



An
Bord
Pleanála

Inspector's Report PL303220-18

Development	Dormer window and 2 no. velux windows.
Location	63 Heathfield Park, Cappagh Road, Finglas, Dublin 11.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW18B/0106
Applicant	Derek Judge
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	1 st Party v. Refusal
Appellant	Derek Judge
Observers	None
Date of Site Inspection	1/02/19
Inspector	Mairead Kenny

1.0 Site Location and Description

- 1.1. Heathfield Park is a recently constructed housing estate in north-west Finglas, which appears to have been constructed in the last decade and which generally comprises short terraces of two-storey houses. The subject house is one of two mid-terraced wide-fronted houses, which are position between houses of different styles and roof treatments. There are similar patterns of houses throughout the estate. The estate overall is composed of a high diversity of housing patterns and roof treatments within the dominant two-storey form.
- 1.2. The house is positioned opposite a turning head, which is being constructed at present and which appears to be under installation in order to accommodate traffic turning movements at the end of the short cul de sac. I surmised at the time of inspection that the road alignment may have been altered since the houses at Heathfield Park were constructed. At the opposite side of the estate road there is undeveloped lands.
- 1.3. Photographs of the site and surrounding area which were taken by me at the time of inspection.

2.0 Proposed Development

- 2.1. The proposed development comprises :
 - Construction of a box dormer to the front of the house 6275mm width
 - Dormer to be finished in a navy coated sheet metal finish with standing seam
 - Velux to rear.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to refuse permission for the reason summarised below:

- Dormer structure by virtue of its scale, form and position to the front of the house notwithstanding the setback position of the house in the terrace would be inconsistent with the character of the structure and of neighbouring structures and contravene objective DMS41.
- Additional bedroom resulting in a three bedroom house would normally require 2 no. parking spaces to the front. Parking pressure in area. Precedent - likely to contribute to obstruction of road users.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

3.2.2. There is no precedent to date for the proposal. A precedent would be set. The proposed dormer to the front would be of inconsistent character. The rooflights to the rear are to light the bathroom and landing - no overlooking issues. Ceiling heights do not appear to be compliant with the Building Regulations. Deficiency of parking in the area as witnessed during site inspection. Further demand on limited spaces would not be appropriate. Three bed house requires 2 no. spaces.

3.2.3. Other Technical Reports

None.

3.3. **Prescribed Bodies**

None.

3.4. **Third Party Observations**

None.

4.0 **Planning History**

Nothing relevant to the site. The parent permission was for a 355 unit residential development. F05A/1869 refers.

5.0 Policy Context

5.1. Development Plan

Fingal County Development Plan.

Dormer extensions to roofs will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions (whether for functional roof space or light access) shall generally not form a dominant part of a roof.

Consideration may be given to dormer extensions proposed up to the ridge level of a house. In all cases no dormer extension shall be higher than the existing ridge height of the house. The proposed quality of materials/finishes for dormers will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer structure should have regard to existing window treatments and fenestration of the dwelling.

DMS41 - Dormer extensions to roofs will only be considered where there is no negative impact on the existing character and form, and the privacy of adjacent properties. Dormer extensions shall not form a dominant part of a roof. Consideration may be given to dormer extensions proposed up to the ridge level of a house and shall not be higher than the existing ridge height of the house.

6.0 The Appeal

6.1. Grounds of Appeal

The appeal contains the following points:

- The development plan contains policies in support of dormer extensions.
- The rear space is unaltered and there would be very limited visibility from the front.
- To the extent that the dormer would be visible it would be attractive.
- The standing seam material is a quality finish. Photograph enclosed.

- The design concept is explained. Complies fully with DMS41.
- The parking standards set down in the plan are a blunt tool. Section 4.10 refers to Sustainable Travel Patterns. The proposal will make good use of the land and provide for necessary accommodation for family members who do not own or need or plan to own a car due to the availability of public transport and use of the applicant's car.

6.2. Planning Authority Response

The reasons for refusal are reiterated. This includes the point in relation to the precedent and the parking demand. It is noted in this regard that the ownership of the house may change. In the event that the appeal is successful a contribution under the DCS is appropriate.

6.3. Observations

None

7.0 Assessment

- 7.1. I consider that in principle there is no objection set out in the development plan policy relating to the provision of dormer windows to the front of houses. In the case of the proposed development the roof ridge height is not exceeded.
- 7.2. In relation to the precedent issues in terms of the design implications of the development, I have no objection in principle to a dormer at the front of this house and I consider that no such objection could be sustained on the basis of the development plan policy or the character of the estate.
- 7.3. In terms of the dormer's design any concerns relate to both the width and the fenestration in my opinion. The subject house at 7725mm is reasonably wide given its overall floor area of 86.8 m². The dormer window at 6275mm constitutes a very wide structure and the conclusion of the planning authority that it would 'form a dominant part of' the roof and thus contravene policy DMS41 is not without substance. The architect's submission is that the fenestration has emerged through consideration of the first floor level and it is clear that the concept has a relevance to

the overall structure – I do not agree with the planning authority that the dormer would be out of character with the building itself. Subject to a zinc finish in lieu of the proposed navy metal standing seam cladding the dormer would be acceptable in my opinion in terms of the design of the building. Regarding its impact on the streetscape I do not consider that the dormer would be visually obtrusive subject to an appropriate finish. I note the set-back position of the roof relative to that of the adjacent house. The box dormer is also recessed from the front building line and the lowest part of the roof profile is retained. I agree with the appellant that the streetscape impact would not warrant a refusal.

7.4. In the event that the Board has concerns regarding the dominance of the dormer window I would recommend that it be reduced in width to omit the two side windows – a width of 3700mm would improve the external appearance and comply more with the development plan policy but would also compromise the internal space. On balance I would favour a grant of permission for the development as proposed subject to agreement with the planning authority on the finishes.

7.5. Regarding the increase in parking demand which could result from the proposed additional bedroom space and the precedent it might set, I did not at the time of my inspection conclude that there was evidence of particular parking pressure. I accept that the planning authority would have more knowledge of this issue. Any problems are likely to be most pronounced in the evenings. Nevertheless, I am not convinced that a refusal of permission for an extension to the dwellinghouse would be warranted for reason of increased parking demand.

Appropriate Assessment

7.6. Having regard to the location of the site on lands which have been developed and are serviced lands and the nature and scale of the proposed development 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.

Environmental Impact Assessment Screening

7.7. No EIAR is required.

8.0 Recommendation

I recommend that the Board grant permission for the reasons and considerations and subject to the conditions below.

9.0 Reasons and Considerations

Having regard to detailed design of the proposed development and the staggered building line of the houses, it is considered that the proposed development would not detract from the character and pattern of development in the immediate vicinity or set an undesirable precedent and would be acceptable in terms of parking provision 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 box dormer window shall be finished with a standing seam zinc finish. Details of all external finishes shall be agreed in writing prior to the commencement of development.

Reason: To ensure a high standard of maintenance in the interest of visual amenity.

3. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and

Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Mairead Kenny

Senior Planning Inspector

4th February 2019