



An  
Bord  
Pleanála

## Inspector's Report ABP-302906-18

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<b>Development</b>	Change of roof profile from hip roof to gable wall, new skylights to front and rear, new window to side and all related works.
<b>Location</b>	94, The Old Forge, Lucan, Co. Dublin
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD18B/0215
<b>Applicant(s)</b>	Patrick Slavin
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First Party v Condition
<b>Appellant(s)</b>	Patrick Slavin
<b>Date of Site Inspection</b>	10 <sup>th</sup> January 2019
<b>Inspector</b>	Colin McBride

## **1.0 Site Location and Description**

1.1. The appeal site, which has a stated area of 0.033 hectares, is located with the Old Forge, a housing development consisting of two-storey semi-detached and detached dwellings located to the south of Lucan and on the southern side of the N4. The appeal site is occupied by no. 94, which is a two-storey semi-detached dwelling.

## **2.0 Proposed Development**

2.1. Permission is sought for a change of roof profile from hip to gable, new skylights to front and rear, new windows to side and all related works.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission granted subject to 8 conditions.

Of note are the following conditions...

Condition 2

2. Amendments

No development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

(i) Revised plans incorporating a half-hipped roof profile in lieu of a gable-ended roof profile.

The applicant, owner or developer may consult with the Planning Authority in advance of lodging the required revised plans.

(ii) A commitment to complete the development in accordance with the required revised plans, and;

(iii) The receipt for all these requirements from the applicant, owner or developer has been acknowledged in writing as an acceptable lodgement by the Planning Authority.

Reason: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

Condition 3

3. The proposed window on the side elevation shall be omitted.

Reason: In the interests of privacy and residential amenity.

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

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

Planning report (06/07/18): Further information required including a revised roof design with suggestion of a modest dormer window.

Planning report (25/10/18): The design and scale of the proposal was considered to be acceptable in the context of visual and adjoining amenity subject to a revision to the design replacing the full gable with a half hipped roof. A grant of permission was recommended subject to the conditions outlined above.

### **3.3. Third Party Observations**

No third party observations.

### **4.0 Planning History**

SD05B/0333: Permission granted for a single-storey extension to the side of the existing semi-detached dwellings.

On other sites in the vicinity...

SD13B/0220 : Permission granted for alteration of the shape of the roof, constituted by the conversion from hip gable to a straight gable and associated works to accommodate an attic conversion at no. 33 The Old Forge, Lucan.

SD11B/0057: Permission granted to retain an existing attic conversion, comprising alterations to the original roof line, existing gable wall to the side elevation and 4 no. roof windows to the rear elevation. In addition the retention of an existing single storey ground floor storm porch extension to the front elevation at no. 25 The Old Forge, Lucan.

## **5.0 Policy Context**

### **5.1. Development Plan**

The relevant development plan is South Dublin County Council Development Plan 2016-2022

The site is zoned Existing Residential (RES) with a stated objective 'to protect and/or improve residential amenity'.

### **5.2. Natural Heritage Designations**

None in the vicinity

## **6.0 The Appeal**

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

A first party appeal has been lodged by Patrick Slavin, 94 The Old Forge, Lucan, Co. Dublin. The grounds of appeal are as follows...

- The appeal is against condition no. 2, which requires an alternative roof profile design changing it from a gable end to a hipped roof and condition no. 3 requiring omission of the proposed window on the side elevation.
- The appellant notes that the Board and the Planning Authority have already granted permission for changes of roof profile from hip roof to gable at no.s 24, 25 and 33 with a precedent set.
- It is noted that elevated side windows have been granted at no.s 24, 25 and 33 also.
- The appellant notes that the Planning Authority requested an alternative design incorporating a side dormer window to limit impact on residential and visual amenity. It is noted that there are no houses in the development with side dormer windows and that such would have a greater impact on visual amenity than the proposal. The provision of side dormer windows contradicts the omission of the side window under condition no. 3.

## 6.2. Planning Authority Response

Response by South Dublin County Council.

- South Dublin County Council confirms its decision and notes that the issues raised in the appeal have been covered in the planner's report.

## 7.0 Assessment

7.1. This is an appeal in relation to the application of a two conditions, conditions no. 2 and 3. The Board will not determine the application as if it was made to it in the first instance and will only determine the matters under appeal.

7.2. Condition no. 2

7.2.1 The proposal entails the change of roof profile from hip to gable, new skylights to front and rear, new windows to side and all related works. The proposal entails use of the attic for storage. In granting permission condition number 2 requires revised

plans incorporating a half-hipped roof profile in lieu of a gable-ended roof profile. The reason for the condition appears to visual amenity with it noted that the existing dwellings are characterised by hipped roof profiles. The development is characterised by mainly two-storey semi-detached dwellings with hipped roofs. There are some detached dwellings that have gable ends, however such are in the minority.

7.2.2 I would consider that the change of roof profile from hipped to gable end as proposed would not be a significant or radical form of development at this location. The existing development is a suburban housing development that is not of significant architectural sensitivity or heritage value that a change in the roof profile would be of significant impact. The nature of the change in roof profile still conforms to the scale and proportions of the existing roof profile. The Planning Authority in the further information suggested an alternative that would feature a possible side dormer window. I would consider that the proposed alteration is a much neater solution that conforms to the existing roof profile and scale of development and that a side dormer window would be an incongruous feature at this location. I would consider that change to the roof profile featuring a gable end as proposed in original drawings submitted to the Planning Authority is acceptable in the context of visual amenity and the proper planning and sustainable development of the area. I would, therefore, recommend that condition no. 2 be omitted.

7.2.3 Notwithstanding my evaluation of condition no. 2 and the alteration to the roof profile proposed, it is notable that there is already precedent for gable end development in the existing housing scheme. As noted there are detached dwellings located in the development with gable ends and there is planning history (outlined above) showing permission has been granted for a similar alteration at no.s 25 and 33 (could not find the relevant history file for no. 24).

7.3 Conditions no. 3:

7.3.1 Condition no. 3 requires that the proposed window on the side elevation shall be omitted. The reason for this is in the interest of privacy and residential amenity. The side window is at second floor level and serves the landing of the stairs being

provided to access the attic storage. The existing dwellings within the scheme have side windows above first floor level, which appear to serve the landings of stairs and appear to be fitted with obscure glazing. I would consider that subject to fitting the window with obscure glazing, that the side window would be satisfactory in the context of the amenities of adjoining properties and the visual amenities of the area. The window provides light to a stairwell and subject to the alteration noted would be satisfactory. I would recommend that condition no. 3 be amended to state that the side window be fitted with obscure glazing and maintained permanently as such.

## **8.0 Recommendation**

8.1. I recommend that Kildare County Council be directed to OMIT Condition no. 2 and AMEND Condition no. 3 as follows...

3. The proposed window on the side elevation shall be fitted with obscure glazing and shall be permanently maintained as such.

Reason: In the interests of privacy and residential amenity.

## **9.0 Reasons and Considerations**

Having regard to the nature and scale of the development and the pattern of development at this location, the proposal for the change in roof profile from hipped to gable end would have no significant or adverse impact in the context of the visual amenity of the area, and the proposal for a side window subject to restriction requiring obscure glazing, would have no significant or adverse impact on adjoining amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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Colin McBride

Planning Inspector

14<sup>th</sup> January 2019