



An  
Bord  
Pleanála

## Inspector's Report ABP-305915-19

---

<b>Development</b>	Attic conversion to include a dormer window structure and 3 no. velux roof windows
<b>Location</b>	60 Beechfield Heights, Castaheany, Dublin 15, D15 C8P2
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	FW19B/0102
<b>Applicant(s)</b>	Margarita Strazinska
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Margarita Strazinska
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	13 <sup>th</sup> February 2020
<b>Inspector</b>	Mary Crowley

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History.....	5
5.0 Policy Context.....	6
5.1. Development Plan.....	6
5.2. Natural Heritage Designations .....	6
5.3. EIA Screening .....	6
6.0 The Appeal .....	6
6.1. Grounds of Appeal .....	6
6.2. Planning Authority Response .....	7
6.3. Observations .....	7
6.4. Further Responses.....	7
7.0 Assessment .....	7
7.2. Principle .....	8
7.3. Scale & Design.....	8
7.4. Appropriate Assessment .....	9
7.5. Other Issues.....	9
8.0 Recommendation.....	9

9.0 Reasons and Considerations..... 10

10.0 Conditions ..... 10

## 1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.0173 ha is located within the curtilage of an existing end-of-terrace two-storey dwelling which is at the south eastern end of a terrace of similar style houses. The terrace is located on the northern side of Beechfield Heights in Castaheany. A set of photographs of the site and its environs taken during the course of my site inspection is attached. I also refer the Board to the photos available to view on the appeal file. These serve to describe the site and location in further detail.

## 2.0 Proposed Development

- 2.1. Permission sought for an attic conversion (30.6 sqm) to include a dormer window structure at attic level to the rear and 3 no. velux roof windows to the front roof area of existing dwelling (104.8 sqm).

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Fingal County Council issued notification of decision to refuse permission for the following reason:

*The development as proposed providing for a dormer extension to the rear roof slope of this terraced property, by reason of the scale and width of this feature, would result in the creation of an incongruous extension to the property which would dominate the roofscape and would be particularly obtrusive when viewed from the public area to the immediate south and east. The proposal would contravene materially Objective DMS41 of the Fingal Development Plan with regard to the design of dormer extensions and would seriously injure the amenities of the area. The development would therefore be contrary to the proper planning and sustainable development.*

### 3.2. Planning Authority Reports

- 3.2.1. Planning Reports

- The **Case Planner** in their report state that the scheme when viewed from the adjoining public road to both the north east and south east, would have an unduly negative impact on the visual and residential amenities of adjoining and neighbouring development. Accordingly, it was recommended that planning permission be refused. The notification of decision to refuse permission issued by FCC reflects this recommendation.

#### 3.2.2. Other Technical Reports

- **Water Services** – No objection.

#### 3.3. Prescribed Bodies

- **Irish Water** – No objection

#### 3.4. Third Party Observations

- 3.4.1. There are no observations recorded on the appeal file.

### 4.0 Planning History

- 4.1.1. The following planning history was submitted with the appeal file:

- **FW19B/0050** – FCC granted permission subject to 7 no conditions for the conversion of attic to storage use with dormer to eastern façade, extension of hipped roof ridge to form a gable plus 2 no rooflights to western (street) façade at No 26 Charnwod Court, Clonsilla.
- **FW18B/0136** – FCC refused permission for an attic conversion to include a dormer window structure at attic level to the rear and 3 no velux roof windows to the front roof area at No 60 Beechfield Heights, Castaheany for reasons of scale, width and the material contravention of Objective DMS41.
- **FW16B/0051** – FCC granted permission subject to 8 no conditions for the attic conversion with a new rear facing dormer window, raising of the present hipped roof to provide a gable ended roof to house at No 18 Beechfield Green, Castaheany.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The operative plan for the area is the **Fingal Development Plan 2017 – 2023**. The site is **Zoned RS (Residential)** where the objective is “*to provide for residential development and protect and improve residential amenity*”. Chapter 12 sets out the Development Management Standards.

### 5.2. Natural Heritage Designations

- 5.2.1. The site is not located within a designated Natura 2000 site.

