



An  
Bord  
Pleanála

## inspector's Report ABP-303055-18

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| <b>Development</b>                  | Permission for two number velux roof windows to front. |
| <b>Location</b>                     | 88 Killester Park, Killester, Dublin 5                 |
| <b>Planning Authority</b>           | Dublin City Council                                    |
| <b>Planning Authority Reg. Ref.</b> | 3842/18  |
| <b>Applicant(s)</b>                 | Yvonne Sheridan and Shane Henry                        |
| <b>Type of Application</b>          | Permission   |
| <b>Planning Authority Decision</b>  | To Refuse Permission                                   |
| <b>Type of Appeal</b>               | First Party v. Decision                                |
| <b>Appellant(s)</b>                 | Yvonne Sheridan and Shane Henry                        |
| <b>Observer(s)</b>                  | No observers   |
| <b>Date of Site Inspection</b>      | 2 <sup>nd</sup> February 2019                          |
| <b>Inspector</b>                    | Erika Casey  |

## 1.0 Site Location and Description

1.1 The subject site, with a stated area of 690 sq. metres is located in the mature residential suburb of Killester. The site currently accommodates a single storey, semi-detached bungalow with a hipped roof and a floor area of 65.5 sq. metres, located on the eastern side of Killester Park. The existing house is served by a large rear garden. Vehicular access is from Killester Park and off street parking and a small amenity area is provided to the front of the dwelling. The general character in the vicinity is of similar low density, single storey bungalows.

## 2.0 Proposed Development

2.1. The proposed development comprises permission for two velux window located in the front roofplane of the dwelling.

## 3.0 Planning Authority Decision

### 3.1. Decision

3.1.1 To Refuse Permission for 1 no. reason:

*“The insertion of two rooflights to the front of the subject property was previously omitted by condition under reg. ref. 2928/18. The site context and Development Plan policy remain unchanged and the two rooflights would be considered unnecessary, visually obtrusive and detrimental to the visual amenity of the streetscape. The proposed development would contravene material condition 3 of permission 2928/18 and would be contrary to both the current Dublin City Development Plan and the proper planning and sustainable development of the area.”*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Report (19.10.2018)

- The current application seeks to reinstate the two rooflights in the previous positions and the applicant has not provided any justification or reasoning as to why the previous decision should be revised.

- The two rooflights are intended to light the attic room which is also to be lit from the east by a dormer window. The space is also non habitable.
- There are very limited examples of rooflights on the street and these are historic in nature.
- The two rooflights are superfluous and not consistent with the streetscape.

### 3.2.2. Other Technical Reports

**Drainage Division (01.10.2018):** No objection subject to condition.

### 3.3. Prescribed Bodies

- No submissions received.

### 3.4. Third Party Observations

- No observations.

## 4.0 Planning History

4.1 There has been one recent previous permission pertaining to the subject site.

### **Planning Authority Reference 2928/18**

4.2 Permission granted in August 2018 for a dormer extension to rear and one number velux roof window to side and two number velux windows to the front and widening of front door and entrance. Condition no. 3 of this permission is of relevance and states:

*“The development hereby approved shall incorporate the following amendments:  
The rooflights located on the front roofplane shall be omitted.*

*Reason: In the interests of visual and residential amenity.”*

4.3 The planner’s report noted:

*“Roof lights are proposed on the front roof plane to serve a store room in the attic space. Rooflights on the front roof plane are generally not considered acceptable as they may have a negative impact on the on the character of the street. It is,*

*therefore, considered that the rooflights should be omitted from the development by way of condition.”*

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1 The operative Development Plan is the Dublin City Development Plan 2016-2022 and the site is zoned Z1: *“To protect, provide and improve residential amenities.”*

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

5.2.1 There are no Natura 2000 sites in proximity to the subject site.

### **5.3 EIAR Screening**

5.3.1 Having regard to nature of the development comprising 2 no. rooflights and the urban location of the site there is no real likelihood of significant effects 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.

## **6.0 The Appeal**

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

- Note that Dublin City Council have granted permission for similar proposals in the area under Planning Authority References 1193/14 and 3331/05. Consider that it is unfair that permission was granted for rooflights in other properties in the direct vicinity of the subject dwelling.
- State that Dublin City Council neglected to do sufficient due diligence to identify whether previous properties in the area were granted permission and that there is an inconsistent approach in their assessment of such applications.
- Note there has been no objections to the proposal.

## 6.2. **Planning Authority Response**

- No response received.

## 6.3. **Observations**

- No observations.

## 7.0 **Assessment**

### 7.1 **Introduction**

7.1.1 The main issues are those raised in the grounds of appeal and it is considered that no other substantive issues arise. Appropriate Assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development.
- Appropriate Assessment.

### 7.2 **Principle of Development**

7.2.1 The proposed development comprises 2 rooflights on the front roof plane of an existing bungalow. The principle concerns of the Planning Authority relate to the visual impact of the rooflights and it is considered they will have a negative impact on the streetscape.

7.2.2 Under Planning Authority Reference 2928/18 permission was granted for a single storey extension to the rear of the dwelling and for the extension of the attic bedroom accommodation to be served by a new dormer window on the rear roof plane. 2 no. rooflights were also proposed on the front roof plane under this application but were omitted by way of condition as it was considered they were superfluous and would have a negative impact on the character of the street. Whilst this previous planning permission is noted, the current application seeks permission for the rooflights in their own right, and the development must be considered on its own merits irrespective of a previous condition omitting same.

7.2.3 The application drawings submitted indicate the proposed rooflights in the context of the existing dwelling, rather than the proposed development permitted under reg. ref. 2928/18. The rooflights are intended to serve the existing attic room which also has

the benefit of a dormer window to the east and the landing area. The rooflights would provide additional light to this existing space. If the development as permitted is implemented, the rooflights will provide additional light and ventilation to the proposed store room and landing. Due to the presence of internal walls, these spaces would not benefit from natural light from the proposed dormer window to the east.

- 7.2.4 The principle issue to consider however, is the impact of the rooflights on the character of the streetscape. Whilst the Planning Authority notes that rooflights are generally not considered acceptable on the front roof plane, I note that there is no specific policy set out in the current Dublin City Development Plan that would preclude same.
- 7.2.5 Killester Park is characterised by similar style bungalows constructed in the 1950's/1960's. Whilst the existing dwellings are similarly designed and create a unified streetscape, it is not considered that the area has any particularly sensitive architectural character or identity. A number of the dwellings have been extended and modified in recent years. The area is not designated an architectural conservation area and has not been identified as an area with any particular significant architectural attributes or sensitivity.
- 7.2.6 Whilst the proposed rooflights are visible on the front roofplane, they are modest in scale and design. I also note as highlighted by the applicant that there are a number of other bungalows in the vicinity where rooflights have been permitted. Whilst these rooflights may have been permitted under older permissions, the precedent exists where such rooflights have been permitted without any significant adverse impact on the character of the streetscape.
- 7.2.7 In conclusion, I am satisfied that the rooflights will provide for improved light and ventilation within an existing constrained dwelling and improve the amenity of the existing and proposed accommodation. I consider that the rooflights are appropriate and will have no material adverse impact on the visual amenities of the area.

### 7.3 **Appropriate Assessment**

- 7.3.1 Having regard to the nature and scale of the proposed development, two rooflights within an established urban area, and the distance 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 or projects on a European site.

## 8.0 Recommendation

- 8.1 It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

## 9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the current Dublin City Development Plan 2016-2022, the existing pattern of development in the vicinity and to the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area. The proposed development 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.

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**Erika Casey**  
**Senior Planning Inspector**

**4<sup>th</sup> February 2019**