



An  
Bord  
Pleanála

## Inspector's Report ABP-302077-18

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<b>Development</b>	Attic roof space conversion with roof dormer to side part of roof, roof dormer and rooflight to rear part of roof, removal of obsolete single chimney stack to rear part of roof
<b>Location</b>	101, Ballymun Road, Glasnevin, Dublin
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	WEB1204/18
<b>Applicant(s)</b>	Jim & Maria Bradley
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	
<b>Type of Appeal</b>	First Party against condition
<b>Appellant(s)</b>	Jim & Maria Bradley
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	21/08/18
<b>Inspector</b>	John Desmond

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## 1.0 Site Location and Description

1.1. The application site is located in north Dublin City, on Ballymun Road, opposite Hampstead Park. The application relates to a semi-detached, brick dwelling, dating probably from the interwar period, on a site of 520-sq.m stated area. The house is set within a row of similar dwellings. The floor area of the existing dwelling is not stated on the application form, but measures approximately 160-sq.m.

## 2.0 Proposed Development

It is proposed to:

- Convert existing attic space to en-suite attic store;
- Provide side and rear dormers at roof level and rear roof light;
- Remove obsolete rear chimney stack;
- Associated internal alterations.

## 3.0 Planning Authority Decision

### 3.1. Decision

To **GRANT** permission subject to 8no. conditions, including non-standard condition no.2, which reads:

*The development hereby approved shall incorporated the following amendments:*

- (a) The hipped dormer structure on the southern side roof plane shall be set back from the side plane of the dwelling by a minimum 0.5m;*
- (b) The box dormer structure on the western rear roof plane shall have a maximum external width of 3.1m and shall be set off the common boundary with 103 Ballymun Road by 1m.*

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

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report (14/06/18) and recommendation of the planning officer is consistent with the planning authority's decision to grant and the conditions attaching thereto,

#### 3.2.2. Other Technical Reports

Drainage Division report (25/05/18) raised no objection subject to 2no. standard conditions.

### 3.3. Third Party Observations

None.

## 4.0 Planning History

**Reg.Ref.3608/09:** Permission **GRANTED** (29/10/09) for alterations and additions to an existing two storey single family dwelling, comprising provision of single storey bay window to front of existing garage, conversion of existing single storey garage to study and WC, conversion of existing kitchen to utility and provision of flat roofed extension with kitchen and dining area to rear and sundry internal works and works to boundaries and landscaping.

## 5.0 Policy Context

### 5.1. Development Plan

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

**Section 16.10.12 Extensions and Alterations to Dwellings:** [...] *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 amenities enjoyed by*

*the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.*

**Appendix 17 Guidance for Residential Extensions:** S.17.11 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**

North Dublin Bay SAC 000206 (c.6.1km to the southeast).

North Bull Island SPA 004006 (c.6.1km to southeast).

South Dublin Bay and River Tolka Estuary SPA 004024 (c.3.7km to southeast).

## 6.0 **The Appeal**

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

The main grounds of the first party appeal submitted c/o John Henry Architect 16/07/18 may be summarised as follow:

- This is an appeal against condition no.2(a).
- Impractical to setback side dormer which provides stair access over existing staircase.

- There is an established pattern for similar side dormers permitted in the vicinity (photo survey attached to appeal).
- The proposed dormer incorporates a stepdown to address the subordinate silhouette, in compliance with the CDP guidelines and is designed not to take away from the main hipped roof.
- The conditioned amendments reduce the overall floor area to such an extent as to render the space not feasible and not worth building.
- The condition is unreasonable and unfair.
- An Bord Pleanála is invited to remove and / or amend condition no.2(a)

## 6.2. Planning Authority Response

None.

## 7.0 Assessment

### 7.1. Introduction

- 7.1.1. This First Party appeal is against the attaching of condition 2(a) to the grant of permission, amending the proposed side dormer. 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 conditions concerned. I am of the opinion that, having regard to nature of the conditions, determination of the application by the Board, de novo, would not be warranted in this instance.
- 7.1.2. This is a single-issue case relating to design and visual impact, in addition to the standard environmental considerations.

### 7.2. Design and visual impact

- 7.2.1. Proposals for residential extensions are assessed against the Council's development management standards, s.16.10.12 *Extensions and Alterations to Dwellings*, and guidance under Appendix 17 *Guidance for Residential Extensions*.

7.2.2. Having inspected the site and viewed the streetscape and surrounding built context, I am satisfied that the proposed side dormer, which I am satisfied has been designed to be subordinate to the main roof of the dwelling, would have minimal impact on the character of the dwelling and on the existing streetscape. The proposed development would not be contrary to the provisions of s.16.10.12 and would comply with the guidelines under Appendix 17. I therefore do not consider it necessary to set it back further from the side elevation and would advise that condition no.2(a) be omitted as requested by the first party.

### 7.3. **Environmental Impact Assessment Screening**

7.3.1. Having regard to the small-scale and nature of the proposed development and the nature of the receiving environment, there is no real likelihood of significant impacts on the environment arising from the proposed development. The need for environmental impact assessment can therefore be excluded at preliminary examination and a screening determination is not required.

### 7.4. **Appropriate Assessment Screening**

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 and scale of the proposed development and to the nature of the conditions subject of this first party appeal, the determination of the application as if it had been made to the Board in the first instance is not warranted and the Board directs Dublin City planning authority to **OMIT** condition nos.2(a).

## 9.0 Reasons and Considerations

It is considered that having regard to the site context, including the existing pattern of development including alterations to neighbouring dwellings at roof level, the design of the proposed development would generally accord with the design standards for such development under Appendix 17, Vol.2 of the Dublin City Development Plan 2016-2022 and would not be unduly out of character with the pattern of development in the vicinity, would not 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.

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John Desmond  
Senior Planning Inspector

5<sup>th</sup> November 2018