



An
Bord
Pleanála

Inspector's Report 306902-20

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| Development | Increase in approved height and width of rear dormer structure at attic level |
| Location | No. 39 Watermill Drive, Raheny, Dublin 5 |
| Planning Authority | Dublin City Council |
| Planning Authority Reg. Ref. | 2025/20 |
| Applicant(s) | Caroline & David Roberts |
| Type of Application | Permission |
| Planning Authority Decision | Refuse permission |
| Type of Appeal | First Party v. Decision |
| Appellant(s) | Caroline & David Roberts |
| Observer(s) | None |
| Date of Site Inspection | 26 th June 2020 |
| Inspector | Louise Treacy |

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 310 m² and is located at No. 39 Watermill Drive, Raheny, Dublin 5. The existing property is a two-storey, end-of-terrace dwelling with off-street car parking to the front.

2.0 Proposed Development

- 2.1. The proposed development comprises revisions to the development granted under planning reg. ref. 3950/19 comprising an increase in the approved height and width of the rear dormer structure at attic level.
- 2.2. The permitted dormer extension matches the height of the existing roof ridge line. The proposed development seeks to increase the height of the dormer extension by 0.529 m. It is also proposed to increase the width of the permitted dormer structure from 3.5 m to 4 m.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Refuse Permission for 1 no. reason issued on 4th March 2020 on the basis that the proposed development would excessively breach the existing roof ridge height, resulting in development which is visually incongruous with the existing house and houses in the vicinity. Therefore, the proposed development was considered contrary to Section 17.1 (Roof Extensions) and Appendix 17 (Guidelines for Residential Extensions) of the Dublin City Development Plan 2016-2022.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 3.2.2. Basis of Planning Authority's decision.

3.2.3. **Other Technical Reports**

3.2.4. **Engineering Department Drainage Division:** No objection to the proposed development subject to conditions.

3.3. **Prescribed Bodies**

3.4. **Irish Water:** None received.

3.5. **Irish Rail:** None received.

3.6. **Third Party Observations**

3.6.1. None.

4.0 **Planning History**

4.1. **Planning Authority Reg. Ref. 3950/19:** Planning permission granted on 12th December 2019 for the conversion of the existing attic space with a new dormer window extension.

4.2. Condition no. 3 of this permission required the development to be revised such that:

(i) The roof of the dormer box extension shall not exceed the existing roof ridge height;

(ii) The box extension shall not exceed 3.5 m in width and shall be centred on the mid-point of the property;

(iii) The box extension shall be set a minimum of 600mm from the existing eaves level;

(iv) There shall be one window only in the dormer extension which shall not exceed 2 m in width;

(v) The flank walls and roof of the dormer extension shall be finished in tiles similar to the existing roof tiles; and,

(vi) The development shall not be used as habitable space or a bedroom.

4.3. **Planning Authority Reg. Ref. 3118/05:** Planning permission granted on 24th August 2005 for a 2-storey extension to the front, side and rear; single-storey lean-to extension to the rear, single-storey porch to the front; widening of existing vehicular

entrance and extension of parking area to front and demolition of boundary wall between No. 39 and 41 Watermill Drive and all associated works.

5.0 Policy and Context

5.1. Dublin City Development Plan 2016-2022

5.2. Land Use Zoning

5.2.1. The site is subject to land use zoning “Z1” (Sustainable Residential Neighbourhoods) which has the objective “to protect, provide and improve residential amenities”.

5.2.2. Alterations and Extensions

5.2.3. The policy regarding extensions and alterations to dwellings is set out in Sections 16.2.2.3 and 16.10.2 and Appendix 17 of the development plan. In general, applications for planning permission to extend dwellings will only be granted where the planning authority is satisfied the proposal will: (1) not have an adverse impact on the scale and character of the dwelling, and (2) not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

5.2.4. Further guidance in relation to dormer extensions is set out in Section 17.11 of Appendix 17. When extending the roof, the following principles should be applied:

- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building;
- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible;
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors;
- Roof materials should be covered in materials that match or complement the main building;
- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

5.3. Natural Heritage Designations

5.3.1. None.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first party appeal has been lodged by Colgan O'Reilly Architects on behalf of the applicants, the grounds of which can be summarised as follows:

- The existing fifth bedroom within the dwelling is a small box room, with the attic room designed to act as an overflow space to serve this room;
- Condition no. 3(b) of planning reg. ref. 3950/19 requires the dormer extension to be located on the mid-point of the property, resulting in the extension being close to the ridge of the hipped roof and visible from the public road;
- The current proposal centres the dormer on the centre of the original house, which sets the dormer back from the hip and reduces its visibility;
- The roof of the dormer would not be visible from the public road as the step back detailing does not impact on the ridge line of the original roofline;
- The height of the dormer is consistent with the ridge line of No. 31 Watermill Drive;
- The area of the dormer is 49% of the overall vertical roof plain, and as such, is subservient to the main roof;
- An Bord Pleanála recently removed condition no. 2 of planning authority reg. ref. 3588/14; ABP Ref. PL29S.244518 which relates to the height of a dormer extension on a property in Ringsend;

