



An  
Bord  
Pleanála

## Inspector's Report ABP-303852-19

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<b>Development</b>	Conversion of attic area, new dormer type window extension to rear roof, new rooflights to front
<b>Location</b>	104, Connaught Street, Phibsborough, Dublin 7
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1641/18
<b>Applicant(s)</b>	Linda McDermott
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Niall and Ann-Marie Allen and others
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	20 <sup>th</sup> May 2019
<b>Inspector</b>	Una O'Neill

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## **1.0 Site Location and Description**

- 1.1. The subject site is located on the northern side of Connaught Street in Phibsborough, approx. 2km northwest of Dublin City Centre.
- 1.2. The site comprises a two-storey, mid-terrace, red brick dwelling. There is a pedestrian access from the front, with on-street parking and there is a rear service laneway providing access to the rear of the properties on this street. The site comprises a deep rear garden, approx. 15m in length, with a rear structure bounding the service laneway. The existing dwelling comprises a two-storey rear extension.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the following:
  - Conversion of existing attic area to home office/study and construction of a new dormer type window to rear roof.
  - Two new rooflights to front elevation.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission GRANTED, subject to 7 conditions, including the following:

C2: Rooflights to the front shall be of conservation type.

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

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

The Planning Officer's report generally reflects the decision of the Planning Authority.

#### **3.2.2. Other Technical Reports**

Drainage Division – No objection.

### 3.3. Prescribed Bodies

TII – No objection subject to a levy under Section 49 Supplementary Development Contribution Scheme, unless development is exempt.

### 3.4. Third Party Observations

Two third party observations were received, which raised concerns in relation to detracting of rooflights from the conservation area; overlooking from velux rooflights; dormer not in keeping with character of the streetscape; impact of dormer on sunlight of neighbouring property; use of the dwelling for multiple occupancies and use of garden structure for accommodation.

## 4.0 Planning History

1281/97 – Permission GRANTED for a first floor extension and conservatory to the rear.

## 5.0 Policy and Context

### 5.1. Development Plan

#### Dublin City Development Plan 2016-2022

- **Zoning objective Z2**, the objective for which is ‘to protect, and/or improve the amenity of residential conservation areas’.
- **Section 11.1.5.4:** Architectural Conservation Areas and Conservation Areas.
- **CHC4:** To protect the special interest and character of all Dublin’s Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting

2. Re-instatement of missing architectural detail or other important features
3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns
4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area
5. The repair and retention of shop- and pub-fronts of architectural interest.

- **Section 16.10.12:** Extensions and Alterations to Dwellings.
- **Appendix 17,** Section 17.11: Guidance for Roof Extensions.

## 5.2. **Natural Heritage Designations**

The site is not located in or adjacent to a European site.

## 5.3. **EIA Screening**

The proposed development is not of a class for the purpose of EIA.

## 6.0 **The Appeal**

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

A third party grounds of appeal has been submitted by the residents of 89 and 102 Connaught Street – the former is located opposite the appeal site and the latter adjoins the appeal site. The grounds of appeal are summarised as follows:

- There are no rooflights on any of the properties on Connaught Street or the surrounding Z2 zoned street, therefore the addition of two proposed rooflights would be visibly obtrusive and out of character with this conservation area.
- Proposal is contrary to policy CHC4 and section 16.2.2.3 of the Dublin City Development Plan. It would alter the roofscape of a structure located within the middle of a terrace and would introduce design details which would harm the setting of a conservation area, which has been maintained in tact since c.1910.

- The condition in relation to use of a conservation type rooflight does not require compliance or agreement with the planning authority and is unenforceable.
- The rooflights will not provide additional lighting to the proposed attic area.

## 6.2. Applicant Response

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

- There are velux rooflights visible from the street in the area. Photo examples are given indicating rear rooflight visible from the street and rooflight to front of a commercial property on Connaught Street. Other photo examples are submitted of front rooflights in the Phibsboro/Drumcondra/Glasnevin area.
- The low profile conservation rooflights proposed will not be visually harmful to the conservation area in terms of form, details and materials and as such is consistent with the requirement of the Z2 zoning objective.
- The rooflights will provide light to the attic by way of flared reveals to the proposed attic space.

