



An
Bord
Pleanála

inspector's Report ABP-303480-19

Development	Attic Conversion
Location	21 Castlepark Road, Dalkey, Co. Dublin
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D18A/1004
Applicant(s)	Ian & Jane Brady
Type of Application	Permission.
Planning Authority Decision	Split Decision
Type of Appeal	First Party
Appellant(s)	Ian & Jane Brady
Observer(s)	None
Date of Site Inspection	7 th March 2019
Inspector	Mary Crowley

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	4
3.4. Third Party Observations	4
4.0 Planning History.....	4
5.0 Policy and Context.....	5
5.1. Development Plan.....	5
5.2. Natural Heritage Designations	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Planning Authority Response	6
6.3. Observations.....	6
6.4. Further Responses.....	6
7.0 Assessment.....	6
8.0 Principle.....	7
9.0 Visual Amenity	7
10.0 Residential Amenity	7
11.0 Other Issues.....	8
12.0 Recommendation	8
13.0 Reasons and Considerations	9
14.0 Conditions	9

1.0 Site Location and Description

1.1. The appeal site with a stated area of 0.01134ha is located on the east side of Castlepark Road and is proximate to the junction with Hyde Road. Castlepark is an established residential road comprising a variety of suburban house types typically set back from the road with large gardens to the rear. The appeal site comprises a detached bungalow style dwelling (270sqm) with dormer windows, hipped roof and a large single storey rear extension. A set of photographs of the site and its environs taken during the course of my site inspection is attached. I also refer the Board to the photos available to view on the appeal file. These serve to describe the site and location in further detail.

2.0 Proposed Development

2.1. Permission is sought for widening of the site vehicular access gate, with 2 new piers, attic conversion, rebuilding existing front dormer type window full width of the front roof, rebuilding existing rear dormer type window full width of the rear roof, new dormer type window to the south-side, new gable end to existing rear roof, some internal alteration, and associated site works. The stated gross floor space of proposed works is 34 sqm.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. DLRCC issued a notification of a split decision to **grant permission** for widening of the site vehicular access gate subject to 2 no standard conditions and to **refuse permission** for the attic conversion, rebuilding existing front dormer type window, rebuilding existing rear dormer type window, new dormer window to the south side and new gable end to existing roof for the following reason:

It is considered that the proposed front and rear dormer structures due to their excessive scale and massing, would be visually dominant and out of character with the existing houses and would by themselves or the precedent which the grant of permission for them would set for similar development

adversely impact the visual amenity of the area. The proposed development would therefore be contrary to the policies of Section 8.2.3.4(i) of the Dun Laoghaire-Rathdown County Development Plan 2016-2022 with respect to dormer extensions and the Objective “A” zoning of the site, “to protect and / or improve residential amenity”. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Case Planner** recommended that permission be granted subject to conditions. The notification of decision to grant permission issued by DLRCC reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage Planning** – No objection subject to conditions relating to rainwater harvesting and rainwater discharge of parking surfaces and hardstanding.
- **Transportation Planning** – No objection.

3.3. Prescribed Bodies

3.3.1. There are no reports from any prescribed bodies recorded on the planning file.

3.4. Third Party Observations

3.4.1. There are no observations recorded on the planning file.

4.0 Planning History

4.1. There is no evidence of any previous planning applications or subsequent appeals on this site.

5.0 Policy and Context

5.1. Development Plan

- 5.1.1. The operative Development Plan is the **Dun Laoghaire Rathdown County Development Plan 2016-2022**. The site is zoned **Objective A** where the objective is *to protect and/or improve residential amenity*. **Section 8.2.3.4(i)** deals with extensions to dwellings.

5.2. Natural Heritage Designations

- 5.2.1. The site is not located within a designated Natura 2000 site.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The first party appeal has been prepared as submitted by Patrycja Rogala on behalf of the applicant against the decision to refuse permission for the attic conversion and associated dormer windows only. The appeal may be summarised as follows:

- The original dormer window at the front was planned to be extended to the side (north east) adding only 3.4m to already 6.5m long roof dormer. This way the front façade will get more balance and symmetry and the existing roof would project evenly on each side of the extended dormer.
- The rear existing dormer has a similar setting with the new part extending 0.5m to meet a completely new dormer window to the side of the existing roof.
- The new dormer window facing south west is 12.1m from the boundary and is not projecting any extra shadow to any of the neighbouring properties.
- Replacing the hip roof with a gable end will extend the ridge by 4.6m which would not create any significant shadow as the gable will not pass the rear roof of No 19 Castlepark Road.
- The proposed material to be used on the new dormer are high quality metal zinc with grey slate.