### 5.3. EIA Screening

- 5.3.1. Having regard to the nature and scale of the proposed development in an established urban area, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment 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 first party appeal has been prepared and submitted by Stephen Molloy Architects on behalf of the applicant and may be summarised as follows:
- The design of the dormer as submitted to Fingal County Council in this application is identical to the design and site layout as previously permitted in the listed precedent applications.
  - The proposed house also respects finishes and roof height profiles etc of neighbouring houses.
  - The refusal reason is based on the visual design opinion of the area planner and does not represent a material breach of the Development Plan or of good design practice.

- The proposed dwelling is in compliance with the zoning objectives and the policies set out both in the national and regional planning documents as well as the Fingal County Development Plan.
- There are many other precedents for this type of development within the area. The subject development is designed whilst regarding the architectural features of the existing building as well as the surrounding buildings in the vicinity.
- The proposed development has no other impediments and indeed there were no objections to the proposed development.
- The Board is requested to overturn the decision of the Local Authority

## 6.2. **Planning Authority Response**

6.2.1. There is no response recoded on the appeal file.

## 6.3. **Observations**

6.3.1. There are no observations recorded on the appeal file.

## 6.4. **Further Responses**

6.4.1. There are no further responses recorded on the appeal file.

## 7.0 **Assessment**

7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle
- Scale & Design
- Other Issues

## 7.2. Principle

- 7.2.1. Under the provisions of the Fingal Development Plan 2017 – 2023 the site is wholly contained within an area zoned RS (Residential) where the objective is “*to provide for residential development and protect and improve residential amenity*” and where residential extensions and alterations to an existing dwelling for residential purposes is considered a permissible use. I am satisfied that the principle of the development is acceptable at this location subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance.

## 7.3. Scale & Design

- 7.3.1. Fingal County Council in their reason for refusal state that the rear roof dormer extension by reason of scale and width would dominate the roofscape and would be particularly obtrusive when viewed from the public area to the immediate south and east and would contravene materially Objective DMS41 of the Fingal Development Plan with regard to design.

- 7.3.2. Objective DMS41 states as follows:

*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.*

- 7.3.3. The dwelling house to which the works are proposed is a modern house within a relatively new suburb of Dublin. The immediate area is characterised by similar low density generally single plot housing.

- 7.3.4. I have considered the plans and particulars submitted and together with my site inspection I am satisfied that the scale and design of the dormer will not overwhelm or dominate the original form or appearance of the parent building and will not be higher than the existing ridge height of the house. Further, I do not consider that the proposed works will have a significant negative impact on the adjoining houses, established character or visual amenities of the area. Accordingly, the design and scale of the



proposed scheme is acceptable at this location. While the proposed rear dormer will be visible from the residential area immediately to the south and east I do not consider the visual impact to be so significant as to warrant a refusal. Further I do not consider that to permit the scheme would materially contravene the Development Plan.

- 7.3.5. There are three velux windows proposed in the front roof plane. The proposed rear dormer windows are set back in excess of 12 metres from the opposing site boundary to the rear. I am satisfied that the proposed development will not impact unduly on the residential amenity of adjoining properties by reasons of overlooking or overshadowing.

#### 7.4. **Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development comprising a rear residential extension and its distance to the nearest 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.

#### 7.5. **Other Issues**

- 7.5.1. **Development Contributions** – Fingal County Council has adopted a Development Contribution Scheme under Section 48 of the Planning and Development Act 2000 (as amended); the Fingal County Council Development Contribution Scheme 2016 -2020 refers. I have reviewed the categories of development that will be exempted, or partly exempted, from the requirement to pay development contributions under the Scheme. The stated area of the proposed scheme before the Board is 30.6 sqm and is therefore exempt from the requirement to pay a development contribution (first 40sqm is exempt).

### 8.0 **Recommendation**

- 8.1. It is recommended that permission be **granted** subject to conditions for the reasons and considerations set out below.

## 9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Fingal Development Plan 2017 – 2023 and its zoning for residential purposes, to the location of the site in an established residential area and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development not seriously injure the residential or visual amenities of the area and would be acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health</p>

---

**Mary Crowley**

**Senior Planning Inspector**

**2<sup>nd</sup> March 2020**