



An
Bord
Pleanála

Inspector's Report

ABP-304477-19

Development	Conversion of attic level storage to habitable use, installation of roof windows and construction of a new single storey rear extension.
Location	35 Sion Hill Park, Drumcondra, Dublin 9.
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	2427/19
Applicant(s)	Caroline Foran & Barry Doyle.
Type of Application	Permission.
Planning Authority Decision	Split decision.
Type of Appeal	First Party
Appellant(s)	Caroline Foran & Barry Doyle.
Observer(s)	None.
Date of Site Inspection	31 st July 2019.
Inspector	Sarah Lynch

1.0 Site Location and Description

- 1.1. The appeal site is a mid terrace dwelling in a new housing development, located to the north west of Marino and to the south east of Whitehall. The dwelling is bounded to the rear by residential property along Grace Park Road and is located to the rear of the Sion Hall Park development.
- 1.2. The dwelling is a two-storey modest structure of contemporary design and has a small rear garden which is bounded by concrete panel and timber fencing. The topography of the site rises slightly to the rear. The rear of the terrace is uniform in design and no extensions have been built to date.
- 1.3. The front of the dwelling is also of uniform design and the roof slope of the terrace is un-interrupted and continuous with the exception of a modern square bay window column set within the wall plate to roof level at intervals along the terrace.

2.0 Proposed Development

- 2.1. The development comprises the following:
 - Conversion of existing attic room for habitable use.
 - Installation of 3 no. rooflights within front elevation and one to rear.
 - New sunroom extension at ground floor to rear.

3.0 Planning Authority Decision

3.1. Decision

Dublin City Council issues a split decision as follows:

- Permission was granted for the rear extension.
- Permission was refused for the front rooflights.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planners report was consistent with the decision of the planning authority.

3.2.2. Other Technical Reports

- Drainage Division – No objections subject to conditions

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 Planning History

There is no planning history for the appeal site.

The following are of relevance and relate to neighbouring properties:

2615/19 – 22 Sion Hill Park – Permission was granted for solar pv panels on the south facing roof slope which is visible from the public road.

2259/19 – 27 Sion Hill park – Permission was granted for a new flat roof dormer with window at attic level.

2900/18 – 23 Sion Hill Park – permission was granted for a new flat roof dormer with window at attic level.

2404/18 – 32 Sion Hill Park – permission was granted to construct a new flat roof dormer window at attic level to front.

3899/17 – 39 Sion Hill Park – permission was granted to construct a new flat roof dormer window at attic level to front.

5.0 Policy Context

5.1. Development Plan

Dublin City Development Plan 2016-2022

Zoning objective Z1, the objective for which is 'to protect, provide and improve residential amenities.'

The following Sections are of relevance:

- 16.2.2.3 – Alterations and Extensions (General)
- 16.10.12 Extensions and Alterations to Dwellings
- Section 17.3 Residential Amenity Issues
- Section 17.4 Privacy
- Section 17.6 Daylight and Sunlight
- **Appendix 17** – The guidelines contained within this section provide general advice and design principles for residential extensions

5.2. **Natural Heritage Designations**

None

5.3. **EIA Screening**

5.4. Having regard to the limited 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**

- The existing development incorporates a dormer window at either end of a four-house block, the introduction of additional dormer windows would be inconsistent with the established pattern of development.
- The established pattern of development has been already compromised by the introduction of a new dormer window in a block of four terraced dwellings on the opposite side of the street.
- There is a precedent for rooflights in the vicinity along Sion Hill Road.

- The design and location of the rooflights would not result in any level of overlooking.
- A dormer window would result in greater overlooking of neighbouring properties than is afforded by rooflights.
- It is not accepted that the proposed rooflights would negatively impact the residential amenity of the occupants of the dwelling.
- A condition restricting the use to storage would be acceptable.

6.2. Planning Authority Response

- None

7.0 Assessment

7.1. The appeal site is located in an area subject to the Z1 zoning objective which seeks to protect, provide and improve residential amenities, the principle of residential development is accepted within this zoning objective. The proposed rear extension is modest in terms of scale and form. Dublin City Council have raised no issue with the acceptability of this element of the development. I therefore consider that the issues before the board are solely in relation to the proposed rooflights. Given that the rear extension is not the subject of this appeal I do not consider it is necessary to reassess its merits. The issues pertaining to the assessment of this appeal are as follows:

- Visual impact of rooflights.
- Impact of rooflights on residential amenity.
- Appropriate Assessment.

Visual impact of rooflights.

