



An
Bord
Pleanála

Inspector's Report ABP-304680-19.

Development	Conversion of attic to habitable bedroom accommodation.
Location	53 Hyde Road, Dalkey.
Planning Authority	DLRCC.
Planning Authority Reg. Ref.	D19B/0156.
Applicants	Geoff & Liz McEvoy.
Type of Application	Permission.
Planning Authority Decision	Refusal.
Type of Appeal	First Party
Appellants	As above.
Observer(s)	None.
Date of Site Inspection	20 th September 2019.
Inspector	Philip Davis.

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1.0 Introduction

This appeal is by the applicant against the decision of the planning authority to refuse permission for an attic extension for design and amenity reasons.

2.0 Site Location and Description

2.1. Hyde Road

Hyde Road is a suburban link road running north-west from the end of Main Street, Dalkey, connecting Dalkey with Glenageary and Bullock. It is characterised by mostly detached and semi-detached houses, one and two storeys high, usually of around mid-20th Century date. The road itself seems to have been laid out during the suburban expansion of Dublin from that period. The appeal site is a semi-detached bungalow on the northern side of the road around mid-way along its length and opposite a GAA sports ground.

2.2. Appeal site

The appeal site is a single storey semi-detached bungalow on a site give as 0.266 hectares. The house appears to date from around the 1950's. The floorspace of the bungalow is given as 132 square meters. The rear garden is small with a shed and return running the length of the property. There are similar properties on either side. There is an informal park serving the Ulverton Close estate on higher ground to the rear (north-east) of the site.

3.0 Proposed Development

Conversion of attic to habitable bedroom accommodation; creation of a flat roof dormer on the rear roof pitch; insertion of two flush roof lights to front and gable roof pitches; all ancillary works.

The gross floorspace of the proposed works is given as 21.4 square metres.

4.0 Planning Authority Decision

4.1. Decision

The planning authority decided to refuse permission for one stated reason:

The proposed dormer forms a dominant part of the existing roof and by reason of its scale, bulk and dimensions it therefore does not comply with Section 8.2.3.4(i) 'Extensions to Dwellings', of the Dun Laoghaire-Rathdown County Development Plan 2016-2022. The proposed dormer would be visually dominant when viewed from the surroundings and would therefore be seriously injurious to the residential amenities of the area and contrary to the proper planning and sustainable development of the area.

4.2. Planning Authority Reports

4.2.1. Planning Reports

- Noted that no submissions had been made.
- Noted previous grant of permission for a new extension to the rear (D15B/0477), and the retention of an attic storage area with single storey extension and garage to rear (D05B/0361).
- Notes zoning for '*protect and /or improve residential amenity*' and the relevant policy for roof alteration/dormer, section 8.2.3.4(i) of the DLRCC 2016-2022.
- Concludes that the scale and bulk is such that it would form a dominant part of the roof and would not comply with the above section of the development plan.
- Screening carried out for AA and EIA – no NIS or EIA needed.
- Refusal recommended.

4.2.2. Other Technical Reports

Drainage: No objection subject to standard condition.

5.0 Planning History

- Grant of permission for a new extension to the rear (**D15B/0477**),
- Retention of an attic storage area with single storey extension and garage to rear (**D05B/0361**).

No other records of applications or appeals on file.

6.0 Policy and Context

6.1. Development Plan

The site is located in an area zoned 'A' to protect and improve residential amenities. Relevant guidelines for dormer and roof extensions are set out in section 8.2.3.4(i) of the Dun Laoghaire-Rathdown Development Plan 2016-2022. Relevant sections are attached in the Appendix to this report.

6.2. Natural Heritage Designations

The site is just under 1 km from two Natura 2000 designated sites, the Dalkey Island SPA site code 004172 and the Rockabill to Dalkey Island SAC site code 003000.

6.3. EIA Screening

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.

7.0 The Appeal

7.1. Grounds of Appeal

- With regard to overlooking, photos and visualisations are provided in support of the argument that the dormer window would not overlook any adjoining

properties to an unacceptable extent. A revised design is submitted for the Boards consideration which reduces the scale and bulk (figures 4, 5, 6 and 7 of the submission).

- Details are provided of the proposed finish (anthracite zinc cladding) in support of an argument that the overall design and finish is in accordance with the requirements of section 8.2.3.4(i).
- It is argued that the proposed dormer would hardly be visible from the street and so cannot be considered visually intrusive.

7.2. Planning Authority Response

The planning authority refers the Board to the planner's report. It is considered that the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

8.0 Assessment

Having inspected the site and reviewed the file documents, I consider that the proposed development can be assessed under the following general headings:

- Principle of development
- Design and impact on amenities
- Appropriate Assessment
- Other issues

8.1. Principle of Development

The appeal site is within established zoned lands for the protection of residential amenities in the Dun Laoghaire Rathdown Development Plan 2016-2022. Relevant guidance and policy objectives for roof/dormer type developments such as this are set out in section 8.3.2.4(i) of the Plan (page 176), in addition to guidelines on garden size and parking, and general policy objectives relating to such developments. I would consider that there is a general presumption in favour of such developments subject to the protection of residential amenities and general development standards as set out in the Plan.

8.2. Design and impact on amenities

The proposed development would allow the attic living space to be used for residential purposes and involves the construction of a modern dormer window which extends out significantly from the existing roof line. The proposed dormer would be significantly larger than any similar such structure along this line of bungalows. The very tight nature of the rears of these sites however means that there would be little direct impact on the adjoining properties. The dormer would be very prominent when viewed from the rears of properties to the east, (Ulverton Close), which are elevated significantly above the dwellings on Hyde Road and the open space within Ulverton Close. However, I don't consider that this impact would be particularly intrusive as the proposed finish and form are of a good quality and the dwellings are significantly below the levels of these houses and is screened by vegetation.

The dormer would be visible from Hyde Road, but only as a very minor element. I don't consider that it would significantly detract from the visual amenities of the area.

The applicant has submitted revised plans which are significantly smaller and, I would consider, a better solution which addresses the concerns of the planning authority and the guidelines set out in section 8.3.2.4(i) of the DLRCC development plan. I would recommend that the Board grant permission on the basis that these revised plans be conditioned.

8.3. Appropriate Assessment

Having regard to the pre-existing development on the site, the small scale of the proposed development, and the separation distance from the nearest 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 individually or in combination with other plans or projects on a European site.

8.4. Other issues

There are no protected structures or areas of archaeological potential on or immediately adjacent to the site. The proposed development is on an existing structure so there would be no implications for drainage.

I do not consider that there are any other substantive planning issues raised in this appeal.

9.0 Recommendation

I recommend that permission be granted for the proposed attic extension and dormer subject to the conditions set out below, specifically the use of the revised plans submitted with the appeal.

10.0 Reasons and Considerations

Having regard to the zoning designation of the area, the nature of the area, and the design as submitted, it is considered that subject to the conditions set out below the proposed development would be in accordance with the development standards set out in the DLRCC Development Plan 2016-2022, and would not significantly impact on the amenities of the area and would otherwise be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by An Bord Pleanála on the 17th Day of June, 2019, 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. Site development and building works shall be carried out only between the hours of 0800 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.

Philip Davis
Planning Inspector

23rd September 2019