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Bord  
Pleanála

## Inspector's Report

### ABP-307824-20

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<b>Development</b>	Conversion of attic to storeroom, bedroom and bathroom with installation of new dormer window. Also for single storey kitchen, living room, utility room and bathroom extension to rear of house.
<b>Location</b>	32 Huntstown Wood, Mulhuddart, Dublin 15..
<b>Planning Authority</b>	Fingal County Council.
<b>Planning Authority Reg. Ref.</b>	FW20B/0053
<b>Applicant(s)</b>	Robert Janciauskas
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant.
<b>Type of Appeal</b>	Third Party.
<b>Appellant(s)</b>	John and Marie Sweeney.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	20 <sup>th</sup> October 2020.
<b>Inspector</b>	Barry O'Donnell.

## 1.0 Site Location and Description

- 1.1. The subject site forms part of a large residential neighbourhood north-west of the Blanchardstown Shopping Centre and south of the N3. Huntstown Wood is an established development of two-storey and single storey houses and the subject site is located at the south end of the estate.
- 1.2. The site itself is comprised of a single storey, two-bedroomed house on a long, narrow plot. with a stated area of 380sqm. There is a shed within the rear garden, adjacent to the south property boundary.
- 1.3. The site is bounded to the south by a c. 2m high wall immediately to the rear of the house, but this wall reduces to c. 1.8m further down the garden, reflecting a gentle incline within the garden. The site is bound to the north by hedging, c. 3.5m high.

## 2.0 Proposed Development

- 2.1. Permission is sought for an attic conversion, to include provision of a bedroom and bathroom and including the construction of dormer windows on front and rear elevations, together with a single storey rear extension measuring approx. 44sqm and a side porch extension. A rooflight is also proposed on the front roof plane.
- 2.2. The proposed rear dormer window would be flat-roofed and would measure approx. 5.5m wide, set below the ridge of the dwelling by approx. 450mm and extending to meet the front wall of the house. It would incorporate a single window ope, measuring 2.4m wide.
- 2.3. The proposed front dormer would incorporate a pitched roof and would measure approx. 2m wide, also set below the ridge by approx. 450mm. It would be set back from the front wall of the house.
- 2.4. The proposed rear extension would be of a contemporary, box design, projecting 5.8m from the rear of the existing house and measuring 7.5m wide. The extension would be set away from both side property boundaries and would have a flat roof 3.3m high. A number of window opes and a single door ope are proposed on the rear (east) and north (side) elevation.

- 2.5. The porch extension on the north side of the house would be contained behind the front wall of the house, measuring 1.53m wide and 1.8m long. It would have a flat roof, 2.8m high.
- 2.6. Associated development is also proposed, including internal reconfiguration and the provision of an additional window opening on the east elevation, to serve the stairs.

### 3.0 Planning Authority Decision

#### 3.1. Decision

3.1.1. On 15th July 2020 Fingal County Council granted permission, subject to ten conditions.

3.1.2. Condition No. 2 required amendments to the rear dormer, stating:

*'The proposed rear dormer shall be revised as follows as follows:*

- (i) The proposed rear dormer extension shall have a maximum external width of 3m and shall be centred in the rear roof slope.*
- (ii) The proposed rear dormer shall be set down not less than 300mm below the existing roof ridge level.*
- (iii) The width of the window in the dormer shall not exceed 1.5m.*
- (iv) That any attic floorspace which does not comply with Building Regulations in relation to habitable standards shall not be used for human habitation.'*

3.1.3. Condition No. 4 required that *'the first floor side gable window shall be permanently fitted with obscure glazing.'*

#### 3.2. Planning Authority Reports

3.2.1. Planning Report dated 14<sup>th</sup> July 2020, which reflects the decision to grant permission. The report noted that the development would accord with the residential zoning but, expressed concern in relation to the scale of the proposed rear dormer and recommended that it should be amended, as per condition No. 2 of the Planning Authority's decision. Recommended conditions are generally in accordance with those contained in the Planning Authority's decision.

### 3.2.2. Other Technical Reports

**Water Services** – Report dated 6<sup>th</sup> May 2020 recommending that three standard conditions be attached as part of any grant of permission.

