



An  
Bord  
Pleanála

## Inspector's Report ABP-302764-18

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<b>Development</b>	Front porch, garage conversion, first floor extension over garage, attic conversion with roof lights and rear dormer window.
<b>Location</b>	8 Kincora Drive, Clontarf, Dublin 3
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1378/18
<b>Applicant(s)</b>	Malachy and Susan Bradley
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Eileen Drew
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	09/12/2018
<b>Inspector</b>	Anne Marie O'Connor

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## 1.0 Site Location and Description

- 1.1. The site comprises a 2-storey semi-detached dwelling, in a mature suburban location in Clontarf, Dublin. No 8 has a link attached garage with No. 10 Kincora Drive, with a narrow passageway along the boundary to side of the house. There is car parking for two cars to the front.
- 1.2. The rear boundary backs onto the rear garden of Nos. 7 and 9 Kincora Grove. The houses benefit from rear gardens of c.18 m in length.
- 1.3. Many of the houses in the area have been extended over the years, although there are no existing rear dormer windows visible from the appeal site. No.8 has been recently extended across the rear of the house to provide a larger kitchen/ dining area.

## 2.0 Proposed Development

- 2.1. Planning permission is sought for the following:
  - Conversion of attached garage (to study) and construction of a first-floor extension above (bedroom and bathroom)
  - Construction of single storey extension to the front of the converted garage to increase the floor area of the proposed study, and to provide a front porch (1.3m depth, lean-to roof)
  - Attic conversion including rear dormer window and 2 rooflights, one in the rear and one in the side roof plane. It is stated that the attic accommodation will be for non-habitable purposes.

## 3.0 Planning Authority Decision

### 3.1. Decision

**Grant.** The following conditions are of note:

- C.3** The attic accommodation to be used for household storage/ home office/ study/ playroom purposes only.
- C.4** The window to the rear to be reduced in area to match the area of the window to the master bedroom.
- C.5** No structures, including solar panels, to be erected on the flat roof of the rear dormer.
- C.6** Provisions if archaeological material is discovered on site.

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

- 3.2.1. Planning Reports - The planner's report reflects the decision to grant planning permission.
- 3.2.2. Other Technical Reports
  - Drainage: No objection
  - City Archaeologist: No objection. Condition recommended.

### 3.3. **Prescribed Bodies**

None

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

One observation was received. The issues raised are covered in the grounds of appeal.

## 4.0 **Planning History**

There is no planning history for the appeal site.

There is an extensive planning history relating to various extensions similar to the proposed. Developments including dormer windows to the rear are as follows:

- 3486/18                      71 Kincora Drive. Granted.
- 2093/13                      27 Kincora Drive. Granted.
- WEB1203/10                11 Kincora Drive. Granted.

## 5.0 Policy Context

### 5.1. Development Plan

The Dublin City Development Plan 2016-2022 is the County Development Plan for the area. The site is located within Zoning Objective **Z1** "To protect, provide and improve residential amenities".

Section 16.10.12 Extensions and Alterations to Dwellings

Appendix 17 Guidelines for Residential Extensions

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The grounds of appeal are submitted by the occupant of the adjoining property, No.6 Kincora Drive. The issues raised can be summarised as follows:

- The head height proposed dormer (2100mm) is too low. Permissions granted for dormer windows in the area have a minimum height of 2400mm.
- The structural height of the roof (2600mm) is too low, resulting in the dormer being a dominant feature and not subordinate to the roof slope. No.8 Kincora Drive is 400mm lower than all the roofs where dormer windows have been granted. The house is not tall enough for dormer windows.
- The size and scale of the dormer is not in keeping with the pattern of development in the area.
- All other houses in the area have rooflights in their attics
- Loss of amenity due to overlooking into surrounding gardens. Dormer window will be like a 'lookout tower' over other gardens.
- Attic storage spaces should not require a window of the proposed size.
- The dormer window should be omitted.

## 6.2. Applicant Response

6.3. The applicant has responded to the grounds of appeal as follows:

- The dormer has been designed to be in keeping with the scale, mass and height of the existing and proposed roof and is in accordance with Appendix 17.11 of the City Development Plan.
- The dormer is 1800mm in height, inserted in a roof of 3130mm in height (both external). Internally the floor to ceiling height is 2100mm at the location of the dormer. This is not a planning consideration and any planning considerations have been sufficiently addressed by Condition 3.
- The appellant has given the example of a dormer at No.30 Kincora Drive, which is a further example of established precedence in the area.
- The depth of the rear garden is sufficient to provide reasonable level of privacy and amenity.
- There is an existing general level of overlooking from the rear of dwellings to the rear of gardens in the area. This will not be significantly increased by the introduction of a dormer window.
- The proportions and size of the dormer window are to match the windows to the bedroom. The applicant accepts the condition of the planning authority in this respect.
- The applicant is willing to accept a condition to obscure the glass of the proposed dormer window or to attach a louver to the window to divert any possible direct observance of the appellant's rear garden. Examples are given.