6.2. Planning Authority Response

6.2.1. None received.

6.3. Observations

6.3.1. None.

7.0 Assessment

7.1. I am satisfied that the main issues for consideration in this case include:

- Visual impact of the development;
- Appropriate assessment;

7.2. Each of these issues is addressed in turn below.

7.3. Visual impact of the proposed development

7.3.1. This application seeks to revise the dormer structure which was permitted on the rear roof slope of the dwelling under planning reg. ref. 3950/19. A significantly larger dormer extension was originally proposed under this planning application. However, it was considered excessive in scale, and its height and size were amended by way of condition no. 3 of that permission as summarised in section 4.2 of this report above.

7.3.2. The applicant's agent submits that condition no. 3(b) of planning reg. ref. 3950/19 requires the dormer extension to be located on the mid-point of the property, resulting in the extension being close to the ridge of the hipped roof and visible from the public road. While Dublin City Council's Planning Officer states that this condition has not yet been agreed by way of a compliance submission, Drawing No. P04 (Grant Compliant Floor Plans) and Drawing No. P05 (Grant Compliant Elevations & Sections) which accompany the appeal, demonstrate the revised dormer structure as amended by condition no. 3. These drawings confirm that a small portion of the dormer structure projects beyond the hipped roof of the dwelling as identified by the applicant's agent.

7.3.3. In assessing the current application, Dublin City Council's Planning Officer considered that the proposed development would involve the provision of the revised dormer box projection on top of the approved dormer box projection, and as such, would almost completely obscure the roof. In this context, the Planning Officer noted that the revised dormer structure would have a width of 5 m, although it was

subsequently noted to be 4 m in the Planning Officer's assessment of the visual amenity of the development.

- 7.3.4. In my opinion, the application drawings are somewhat misleading with respect to the blue and red shading which has been used to illustrate the dormer extension as permitted and the proposed development respectively. In my opinion, the position and extent of the proposed dormer structure is clarified by way of yellow shading on Drawing No. P06 (Proposed Floor Plans – Revisions to Planning Permission 3950/19), which confirms the width of the amended dormer structure as 4 m. This is further supported by the applicant's cover letter to Dublin City Council, wherein it is confirmed that permission is being sought to extend the external width of the dormer structure to 4 m. Thus, in my opinion, it is clear that the applicants are not seeking permission to implement both the permitted dormer structure and the revised structure now proposed.
- 7.3.5. The proposed amendments would increase the width of the permitted dormer from 3.5 m to 4 m. In my opinion, the increased width of the dormer is not significant and would enable a reasonable portion of the rear roof slope to remain visible in line with the policy guidance set out in Appendix 17 of the development plan.
- 7.3.6. It is also proposed to increase the height of the dormer extension by 0.529 m. I note that the dormer structure is set back by 0.45 m from the existing ridge line and then slopes upwards to accommodate the proposed height increase. Dublin City Council's Planning Officer considered that the proposed breaching of the ridge line would set an undesirable precedent for such development in the vicinity.
- 7.3.7. While I acknowledge that the revised dormer structure would be marginally higher than the existing ridge line, in my opinion, the proposed height increase would not result in a significant visual impact on the existing dwelling or the streetscape given that the dormer structure is set back from the existing ridge line, and as such, would not be readily discernible from street level.
- 7.3.8. While the applicant's agent has identified a precedent case for a similar development on the rear roof slope of No. 31 Watermill Drive to the south-west of the site (planning authority reg. ref. 3925/00 refers), I note that the details of this planning application are not available on the planning authority's website and that the

development pre-dates the existing development plan. As such, it is considered that this development is not a valid precedent for the purposes of this application.

7.3.9. In conclusion, I am satisfied that the proposed development would be acceptable at this location and in my opinion, planning permission should be granted in this instance.

7.4. **Appropriate Assessment**

7.4.1. Having regard to the nature and scale of the proposed development and its location relative to 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, either individually or in combination with other plans or projects, on a European site.

8.0 **Recommendation**

8.1. I recommend that planning permission be granted subject to conditions.

9.0 **Reasons and Considerations**

9.1. Having regard to the residential land use zoning of the site, and the nature and scale of the development for which permission is sought, it is considered that, subject to compliance with the condition set out below, the proposed development would not seriously injure the residential or visual 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**

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| 1. | The development shall be carried out and completed in accordance with the plans and particulars lodged with the application. Reason: In the interest of clarity. |
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Louise Treacy
Planning Inspector

29th June 2020