



An
Bord
Pleanála

Inspector's Report ABP-303859-19

Development	Conversion of existing attic space and new single storey extension
Location	24 The Drive, Hunter's Run, Clonee, Dublin 15
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW18B/0138
Applicant(s)	Olesea Iordan
Type of Application	Permission
Planning Authority Decision	Split Decision
Type of Appeal	First Party
Appellant(s)	Olesea Iordan
Observer(s)	None
Date of Site Inspection	16 th of May 2019
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The application site is located within an established residential development in Little Pace Clonee. This is a corner site (0.0275ha) at the junction of the cul-de-sac development in The Drive and proximate to the junction with Littlepace Road, which is a main distributor road within the Hunter's Run development. This in particular, during school set down and collection periods is a heavily trafficked Local Primary Distributor Road.
- 1.2. The subject site at No. 24 The Drive comprises a two storey semi-detached property with a pitched roof. It is a prominent corner site. Onsite parking is provided within the curtilage of the site. The immediate vicinity of the proposal is characterised by hipped roofs although there are some such converted to gables in the wider Littlepace area.

2.0 Proposed Development

- 2.1. This is to consist of change of use and conversion of existing attic space to habitable space with new roof profile (from hipped roof to gable end) to gable/side wall with new dormer window extension to the rear, 2no. rooflights to the front and new single storey extension storey extension to the front elevation and all associated ancillary site works required.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council decided on a Split Decision. They recommended that permission be granted for the new single storey extension to the front elevation subject to the 8no. conditions specified in Schedule 1.

They recommended that permission be refused in respect of the change of use and conversion of existing attic space to habitable space with new roof profile (from hipped roof to gable end) to gable/side wall with new dormer window extension to the rear, 2no. rooflights to the front for the reasons specified in Schedule 2.

The proposed development consisting of the alteration of the roof by way of construction of a gable wall and dormer, are visually out of character with the existing houses in the area, in terms of style, roof profile, building line and bulk. The proposed development, would therefore, materially contravene objective DMS41 of the Fingal Development Plan 2017-2023, seriously injure the amenities of the area and of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planner had regard to the locational context of the site, planning history and policy. They noted that no submissions were made and that there are no inter departmental reports. Their Assessment included the following:

- The proposal is consistent with the zoning objective and other policies with the exception of objective DMS41 relating to dormer extensions as set out in the Fingal Development Plan 2017-2023.
- The proposed ground floor extension breaks an existing building line but is considered minor in nature and to be acceptable.
- The proposed roof alterations and installation of the dormer window will be visually obtrusive and impact on the roofscape and the dormer will appear as a dominant feature visible in the area.
- They considered that by virtue of the position of the subject house, the proposed construction of a gable end and a dormer to the rear roof pitch will significantly detract from adjoining visual amenity. They considered that the proposed ground floor extension to the front of the house to be acceptable.

4.0 Planning History

The Planner's Report provides that there is no specific planning history relevant to the subject site.

Sites of relevance in the vicinity are referred to in the Planning Precedent Section below.

5.0 Policy and Context

5.1. Fingal County Development Plan 2017-2023

Chapter 3 refers to Placemaking and includes regard to infill, corner and backland sites and to extensions:

Objective PM46 seeks to: *Encourage sensitively designed extension to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.*

Section 12.4 provides the Design Criteria for Residential Development. This includes that all new dwellings shall comply with Development Plan standards in relation to accommodation size, garden size and car parking.

Objective DMS39 provides: *New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.*

Objective DMS 40 provides that new corner site development shall have regard to the following:

- *Size, design, layout, relationship with existing dwelling and immediately adjacent properties.*
- *Impact on the amenities of neighbouring residents.*
- *The existing building line and respond to the roof profile of adjoining dwellings.*
- *The character of adjacent dwellings and create a sense of harmony.*
- *The provision of dual frontage development in order to avoid blank facades and maximise surveillance of the public domain.*
- *Side/gable and rear access/maintenance space.*
- *Level of visual harmony, including external finishes and colours.*

Extensions to Dwellings

This has regard to ground and first floor extensions and notes that extensions will generally be considered favourably on their merits where they do not have a

negative impact on adjoining properties or on the nature of the surrounding area. Regard is had to Overshadowing, Private Open Space provision, External finishes.