## 6.4. Planning Authority Response

No response received to the grounds of appeal.

## 6.5. Observations

None

## 6.6. Further Responses

- 6.7. The appellant has submitted a further response which reiterates the points made in the grounds of appeal and considers that the applicant's offer in relation to obscure glazing/ louvres does not address the problem of the dormer being too large a form on too small a roof.

## 7.0 Assessment

- 7.1. I note that the grounds of appeal raise no objection in relation to the garage conversion, first floor extension above, or front extension (including porch canopy). The planning authority also had no concerns in relation to these elements. I note that many houses in the area have had similar garage conversions and extensions, and that they are successfully integrated into the streetscape. The scale and form of the proposed extensions in this case are sympathetic to the character of the existing house and houses in the area, and I similarly have no objection to these proposals.
- 7.2. The grounds of appeal are largely concerned with the rear dormer window to the attic conversion, which is considered to be visually over-dominant and out of keeping with the character of the area, and to result in excessive overlooking of the neighbouring rear gardens. It is requested that the dormer window be omitted or replaced by rooflights.
- 7.3. I consider that the key issues in this case relate to the impact of the proposed dormer window.

### **Impact of dormer window**

- 7.4. The houses in the Kincora area are substantial 1950s properties with generous front and rear gardens. The houses are semi-detached (with link attached garages) and provide a substantial plot width of 9.5m which is far more than modern standards. These characteristics provide significant scope for additions and extensions including, in my view, dormer windows of appropriate scale, form and design.
- 7.5. Appendix 17 of the City Development Plan states that dormer windows should reflect the character of the area, should be visually subordinate to the roof slope, and should reflect the windows on lower floors.

- 7.6. The current proposal is modest in scale, less than 50% of the roof area. The dormer is also set below the ridgeline of the roof and 1m above the eaves. The set back from the eaves will reduce the visual dominance of the dormer when viewed from the rear gardens of neighbouring properties.
- 7.7. Although this would be the first dormer window in the immediate vicinity, I am satisfied that the scale, form and design of the proposal would be visually subordinate to the roof slope and would be in accordance with the guidance for such structures set out in Appendix 17 of the City Development Plan. The proposed development would not, therefore, be out of keeping with the character or appearance of the area, or appear over-dominant when viewed from the rear gardens of adjacent properties
- 7.8. Similarly, although there will be some overlooking from the dormer window into neighbouring rear gardens, this will be similar to that from the existing first floor rear windows and would not result in an unacceptable level of overlooking in a suburban residential environment. The generous width and scale of the rear gardens, and the set back of the window from the eaves also mitigate against undue overlooking and loss of privacy.
- 7.9. I note the applicants' offer in the response to the grounds of appeal to accept a condition to obscure the glass of the proposed dormer window or to attach a louver to the window. Based on the assessment above, however, I do not consider that such a condition is necessary.
- 7.10. I note that Condition 4 of the planning authority's decision requires a reduction in the size of the dormer window (1.9m wide) to match that of the first floor bedroom window below (1.7m). However, the difference in width is marginal and, given that the windows are not in vertical alignment this difference would not, make any difference to the visual impact of the development. I do not, therefore, consider the condition to be necessary.

### **Other Matters**

- 7.11. The appeal site is located immediately to the west of the Zone of Archaeological Constraint a recorded monument (DU019-014, Clontarf Castle). A condition to notify the planning authority if an archaeological material is discovered was attached by the planning authority. However, the only ground excavation works will be in relation to



the small front extension (including porch canopy) which is on previously disturbed land and is at a shallow depth. The Board may, therefore, consider that a condition relating to archaeology is not necessary given the specifics of this case.

- 7.12. Having regard to the nature and scale of the proposed development, its location in a serviced urban area, the distance to the nearest European sites, I am of the view that no **appropriate assessment** issues arise, and that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the nature and scale of the proposed development and the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The external finishes of the proposed extensions including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.

5. Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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Anne Marie O'Connor  
Planning Inspectorate

9 December 2018