## 6.3. Planning Authority Response

None.

## 6.4. Observations

None.

## 6.5. Further Responses

None.

## 7.0 Assessment

### 7.1. Introduction

- 7.1.1. The subject site is located within zoning objective Z2, the objective for which is 'to protect, and/or improve the amenity of residential conservation areas'. Residential development is considered acceptable in principle within the zoning objective for the area.
- 7.1.2. The main issue of the appeal relates to design and the visual impact of a proposed dormer to the rear and rooflights on the front elevation of an existing terraced dwelling within a zoned conservation area.

### 7.2. Design & Impact on Amenity

- 7.2.1. The grounds of appeal contends the proposed development, specifically the velux rooflights, would be out of character and would detract from the terrace of dwellings within this conservation area. It is contended that the proposal is contrary to the development plan policies in relation to conservation areas.
- 7.2.2. The applicant contends there are numerous front rooflights on buildings within the wider area and quotes the visibility of one rooflight to the front of a commercial property on Connaught Street as well as the visibility of a rear rooflight on a gable end dwelling from the street.

#### **Front Rooflights**

- 7.2.3. Two rooflights are proposed on the front roof slope. The rooflights are approx. 1m wide x 1m high each and are set within the mid-section of the roof plane. I note the context of the proposed dwelling within a residential conservation area. I also note that no rooflights exist along this section of Connaught Street, however a number of similar rooflights to the front of dwellings are visible in the wider area.
- 7.2.4. Having considered the context of the area and the modest scale of the rooflights as well as the angle of the roof, and subject to a condition that conservation grade rooflights be used, I consider the insertion of two small rooflights will not be visually obtrusive and will not detract so significantly from the streetscape or harm the setting of the conservation area such as to warrant their omission.

## **Rear Dormer**

- 7.2.5. The proposed dormer window on the rear elevation is 3.9m in width and 2.4m in height. In terms of design, I note the dormer sits below the ridgeline, is set back from the eaves and in my view is visually subordinate to the roof, with limited visibility from the surrounding streets.
- 7.2.6. I note there are existing dormers in the area, with one in particular at 17 Shandon Drive, which is also served by the laneway to the rear of Connaught Street. Given the manner in which it has been designed subordinate within the roofscape, its lack of visibility from the street, as well as the separation distances from properties to the rear (approx. 40m), it is my view that the dormer in this specific instance is not visually incongruous within the terrace and will not be injurious to residential amenity of neighbouring properties in terms of overlooking or overshadowing.
- 7.2.7. Overall I am of the view that the proposed development of a dormer extension and rooflights is acceptable in terms of the visual and residential amenity of the area and will not detract from the character of the buildings or streetscape within this conservation area.

## **Other Matters**

- 7.2.8. Any matters of enforcement are for the planning authority and are outside the remit of An Bord Pleanála. This report concerns itself purely with the proposed development, as stated within the public notices.

## **Appropriate Assessment**

- 7.3. Having regard to the minor nature and scale of the proposed development, which relates to alterations to an existing house in an established and serviced residential area outside of any Natura 2000 sites, I am satisfied that 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 is granted, subject to the conditions set out hereunder.



## 9.0 Reasons and Considerations

9.1. Having regard to the zoning objective, the design, layout and small scale of the development, and to the pattern of development in the area, it is considered that subject to compliance with conditions below, the proposal would not seriously injure the amenities of the area or of property in the vicinity, and would not adversely or materially impact on the character of the building or streetscape. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed extension shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>The proposed rooflights to the front elevation shall be of conservation type. Details shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.</p> <p><b>Reason:</b> To protect the residential amenities of this conservation area.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p>

	<p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining streets 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.</p> <p><b>Reason:</b> To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly development.</p>

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Una O'Neill  
Senior Planning Inspector

20<sup>th</sup> May 2019