It is noted that: *Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip', will be assessed against a number of criteria including:*

- *Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures and prominence.*

Objective DMS41 includes: *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.*

Objective DMS42 seeks to: *Encourage more innovative design approaches for domestic extensions.*

Overlooking/Overshadowing

Objective DMS28 - *A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.*

Daylight, Sunlight and Overshadowing

Objective DMS30 - Ensure all new residential units comply with the recommendations of *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* (B.R.209, 2011) and *B.S. 8206 Lighting for Buildings, Part 2 2008: Code of Practice for Daylighting* or other updated relevant documents.

Private Open Space - Houses

Objective DMS87 seeks to: Ensure a minimum open space provision for dwelling houses (exclusive of car parking area) as follows:

- 3 bedroom houses or less to have a minimum of 60 sq m of private open space located behind the front building line of the house.
- Houses with 4 or more bedrooms to have a minimum of 75 sq m of private open space located behind the front building line of the house.
- Narrow strips of open space to the side of houses shall not be included in the private open space calculations.

5.2. Natural Heritage Designations

There are no designated sites proximate to the site.

5.3. EIA Screening

Having regard to the nature and scale of the development and the fact that it is a minor extension to an existing dwelling which is connected to the public water and drainage network, it is considered that 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

Kevin O'Neill, Arch Tech has submitted a First Party grounds of appeal on behalf of the applicant relative to the Council's refusal to convert the existing attic space to a habitable room, with new gable profile and dormer style rooflight to the rear. The grounds of appeal include the following:

- The Council's decision is unfair as there are precedents in this area of Clonee. Gable wall extensions are apparent throughout the area, as well as dormer style extensions.

- A planning search has revealed that these have been granted previously by the Council. A Map has been included to show the location of these sites relative to the subject site.
- They consider that the refusal of this application is unfair to the young family.
- The proposed dormer style rooflight has been designed to have external finishes that blend in with the existing roof finishes.
- The proposed design can be constructed to comply with the Building Regulations.
- They note a number of such precedents in the surrounding area and consider that the provision of a gable will not contravene or seriously injure the amenities of the area or of property in the vicinity.
- The proposal would not be contrary to the proper planning and sustainable development of the area and would enhance the area.
- They have regard to the Housing Crisis and note that this extension is required by a young family who have significant links to the area but are stuck for space.

6.2. Planning Authority Response

Fingal County Council considers that the issues were adequately raised in the Planner's Report and that the Reason for Refusal should stand. The Planning Authority remains of the opinion that the development if permitted to allow the alteration of the roof by way of construction of a gable wall and dormer, would be visually out of character with the predominant design, type, roof profile, building line and bulk. As such they consider that it would materially contravene objective DMS41 of the Fingal Development Plan 2017-2023.

They note that the applicant cites a number of precedents in the area, but that each application must be judged on its merits. They consider that this proposal is contrary to policies and objectives in the Plan, particularly those regarding dormer extensions and request the Board to uphold the decision to refuse permission.

In the event of this appeal being successful, they provide that provision should be made in the determination for the application of a financial contribution in accordance with the Council's Section 48 Development Contribution Scheme.