- Reference is made to other projects granted permission on the road that *had a more significant impact on the neighbouring properties, appearance and residential amenity.*

6.2. Planning Authority Response

- 6.2.1. DLRCC refers to the previous planners report and state that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development.

6.3. Observations

- 6.3.1. There are no observations recorded on the appeal file.

6.4. Further Responses

- 6.4.1. There are no further responses recorded on the appeal file.

7.0 Assessment

- 7.1. As outlined in Section 3 above DLRCC issued a split decision to grant permission for the widening of the site vehicular access gate and to refuse permission for the attic conversion and associated dormer windows. The decision to refuse has been appealed by the first party. There are no other appeals or observations recorded on the appeal file. I agree with the recommendation of DLRCC to grant permission for the widening of the vehicular entrance. Accordingly this assessment is confined to the proposed attic conversion and associated dormer windows.

- 7.2. I note the Case Planners report where it states that a number of the elevational drawings do not correspond in relation to measurement and scale. I share these observations. While the discrepancies appear to be relatively minor it remain that there are inconsistencies. The Board may wish to seek amended plans to scale prior to make its decision on this case.

- 7.3. I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle

- Visual Impact
- Residential Amenity
- Other Issues

8.0 Principle

8.1. The appeal site is wholly contained within an area zoned Residential (General) – Zone Z1 where residential extensions and alterations to an existing dwelling for residential purposes is considered a permissible use. I am satisfied that that the principle of the development of an attic conversion and associated dormer windows is acceptable at this location subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance.

9.0 Visual Impact

9.1. DLRCC refused permission for the attic conversion and associated front and rear dormer windows due to their excessive scale and massing and that they would be visually dominant and out of character with the existing streetscape.

9.2. The parent building is not listed on the record of protected structures nor is it listed in any designated conservation area. While the proposed front dormer extension will increase the overall massing and length of the existing dormer I do not consider the extension to be so significant that it would detract from the character of the main house or the streetscape. Similarly, the rear dormer extension, while also increasing the length and massing of the existing dormer and introducing a new dormer element over the rear extension does not in my view detract from the character of the main house or the streetscape. Overall I consider the proposal to be well considered, balanced and respectful of the overall architectural form of the existing dwelling. Recommended that permission is granted.

10.0 Residential Amenity

10.1. I have considered the proposed plans and particulars and I agree with the Case Planner that the windows proposed in the rear dormer facing No 23 Castlepark Road to the south would be set back in excess of 10m from the shared boundary with this

property and would face the side slope of the extension constructed to the rear of No 23. As such the proposed rear dormer structure would not give rise to adverse overlooking impact on adjoining properties.

11.0 Other Issues

- 11.1. **Appropriate Assessment** - Having regard to the nature and scale of the proposed development comprising an attic conversion and associated dormer windows, within an established urban area, and its 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.
- 11.2. **EIA Screening** – Having regard to the nature and scale of the proposed development comprising an attic conversion and associated dormer windows in a serviced urban area there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.
- 11.3. **Development Contributions** – Dun-laoghaire Rathdown County Council has adopted a Development Contribution scheme under Section 48 of the Planning and Development Act 2000 (as amended) and is in place since 14th December 2015. Section 10 Exemptions and Reduction of the scheme states that the first 40 square metres of any residential extension, shall be exempt from the contribution scheme. Accordingly, the proposed development falls under the exemptions listed in the scheme. No Section 48 Development Contribution is applicable in this case.

12.0 Recommendation

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

13.0 Reasons and Considerations

13.1. Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and its zoning for residential purposes, to the location of the site in an established residential area and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development comprising an attic conversion, rebuilding existing front dormer type window, rebuilding existing rear dormer type window, new dormer window to the south side and new gable end to existing roof would not seriously injure the residential or visual amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

14.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 extension (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 attenuation and 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.

4. Site development and building works shall be carried only out between the

hours of 08.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will 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.

Mary Crowley

Senior Planning Inspector

11th March 2019