



An
Bord
Pleanála

Inspector's Report

ABP-304379-19

Development	Attic conversion with change to existing roof ridge line
Location	80 Castlefield Woods, Clonsilla, Dublin 15
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW19B/0020
Applicant	Steve Kavanagh
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First Party
Appellant	Steve Kavanagh
Date of Site Inspection	19 th July 2019
Inspector	Dolores McCague

1.0 Site Location and Description

- 1.1.1. The site is located at 80 Castlefield Woods, Clonsilla, Dublin 15, where it is part of a low density development of mainly semi-detached two storey dwellings mainly brick fronted with tiled roofs in an array of profiles featuring large and less large gable front elements, and mainly hipped gables to the main roof. Each pair has a single chimney on the front roof. Many have been modified with side garage or single storey additions
- 1.1.2. The subject house is one of a pair of semi-detached dwellings with two adjoining lesser gable front elements and porch canopies, half brick fronted, the upper portion being plastered. The adjoining pair to the west has full brick front, a shared gable feature, enclosed porch features and the western dwelling has an additional bay which gives the block a different appearance. This line of houses faces south over a large amenity space.
- 1.1.3. On the date of inspection, which was in mid summer, the trees lining the road were in full foliage and it was difficult to see the built form of even a pair of houses in a single view.
- 1.1.4. The site is given as 0.026 hectares

2.0 Proposed Development

- 2.1.1. The proposed development comprises conversion of the attic with change to existing roof ridge. It is proposed that the hip of the roof be removed, and a gable built to provide additional floor space at attic level. It is also proposed to provide a stairs to this level from the first floor landing and to light the second floor area with a window in the gable and two rear facing roof windows. At the highest point in the space thus provided, the ridge, the height available is shown as 2.085m.
- 2.1.2. The existing floor area is given as 119.m². The floor area proposed is given as 22m².

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The planning authority decided (9th April 2019) to refuse permission for two reasons:

1 By virtue of the incongruity of the proposed development with the established character of the area, the proposal to alter a hipped roof to a gable end would have a significant impact on the existing residential amenity of the area. The proposal if constructed would therefore materially contravene the zoning objective of the Fingal development Plan 2017 – 2023 which seeks to ensure that any new development in existing areas would have a minimal impact on, and enhance existing residential amenity and would therefore be contrary to the proper planning and sustainable development of the area.

2 The proposed development, in the form of a gable wall, is visually out of character with the existing houses in the area, in terms of style and roof profile. The proposed development would, therefore, materially contravene criteria set out in the Development Management Standards set out in the Fingal Development Plan 2017-2023, most particularly the assessment against the existing roof variations on the streetscape and harmony with adjacent structures. The proposal if constructed would therefore 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.

3.1.2. The decision was in accordance with the planning recommendation.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The planning report, includes:

- Integration and impact on visual and residential amenity of area – the alteration from a hipped roof to a gable in this row of hipped roof semi-detached houses will alter the established and dominant character of this part of the estate and set a precedent for the alteration of other roof profiles.
- The space created in the house by undertaking the proposed works will result in a space which is non-compliant with building regulations and non-functional with a 2085mm maximum height at the ridge.
- The proposed gable window and roof lights to the rear are not considered to contribute to any significant increase in overlooking or loss of residential amenity taking account of the separation distance in excess of 22m, between opposing windows.

4.0 Planning History

None given

5.0 Policy Context

5.1. Development Plan

5.1.1. The Fingal Development Plan 2017-2023 is the operative plan. Relevant provisions include:

Zoned RS to provide for residential development and protect and improve residential amenity.

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.

5.2. Natural Heritage Designations

5.2.1. The nearest Natura site is South Dublin Bay and River Tolka Estuary SPA (site Code 004024) which is in excess of 11 km, straight line distance, from the subject site.