7.0 Assessment

7.1. Principle of Development and Planning Policy

- 7.1.1. The appeal site is located on lands that are zoned Objective 'RS' Residential Development with a stated objective '*to provide for residential development and to protect and improve residential amenity*' under the provisions of the Fingal Development Plan, 2017-2023. Under this land use zoning objective '*Residential*' development is identified as a permissible use. Section 12.4 provides the Design Criteria for Residential Development and this includes that Extensions to dwellings are generally considered favourably on their merits provided they do not have a negative impact on the amenities of adjoining properties or on the nature of the surrounding area.
- 7.1.2. The First Party considers the proposal provides acceptable alterations and extension to the existing dwellinghouse, to provide additional living space and that it will not impact adversely on adjoining properties. They have regard to precedent cases in the Littlepace area and note that this type of development has been accepted in other locations.
- 7.1.3. Having regard to the residential landuse zoning and the established pattern of development in the area and the planning history of the site, the proposals are acceptable in principle, subject to compliance with relevant policies in the plan and particularly those that relate specifically to sensitively designed residential extensions as set out in Objective PM46 (Extensions) and design and layout as set out in Section 12.4 of the plan including those relative to dormer extensions (Objective DMS41). Regard is had to the impact of this proposal on the character and amenities of the area and on neighbouring properties in the Assessment below.

7.2. Design and Layout and Impact on the Character and Amenities of the Area

- 7.2.1. As noted on the application form and on the plans submitted, the area of the subject site is 0.0275 ha, the floor area of the existing three bedroom house is 97.5sq.m. The proposed works (36.1sq.m) include a single storey front extension and alterations and extension to the roof to form a gable and the insertion of a rear dormer window to allow for the residential use of the attic floorspace. It is not proposed to extend the house to the rear.
- 7.2.2. It is proposed that the ground floor be extended 1.6m to allow for a pitched roof extension across the front elevation. This will alter the existing bay frontage and will be different to the other frontages along this row of dwellings. It will marginally extend over the building line. However, as it is a relatively small single storey front extension and will allow for a driveway of approx. 7.5m in length to remain it is not considered that it will significantly interfere with onsite parking. Provided external finishes match the existing house, I would consider it to be acceptable.
- 7.2.3. The proposed works involve changes to the roof profile to allow for use of the attic accommodation for habitable purposes. As shown on the Floor Plans submitted this is to allow for a four bedroom house. The Section shows that 2.45m in height as per the Building Regulations (considered under separate remit) can be achieved by the insertion of a large dormer and a gable in the rear roof space. It is also proposed to insert rooflights in the front elevation.
- 7.2.4. As per Objective DMS87 of the Plan the minimum standard is 60sq.m for a 3 bedroom house and 75sq.m for a 4 bedroom house. This includes that narrow strips of open space to the side of houses shall not be included in the private open space calculations. As shown on the Site Layout Plan the area of open space at the rear would not be changed by the proposed development and is c.80sq.m. However, it is also noted that there is a large block built shed in the rear garden area, that has not been shown on the Site Plans.
- 7.2.5. This corner site is in a prominent location and it is noted that the proposal including the large box dormer and gable end will appear very visible in the streetscape from The Drive. The rear of the subject property is also somewhat visible from the main Littlepace Road, particularly in the winter period. At the time of the site visit in May views were restricted by trees.

- 7.2.6. Having regard to Objective DMS41, I would consider that the proposed roof alterations including the dormer will have a negative impact on the existing character and form. It will visually unbalance the appearance of this semi-detached pair in the streetscape. As shown on the elevations the rear dormer window will not be visible on the front elevation, although it will be clearly visible from the public road on the site elevation. It is recommended that if the Board decide to permit that it be conditioned that the dormer is sited below the ridge level of the roof.
- 7.2.7. While I would not object to the proposed single storey front extension, I would consider that the proposed alterations to the roof to include the gable and dormer window will provide for a visually obtrusive form of development that would not add to the attractiveness or the character of the existing residential area and would be contrary to Objective PM46 relative to sensitively designed extensions.

