



An  
Bord  
Pleanála

## Inspector's Report

**ABP-304137-19**

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<b>Development</b>	Conversion of attic space to habitable space. Alterations of roof to gable roof, the addition of 1 dormer window to front, 1 dormer window to rear, 1 window to west elevation.
<b>Location</b>	2, Orwell Bank, Orwell Park, Rathgar, Dublin 6
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	WEB1024/19
<b>Applicant(s)</b>	Christopher & Karen Dennis
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Christopher & Karen Dennis
<b>Observer(s)</b>	Bryan M Kennedy

**Date of Site Inspection**

30<sup>th</sup> May 2019

**Inspector**

Ronan O'Connor

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## 1.0 Site Location and Description

1.1. The appeal site is located on the southern side of Orwell Park Road. On site is a two-storey semi-detached dwelling that forms part of the Orwell Bank housing development.

## 2.0 Proposed Development

2.1. Conversion of attic space to habitable space. Alterations of roof to gable roof, the addition of 1 dormer window to front, 1 dormer window to rear, 1 window to west elevation.

## 3.0 Planning Authority Decision

### 3.1. Decision

Grant permission with conditions. A condition of note, and the subject of this appeal, is as follows:

- Condition 2. Prior to the commencement of development, the applicant shall submit revised plans, particulars and details, which modify the proposed development. These modifications shall be agreed in writing with the planning authority and the proposed development shall be carried out in accordance with this agreement. The modifications to the proposed development shall adhere to the following: a. The proposed dormer window on the front roof slope shall be omitted. b. A rooflight similar in dimension to the existing may be permitted on the front roof slope. Reason: In the interests of orderly development and the visual amenities of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The report of the planning officer reflects the decision of the Planning Authority.

Points of note are as follows:

- Front dormer would be visible from the Conservation Area streetscape/no precedent for such an addition to the front roof slope.

- Would be incongruous to the streetscene and out of character with the Conservation Area.
- Visually dominant/does not comply with the sub-ordinate approach recommended in Section 17.11 of the Dublin City Development Plan 2016-2022.
- Would set an unacceptable precedent/should be omitted by condition.
- Hip to gable conversion acceptable/similar approved at No. 5 Tower Avenue.
- Rear dormer acceptable.
- No impact on amenity.
- Amenity space provision is acceptable.

### 3.2.2. Other Technical Reports

Drainage – No objection.

## 3.3. Prescribed Bodies

3.3.1. None.

## 3.4. Third Party Observations

3.4.1. 1 No. submissions were received.

- Loss of daylight/sunlight
- Impact on views
- Adverse impact on the streetscape/architectural balance of the entry point to Orwell Park.

## 4.0 Planning History

4.1.1. None.

## 5.0 Policy Context

### 5.1. Development Plan

Dublin City Development Plan 2016-2022

5.1.1. The site is located in an area that is zoned Objective Z2 (To protect and improve the amenities of residential conservation areas) under the provisions of the Dublin City Development Plan 2016-2022. Under this land use zoning objective, residential development is a permissible use.

5.1.2. Relevant policies and standards of the Dublin City Development Plan 2016-2022 include:

- Policy CHC4 – To protect the special interest and character of all Dublin’s Conservation Areas.
- Section 16.2.1 Design Principles.
- Paragraph 16.10.12 of the Plan relates to extensions and alterations to residential properties.
- Appendix 17 of the Plan provides guidance on residential extensions including roof extensions.

## 5.2. **Natural Heritage Designations**

5.2.1. None.

## 5.3. **EIA Screening**

5.3.1. Having regard to the nature and scale of the proposed development, alterations to a dwelling house, and having regard to the separation distance to the nearest sensitive location, 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**

6.1.1. The Grounds of the First Party Appeal are summarised below

- That the appeal relates to Condition 2.

- Proposed development is not visually incongruous with the streetscape and would not be out of character with the area, having regard to the scale and design and to the nearby apartment building at No. 59.
- Cladding is similar to that used in the adjoining building to the north-east.
- Actual window is smaller than the dormer.
- Height is lower than that of the adjacent apartment building.
- Orwell Park contains a wide variety of building styles.
- Previous Inspector considered that the materials and appearance of the apartment building at No. 59 were acceptable/Proposed dormer adopts similar materials to those used in the vicinity.
- There are a number of houses on the street with front dormer windows.
- No reference to fenestration in Appendix 24 of the Development Plan.
- The site is not in an ACA and none of the houses on the Z2 zoned part of Orwell Park are Protected Structures.
- Is in accordance with the zoning objectives and policies for residential conservation areas.
- Welcome form of densification of residential accommodation within the city/achieves a more compact form of residential development.
- Rooflight would make the bedroom accommodation more limited.

## 6.2. **Planning Authority Response**

6.2.1. None.

## 6.3. **Observations**

6.3.1. 1 no. observation on the appeal received from Brian Kennedy, No. 16 Orwell Park, Rathgar, Dublin 16.

- Loss of daylight and sunlight.
- Loss of view.
- Impact on Streetscape.
- Overlooking.

- Impact on architectural balance of the entry to the Orwell Bank development.

## 7.0 Assessment

- 7.1. The first party appeal relates solely to Condition 2 attached to the Notification of Decision to Grant Permission issued by the Planning Authority which relates to the omission of the front dormer extension in its entirety and its replacement with a rooflight.
- 7.2. While I note the comments of the observer on the appeal, I am satisfied that the appearance of the dormer to the rear, the hip to gable extension and the window on the west elevation, are acceptable and that no amenity impacts will result from same.
- 7.3. I consider it appropriate, therefore, that the scope of the assessment is restricted to the consideration of Condition 2 as attached to the Notification of Decision issued by the Planning Authority, in accordance with S.139 of the Planning and Development Act (as amended).
- 7.4. Condition 2 relates to the omission of the front dormer extension on the grounds that the front dormer would be visible from the Conservation Area streetscape and would be incongruous to the streetscene and out of character with the Conservation Area. It was considered to be visually dominant and does not comply with the sub-ordinate approach recommended in Section 17.11 of the Dublin City Development Plan 2016-2022.
- 7.5. The First Party Appellant contends that the proposed development is not visually incongruous with the streetscape and would not be out of character with the area, having regard to the scale and design and to the nearby apartment building at No. 59 and points to a number of houses on the street with front dormer windows.
- 7.6. I note that a number of the larger Victorian-era dwellings on the opposite side of Orwell Park have dormers to the front. These are original features of these properties and are relatively small relative to the area of the front roofslope. There are no examples of front dormer windows in the modern suburban style housing of the Orwell Bank development, which this appeal site forms part of.
- 7.7. Section 17.11 'Roof Extensions' of Appendix 17 of the Development Plan states that the design of dormer windows should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.



- 7.8. In my view the front dormer does not reflect the character of the area, which does not have similar type front dormers, and as such would not comply with Section 17.11 as cited above. It would be a visually prominent form of development which would have an adverse impact on the visual amenity of the area, contrary to the stated zoning objective for Z2 Residential Conservation Areas. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.
- 7.9. I note the comments of the First Party Appellant relating to the scale of the adjacent apartment development relative to this proposed development. I do not consider the larger scale of this development justifies the front dormer, which as noted above is contrary to Section 17.11 'Roof Extensions' of the Development Plan.

## 8.0 Recommendation

- 8.1. Having regard to the above it is recommended that the Planning Authority be directed as follows:
- That Condition No. 2 be retained on the grant of permission.

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Rónán O'Connor  
Planning Inspector

05<sup>th</sup> June 2019