7.2. It is contended by Dublin City Council within the reason for refusal that the proposed rooflights would be visually incongruous in the streetscape and would be inconsistent with the established pattern of development. It is stated within the planners report that the construction of a flat roof box dormer window within the front elevation would be more acceptable in this instance. The applicants rebut this assessment and state within the grounds of appeal, that the appeal site is not located within a conservation

area and the construction of a box dormer within this front elevation would, in fact, be more injurious to the visual amenities of the area. It is further stated by the applicant that the established pattern of development has already been compromised by the introduction of a box dormer within the front elevation of the terrace of properties on the opposite side of the road to the appeal site.

- 7.3. I noted at the time of inspection that there is indeed a uniformity to the number of box dormers within the front elevations of the development. These dormers, as noted by the applicant, book-end groups of terraced dwellings in threes and fours and rest on top of a two-storey box bay. I consider that given the symmetry of the design present, the introduction of random box dormer windows along the front façade of these terraced properties would interfere with the symmetry of the original design.
- 7.4. It is important to note that the appeal site is located within an established residential area which comprises of a mix of older and new properties of differing design, scale and proportions. The area is not, as stated by the applicant, within an Architectural Conservation Area and is not a Protected Structure. In addition, there are no specific objectives within the Dublin City Development Plan which specifically restrict the use of rooflights within this area or specifically within the development.
- 7.5. Section 16.2.2.3 of the Dublin City Development Plan 2016-2022 requires that alterations and extensions at roof level, including roof terraces, are to respect the scale, elevational proportions and architectural form of the building, and will respect the uniformity of terraces or groups of buildings with a consistent roofline and will not adversely affect the character of terraces.
- 7.6. The proposal to insert three no. roof lights within the roof slope of the existing dwelling, will not interfere with the uniformity of the design in that it will not interrupt the ridgeline or the symmetry of the original design concept which provides for box dormers on top of box bays. I therefore consider the insertion of rooflights within the front roof slope to be a modest alteration to the property which is in accordance with the requirements of Section 16.2.2.3 of the Dublin City Development Plan.
- 7.7. I further note that permission was granted to no. 22 Sion Hill Park for the insertion of solar panels on the southern roof slope of this property which is clearly visible from the internal estate road. These solar panels were in the process of being installed at the time of my inspection. The visual impact of these panels is arguably greater than that of the proposed rooflights and this property is also arguably in a more visually prominent location to that of the appeal site. Thus, having regard to the provisions of

the Dublin City Development Plan and existing permitted development in the immediate vicinity of the site, I consider the proposed roof lights to be acceptable in terms of visual impact.

Impact of rooflights on residential amenity.

7.8. It is contended by DCC within the reason for refusal that the proposed rooflights would cause serious injury to the residential amenities of the dwelling, it is further contended that the provision of roof lights as the only source of light to a bedroom is contrary to the provisions of the development plan.

7.9. The applicants within the grounds of appeal, state that they are content to utilise the attic space for storage purposes only. I note that Section 16.10.2 of the Dublin City Development Plan 2016-2022 states that bedrooms shall not be lit solely by roof lights, I therefore consider, based on the requirements of this Section of the plan, that the proposed bedroom would be contrary to the provisions of the development plan in this regard. If the Board is of a mind to grant permission, I recommend that a condition is imposed which prohibits the use of this attic room as a bedroom.

7.10. Appropriate Assessment

7.11. Having regard to the minor nature of the development, its location in a serviced urban area, and the separation distance to any 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.

Conclusion

7.12. Subject to the foregoing I consider the proposed development to be of modest scale and size and I consider the provision of 3 no. rooflights within the front elevation to be in accordance with the provisions of the Dublin City Development Plan 2016-2022. However, as mentioned above, it is recommended that the use of the attic space as a bedroom is prohibited.

8.0 Recommendation

8.1. I recommend that permission is granted subject to the following conditions.

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Dublin City Development Plan 2016-2022, the existing pattern of development in the area, and the nature and scale of the proposed development, 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. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. 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.

Reason: In the interest of clarity.

2. The proposed room labelled 'bedroom no. 4' on drawing no. 005, shall only be used for a use which is ancillary to the use of the dwelling house and shall be precluded from use as a bedroom.

Reason: In the interest of residential amenity and proper planning

3. 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.

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

Reason: In the interest of public health.

5. 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. 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.

6. The site and development works shall be carried out in such a manner as to ensure that the adjoining street(s) 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 road, the said cleaning works shall be carried out at the developers expense.

Reason: In the interest of orderly development

Sarah Lynch
Planning Inspector

7th August 2019