems of overlooking.

S.17.11 Roof Extensions: *When extending in 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 window should relate to the shape, size, position and design of the 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 their visual impact and reduce the potential for overlooking of adjoining properties.*

5.2. **Natural Heritage Designations**

Baldoyle Bay SAC Site no.000199 (c.1.24km to northeast).

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The main grounds of the First Party **appeal against condition no.2** may be summarised as follow:

- There were no objections from neighbours, indicating that they have no concerns regarding impact on their amenities in terms of privacy, light or visual and the condition is not warranted.

- There is precedent for larger dormer structures in the vicinity, including permission reg.ref.1299/04 without dimension restrictions.
- There are larger dormer windows at nos.24, 44, 52 and 58, but apparently without planning permission and with no evidence of enforcement by the Planning Authority.
- The dormer has been designed to have no impact on the scale and character of the dwelling, but to improve it.
- The principles for the design of roof extensions under the Plan have been met, including the dormer being in context with existing dormers as it is stepped back from the ridge and eaves. Condition no.2 is therefore unnecessary.
- The applicants have a growing family in a house of limited size and need to maximise the space available and, in particular, the attic space. Condition no.2 reduces the quality of space available.

6.2. **Planning Authority Response**

No response received.

7.0 **Assessment**

The main issues arising may be addressed under the following headings:

- 7.1 Introduction
- 7.2 Policy / principle
- 7.3 Visual impact and impact on amenities
- 7.4 Appropriate Assessment

7.1. **Introduction**

- 7.1.1. This appeal is a first party appeal against a condition (**no.2** only) attaching to the decision of the planning authority. Condition 2 requires the development to be amended as follows:

- a) *The dormer shall be reduced in width to be a maximum width of 3.5m external width and shall be centrally located within the rear roof plane insofar as is possible;*
- b) *The resultant dormer ope or opes shall be no larger than the existing largest 1st floor ope below.*

Having regard to the provisions under section 139(1) of the Planning and Development Act, 2000, as amended, the Board has the discretion to limit its considerations to the condition concerned. I am of the opinion that, having regard to nature of the condition, determination of the application by the Board, de novo, would not be warranted in this instance.

7.2. Policy / principle

- 7.2.1. The Planning Authority had no issue with the principle of the proposed development on this site zoned objective Z1, *'To protect, provide and improve residential amenities'*

7.3. Design and visual impact / impact on amenities

- 7.3.1. The Plan (s.16.10.12) provides that extensions and alterations to dwellings will only be granted where the planning authority is satisfied that the proposed will not have an adverse impact on the scale and character of the dwelling and will not adversely affect the amenities of neighbouring property in terms of access to daylight and sunlight. Appendix 17 of the Plan (Vol.2) contains design guidance on residential extensions, including roof extensions, specifically (s.17.11 - see section 5.1, above).
- 7.3.2. The proposed rear dormer faces onto a similar row of houses to the north and would be publicly visible only to a narrow strip of public space to the west. Similar rear dormer structures are visible from this area and do not appear particularly obtrusive or out of character.
- 7.3.3. I consider the proposed dormer to be consistent with the scale and character of the existing dwelling and not to adversely affect the amenities of property in the vicinity and to be consistent with the provisions of the Plan and its design guidance, except in terms of the fenestration arrangement. I do not consider condition no.2, limiting

the width of the structure and amending the fenestration pattern, to be necessary '*in the interests of orderly development and visual amenity*'.

- 7.3.4. There are a number of relatively minor anomalies in the submitted drawings that warrant clarification by condition. The distance between the proposed dormer structure and the edge of the roof is shown as 990mm in plan versus 1122mm in elevation – this results from incorrect illustration of the roof structure in plan which shows the roof terminating flush with the gable and excludes the eaves projecting over same. The Board may consider it appropriate to attach a condition clarifying the setback of 990mm from the external face of the east gable wall at attic level.
- 7.3.5. The proposed dormer access stairs would be located within the line of the existing roof slope, outside the eastern side of the box dormer, where there is insufficient headroom to accommodate same (maximum ceiling height of c.1.6m above landing, reducing to c.800mm). The Board may consider it necessary to clarify by condition that provision of access to the attic level will be within the envelope of the existing roof and / or proposed dormer structure. The attic plan, but not the roof plan nor elevations, shows a rear attic window at the access stairs landing where none is shown in elevation. I see no issue with an additional rooflight, however the drawings suggest an opening other than a roof light. The Board may consider it appropriate clarify by condition that the terms of the permission to not authorise a rear window to the access landing, other than a roof light matching those proposed to the front roof slope.

7.4. Appropriate Assessment

- 7.4.1. Having regard to the small-scale nature of the development proposed within an existing built-up area, it is not considered that the proposed development would be likely to have a significant effect, directly or indirectly, individually or in combination with other plans or projects on any European site. I consider no Appropriate Assessment issues to arise.

8.0 Recommendation

- 8.1. The Board is satisfied, having regard to the nature of condition 2, that the determination of the application as if it had been made to the Board in the first

instance is not warranted and directs Dublin City planning authority to **AMEND** condition no.2 as follows:

- (a) The roof dormer shall be at least 990mm from the external face of the east gable wall at attic level.*
- (b) Access to the attic level shall be provided within the envelope of the existing roof and / or the proposed dormer structure.*
- (c) No window or other opening, other than a roof light matching the proposed front roof lights in dimension, shall be provided to the attic landing on the rear roof slope.*

Reason: To clarify the nature and extent of the permission where there are anomalies between plans and drawings submitted to the application.

9.0 Reasons and Considerations

It is considered that, subject to compliance with condition no.2, as revised, the design of the proposed dormer would generally accord with the design standards for such development under Appendix 17, Vol.2 of the Dublin City Development Plan 2016-2022, would not be unduly out of character with the pattern of development in the vicinity, would not set an undesirable precedent for development or seriously injure the amenities of property in the vicinity, would be consistent with the zoning objective pertaining to the site, Z1 '*To protect, provide for an improve residential amenities*', and would be in accordance with the proper planning and sustainable development of the area.

John Desmond
Senior Planning Inspector

26th June 2018