7.3. Regard to Precedent Cases

- 7.3.1. The First Party considers the Council's refusal to be unfair in that similar type extensions to include hipped to gable and large rear box dormer have been granted elsewhere in the Littlepace area. Some of the roofs in the greater Hunters Run Littlepace area have had similar type hip to gable extensions. However, I did not note any other similar type extensions relative to corner sites or large rear box dormer windows visible from the road. While each case is considered on its merits, regard is had to precedent and to the following cases granted permission subject to conditions by the Council and now constructed or in the process of being constructed in Hunter's Run, and as referred to by the First Party.
- 7.3.2. Reg.Ref.FW18B/0093: Permission was granted for change of use and conversion of existing attic space to habitable space with new roof profile (from hipped to gable end) with dormer window extension to the rear and new single storey porch to the front elevation and all associated works at No. 21 The Drive. This semi-detached house is on the opposite side of the road to the subject site and does not appear to have been constructed, as yet. This permission included a Condition: *That any attic floorspace which does not comply with Building Regulations in relation to habitable accommodation shall not be used for human habitation.* At the time of the site visit I noted that some works were taking place to the roof of property adjoining, no. 23 The Drive. These cases present a different scenario in that the semi-detached pair no.

21 and 23 The Drive are not located on a prominent corner site, and the box dormer will not be seen from the public road.

- 7.3.3. Reg.Ref.17B/0073 – Permission granted for conversion of attic space to office/playroom/storage area with new revised roof profile (from hipped to gable end) to side/rear, with new dormer window extension to rear roof with 2no. velux roof lights, at no.57 The Grove, Hunter’s Run, Clonee. A similar type of condition relative to human habitation was included above. The Site Location Map shows that this is a centrally located rather than a prominent corner site.
- 7.3.4. Reg.Ref.No. FW/16B/0088 – Permission granted by the Council for attic conversion, new roof light to front elevation, new window to east facing gable elevation and dormer window to north facing rear elevation. The First Party subsequently appealed Condition no.2 to the Board Ref. PL06F.247512 refers. This provided a modification to reduce the size of the rear dormer window. The Board decided to retain this condition and provided: *Having regard to the scale and extent of the dormer window as proposed, and its location within the roofscape, and to the pattern of development in the vicinity, the Board considered that the planning authority were correct in requiring its modification, in the interests of residential and visual amenity.* The Site Location Map shows that this is also a centrally located rather than a prominent corner site.
- 7.3.5. It is considered that while as noted there have been permissions for these roof alterations, the scenarios presented in the cases referred to are different in that they are not on prominent corner sites and in particular the large rear box dormers are not as visually obtrusive in the streetscape.

7.4. Development Contributions

- 7.4.1. It is noted that the Council in their response to the grounds of appeal refer to the application of Development Contributions. Regard is had to the Fingal Development Contributions Scheme 2016-2020. Section 10 provides for *Exemptions and Reductions*. This includes in Section 10(i)(a): *The first 40 sq metres of domestic extensions. This exemption is cumulative and limited to 40 m² in total per dwelling.* As the proposed extension and alterations are less than 40sq.m it would fall into this exemption and development contributions would not apply.

7.5. Screening for Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend a split decision i.e. that permission be granted for the proposed single storey front extension and be refused for the roof alterations for the reasons and considerations below.

9.0 Schedule 1 – Reasons and Considerations

Having regard to the form and character of the established dwelling on the site, to the design and scale of the proposed single storey front extension, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be in accordance with the provisions of the current Fingal Development Plan. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. This Permission is granted only for that part of the development entailing the construction of the ground floor extension to the front of the house only and shall be carried out in its entirety in accordance with the plans and particulars submitted.

Reason: In the interest of clarity.

2. The external finishes of the extension shall match those of the existing dwelling.

Reason: In the interest of visual amenity.

- 3 Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works.

Reason: To ensure adequate servicing of the development, and to prevent pollution.

11.0 Schedule 2 - Reasons and Considerations

1. The proposed development comprising roof alterations to include change of hipped roof to gable and the provision of a large box dormer at the rear would appear overly dominant on this visually prominent corner site visible from the local road network, and the proposed changes to the roof profile would introduce a large dominant dormer into the roof at the rear that would be contrary to Objective DMS41. As such it is considered that this proposal would detract from the character of the area and be contrary to Objective PM46 relative to sensitively designed extensions, of the said Plan and to the proper planning and sustainable development of the area.

Angela Brereton
Planning Inspector

21st of May 2019