### 3.3. Prescribed Bodies

3.3.1. **Irish Water** submission dated 7<sup>th</sup> May 2020, advising that there is no objection to the development.

### 3.4. Third Party Observations

3.4.1. A single observation letter was received which expressed concerns regarding the impact of the proposed rear extension on the adjoining property, 33 Huntstown Wood, in particular light levels within the kitchen and views from the kitchen, where the extension would be located adjacent to the observer's kitchen window.

## 4.0 Planning History

4.1. I am not aware of any relevant planning history relating to the site.

## 5.0 Policy Context

### 5.1. Development Plan

5.1.1. The site is zoned 'RS' under the Fingal County Development Plan 2017-2023, with an objective to "*Provide for residential development and protect and improve residential amenity.*"

5.1.2. Objective PM46 is particularly relevant to the proposed development, seeking to: 'Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.'

5.1.3. Objective DMS41 is also relevant to the proposed development, stating that in relation to dormer extensions:

'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.'

## **5.2. Natural Heritage Designations**

5.2.1. The site is not located within or adjacent to any Natura 2000 sites.

## **5.3. EIA Screening**

5.3.1. Having regard to the limited nature and scale of the proposed development it is considered that 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. The grounds of appeal can be summarised as follows:

- The development is an overdevelopment of the site and is out of keeping with the area.
  - The existing houses are small semi-detached bungalows. The proposal will create a two-storey house.
  - The large dormer to the rear is a vertical extension of the main back wall.
- The development will reduce light levels within the appellants' property
  - The appellants' property is mainly east facing and morning light will be seriously curtailed by the proposed rear extension. Morning light into the appellants' kitchen is an important feature of their enjoyment of their house.
- The front elevation of the house will be altered, relative to other houses alongside, meaning the appearance inconsistent with the character of the area, to its detriment.

- The addition of a dormer window and rooflight will vastly alter the appearance of the house.
- The development will devalue the appellants' property.

## 6.2. Applicant Response

- These bungalows were designed with an attic space which was high enough to create an additional room. The applicant has availed of this.
- Condition No. 2 of the Planning Authority's decision reduced the scale of the rear dormer and it is no longer a vertical extension of the main back wall. A copy of the revised drawing, which incorporates this amendment, has been provided.
- The ground floor of the house has been remodelled, to reflect the applicant's needs. It has no bearing on neighbouring properties as alterations are internal only.
- It is not agreed that the development is an overdevelopment of the site, nor will it be out of keeping with the character of the area. It is likely to enhance the area as the potential of these houses will be noted by adjoining occupiers.
- There were previously existing Leylandii trees along the rear boundary, which would have blocked far more daylight into the neighbouring property than the proposed extension. The claim that light levels would be reduced is untrue.
- The installation of dormer window and rooflight does affect the front of the building, but not in a bad way. The applicant considers this will improve the overall appearance and is not out of character.
- The applicant has spoken with two estate agents regarding devaluation claims and both have assured that the opposite would be the case. When an improvement is made to a property in a residential area, others follow suit, thus increasing the value of homes in the area.
- The Board is requested to uphold the Planning Authority's decision to grant permission.

### 6.3. **Planning Authority Response**

None received.

### 6.4. **Observations**

None

## 7.0 **Assessment**

7.1. Having inspected the site and considered the contents of the third-party appeal in detail, the main planning issues in the assessment of the proposed development are as follows:

- Principle of development;
- Visual impact;
- Impact on neighbouring properties;
- Other matters;
- Appropriate assessment.

### 7.2. **Principle of Development**

7.2.1. The proposed development is consistent with the 'RS' zoning objective, as set out in the Fingal County Development Plan 2017-2023.