5.3. EIA Screening

5.3.1. Having regard to the nature and scale of the proposed development and the absence of any significant environmental sensitivity in the vicinity 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. Steve Kavanagh has submitted this appeal, against the planning authority's decision to refuse permission. The grounds includes:

- There has been a precedent set in regards to altering the roof line and converting the attic space already in Castlefield Woods and in Charnwood Green beside Castlefield. Nos 87 and 97 Castlefield Woods, 3 Charnwood Green and 9 Charnwood Green – these also face onto a residential amenity as 80 Castlefield Woods. They are within 180m of the applicant's dwelling, the nearest being 60m. One, 3 Charnwood Green, got planning permission to build up the gable and also added a dormer.
- A map, showing the location of these properties, is attached to the grounds.
- Photographs of each of the properties referred to is attached to the grounds.

6.2. Planning Authority Response

6.2.1. The Planning Authority have responded to the grounds of appeal, the response includes:

- The issues raised have been dealt with in the planner's report.
- The view was arrived at given the particular context of the subject house, best demonstrated by the contiguous elevations submitted with the application titled 'existing and proposed street plans'. The drawing demonstrates the extent to which the built character in the vicinity is dominated by hipped roofs.
- Re a number of separate developments of a similar nature in the vicinity, it is noted that not all of the developments are comparable taking account of the immediate and wider context.

7.0 Assessment

7.1. Notwithstanding that the reasons state that the proposed development would materially contravene criteria set out in the Development Management Standards of the Fingal Development Plan 2017-2023 and the RS zoning, the proposed development would not materially contravene the development plan and therefore

the procedures set out in Section 37 (2) (b) of the Planning and Development Act 2000 as amended, do not apply.

- 7.1.1. The issues which arise in relation to this appeal are: appropriate assessment, visual amenity, and building standards and the following assessment is dealt with under those headings.

7.2. **Appropriate Assessment**

- 7.2.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment 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.

7.3. **Visual Amenity**

- 7.4. The planning authority decision reflects the assessment that the proposed development would impact on the visual amenities of the area due to the prevailing pattern of hipped roofs in the area and the proposal to alter the roof profile to a gable end roof.
 - 7.4.1. In the response to the grounds of appeal the planning authority state further that the drawing of contiguous elevations submitted with the application with the title 'existing and proposed street plans' demonstrates the extent to which the built character in the vicinity is dominated by hipped roofs.
 - 7.4.2. I concur with these assessments: hipped roofs with front gable projections are the prevailing pattern in the area, and the drawing no 1902-06 illustrates this pattern.
 - 7.4.3. However the contiguous front elevation is not as legible on the ground where the extensive roadside tree planting has provided the area with a leafy character which obscures the detail of the building profiles. In this regard the development plan criteria refer to visibility of proposed roof end, in my opinion in the present context, visual amenity should not be a reason to refuse permission.

7.5. **Building Standards**

- 7.5.1. The floor to ceiling height is referred to in the planning report where it is noted that the height available at the ridge (i.e. maximum available) is only 2085mm and therefore the development would be non-compliant with the Building Regulations.

- 7.5.2. The Building Regulations requirement is for a minimum height of 2.4m over most of the attic space and the development clearly can't comply with this minimum head room. In addition it is unclear from the documents submitted how the proposal would comply with necessary means of escape. It is worth noting that the drawings supplied with the application do not appear to be attributed to any source, i.e. no name is given.
- 7.5.3. The proposed development would involve significant works and would result in floorspace which could not be considered habitable. In my opinion this is a reason to refuse permission.

8.0 Recommendation

- 8.1.1. In the light of the above assessment I recommend that planning permission be refused for the following reasons and considerations.

9.0 Reasons and Considerations

The proposed development, which would not comply with minimum Building Regulations standards, would provide seriously substandard residential accommodation and accordingly would be contrary to the proper planning and sustainable development of the area.

Planning Inspector

25 July 2019

Appendices

Appendix 1 Photographs

Appendix 2 Fingal County Development Plan 2017-2023 extract.