### 7.3. **Visual Impact**

- 7.3.1. The development consists of two separate elements, from a visual impact perspective; a rear extension and attic conversion that includes a box dormer window extension on the rear roof slope, and a pitched dormer window extension and roof light on the front roof slope, together with a side porch extension.
- 7.3.2. I consider the proposed pitched dormer window extension roof light on the front roof slope and the side porch extension to be acceptable in visual terms, where they would have no negative impact on the character of the area.
- 7.3.3. In respect of the rear elements, whilst the rear extension would have no impact on the character of the area, I agree with the Planning Authority and the appellant, that

the proposed rear dormer extension is excessive. In particular I consider its width, measuring 5.5m externally, and depth, extending to meet the rear plane of the dwelling, are excessive. Noting the provisions of development plan Objective DMS41, which requires that dormer extensions shall not form a dominant part of a roof, I consider an amended design is required. A reduced width, max 3.5m measured externally, and a requirement to set the dormer back from the rear plane by minimum 0.5m and below the ridge by minimum 0.45m would allow a significant proportion of the roof slope to be retained and would allow the dormer to be read as part of the existing roof, rather than as a dominant addition to it. This can be controlled by condition, should the Board decide to grant permission.

#### **7.4. Impact on Neighbouring Properties**

- 7.4.1. The proposed pitched dormer window extension and roof light on the front roof slope and the side porch extension would have no impact on neighbouring properties, through overlooking, overshadowing or overbearing impacts. I therefore consider them to be acceptable.
- 7.4.2. The proposed rear box dormer incorporates a large window opening, which would serve a proposed bedroom and which would overlook adjoining rear gardens. Whilst I consider an attic-level window is acceptable in this location, I consider the proposed scale is excessive. A reduced width, max 1.5 wide, would be adequate to serve the bedroom, whilst ensuring that unacceptable overlooking levels would not arise.
- 7.4.3. In relation to the proposed rear extension, the appellants' main concern related to loss of light within their property in the morning. I note in this respect that the appellants' home is directly south of the subject site and that it would continue to receive significant light levels throughout the day. I do not consider the proposed extension would result in unacceptable overshadowing and it would not overlook or overbear. I therefore consider it to be acceptable, where an appropriately sized rear garden would be retained.

#### **7.5. Other Matters**

- 7.5.1. The appellants also claim that the proposed development would devalue their property. I have assessed the merits of the application and do not consider the development would give rise to any unacceptable overlooking, overshadowing or



overbearing impacts. In this context, I see no basis for concerns regarding devaluation of property.

- 7.5.2. Associated internal reconfiguration is acceptable but, in order to protect the east-adjointing neighbour from overlooking, the new east-facing window to serve the stairs should be required to incorporate opaque glazing.

## 7.6. **Appropriate Assessment**

- 7.6.1. Having regard to the nature and scale of the proposed development, which is a domestic extension on residentially zoned and serviced lands, outside of any Natura 2000 sites, I do not consider that any Appropriate Assessment issues arise and I do not consider 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.

## 8.0 **Recommendation**

- 8.1. I recommend that permission for the proposed development be granted, subject to conditions as set out below.

## 9.0 **Reasons and Considerations**

- 9.1. Having regard to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions below, the proposed development is in keeping with the character of the area and would not seriously injure the amenities of the area or the amenities of properties 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
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	<p>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>The rear dormer extension shall be revised as follows:</p> <ul style="list-style-type: none"> <li>• The dormer extension shall have a maximum external width of 3.5m and shall be centred in the rear roof slope.</li> <li>• The dormer extension shall be set down not less than 450mm from the existing roof ridge level and shall be set back not less than 500mm from the rear plane of the dwelling, measured vertically.</li> <li>• The width of the window in the dormer shall not exceed 1.5m.</li> <li>• The roof of the dormer shall not be used as a balcony or terrace</li> </ul> <p><b>Reason:</b> In the interest of visual amenity and in order to protect the residential amenity of adjoining properties.</p>
3.	<p>The proposed east-facing gable window shall be permanently fitted with opaque glazing.</p> <p><b>Reason:</b> In order to protect the residential amenity of the adjoining residential property.</p>
4.	<p>The external finishes of the proposed extension shall be the same as those of the existing dwelling in respect of colour and texture.</p> <p><b>Reason:</b> In the interest of visual amenity</p>
5.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services, details of which shall be agreed in writing prior to the commencement of development.</p> <p><b>Reason:</b> In the interest of public health.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p>

	<p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
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Barry O'Donnell  
Planning Inspector

20<sup>th</sup> October 2020