



An
Bord
Pleanála

Inspector's Report

ABP-308471-20

Development	Dormer attic.
Location	27 St Mochta's Road, Colmine Lodge, Dublin 15, D15 W7P1
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW20B/0098
Applicant(s)	Barry Doyle.
Type of Application	Permission.
Planning Authority Decision	To grant with conditions.
Type of Appeal	First Party
Appellant(s)	Barry Doyle.
Observer(s)	None.
Date of Site Inspection	2 nd January 2021.
Inspector	Deirdre MacGabhann

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1.0 Site Location and Description

1.1. The appeal site lies in a residential area to the south west of Blanchardstown. It comprises no. 27 Saint Mochta's Road, a two storey semi-detached residential property. The front of the property faces north. To the rear the property extends over three floors, with three roof lights in the southern elevation of the south facing roof. To the south east and west is adjoining residential development.

2.0 Proposed Development

2.1. The proposed development comprises the construction of a new dormer attic structure to the rear of previously converted attic space. The dormer window has a flat roof and is c.4.3m wide. It is located c.1.1m from the adjoining house to the west and c.0.8m from the gable end of the subject property. Two windows are proposed within the dormer structure, one serving the proposed internal storage space (c.2.3m in width) and one serving the proposed en-suite bathroom (c.0.6m wide).

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 24th of September 202 the planning authority decided to grant permission for the development subject to 9 conditions, including the following:

- Condition no. 3 – Prior to the commencement of development, revised plans and elevations to be submitted for written agreement showing the following amendments to the proposed dormer (a) limited to a maximum of 3m in width, (b) centrally positioned between the gable end of the subject house and boundary with adjoining house to the west and (c) having a total glazed width of no more than 1.5m.

3.2. Planning Authority Reports

3.2.1. Planning Report (21st September 2020)

- **Principle.** Acceptable. No other dormer type windows in the immediate area but principle of a rear dormer is well accepted within Dublin 15 area.
- **Impact on visual amenity.** Proposed dormer is unduly large and not centrally located in roof plane and would have an unduly negative impact on the visual amenities of properties in the area, in particular opposing properties to the south. Dormer should be reduced to no more than 3.0m in width and centrally located to comply with DMS41.
- **Overlooking/overshadowing.** Windows in dormer window are 11.85m from the opposing site boundary and will not impact unduly via overlooking. Dormer has 2.9m total glazed width. This will facilitate overlooking into adjoining properties especially to the east and west. Total width of glazing should be reduced to no more than 1.5m. Dormer is c.0.8m from the gable end to the east of the subject house and will not impact unduly on residential amenity (overshadowing/overbearing).
- **Floor to ceiling heights.** Onus on applicant to comply with Building Regulations.

3.2.2. Other Technical Reports

- None.

3.3. Prescribed Bodies/Third Party Observations

- None.

4.0 Planning History

- #### 4.1. None.

5.0 Policy Context

5.1. Fingal County Development Plan 2017-2023

- ##### 5.1.1. The appeal is situated on land zoned RS the objective of which is to provide for residential development and protect and improve residential amenity. Extensions to

dwellings are favourably considered where they do not have a negative impact on adjoining properties. Policy DMS41, in respect of dormer extensions, provides that:

- Dormer extensions to roofs will be considered where there is no impact on existing character and form, and 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 ridge level and shall be no higher than the existing ridge of the house.

5.1.2. It is also stated that the design, dimensions and bulk of any roof proposal relative to overall size of dwelling and gardens will be overriding considerations; quality of materials/finishes should be carefully considered, and the windows should have regard to existing window treatments and fenestration.

5.2. **Natural Heritage Designations**

5.2.1. The appeal site lies c.200m north of the Royal Canal which is designated as a proposed Natural Heritage Area (site code 00213). The nearest European site lies c. 7km to the south west of the site and comprises Rye Water Valley/Cartron Special Conservation Area (site code 001398).

5.3. **EIA Screening**

5.3.1. The proposed development is of a type that constitutes an EIA project (involving construction and demolition works) and is a sub-threshold development falling within Class 10(b)(i), Part 2, Schedule 5 of the Planning and Development Regulations, 2001 (as amended), construction of dwelling units. However, the development is significantly below the threshold set out in the Schedule, and will not give rise to the use of significant natural resources or the production of waste/pollution. Consequently, there is, therefore, no real likelihood of significant effects on the environment to warrant environmental impact assessment.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. First party grounds of appeal are:

- There is no requirement in the development plan or planning guidelines that limits the dormer windows to a maximum width of 3m.
- There is a 200mm difference between the party wall line boundary and the end of the dormer roof structure, when viewed externally this offset would be negligible.
- The design intention of the dormer structure was not to form a dominant feature of the roof. Best practice on dormer construction typically would keep 1m from party, gable and rear roof structures. This 1m was implemented on the party and rear sides, however, reduced to 800mm on the gable side so that the applicant would have sufficient head height in the bathroom area, while maintaining a reasonable sized room in the remaining attic space.
- The main room glazing will be limited to 1.5m. The window structure in the bathroom would be obscure glass and would not be overlooking any adjacent property.
- There are no dormer windows in the immediate area of the site, but the PA has granted permission for dormer structures greater than 3m in width, not centrally positioned and glazing is greater than 1.5m (PA ref. F06B/0518; FW09B/0041; FW16B/0032).

6.2. Planning Authority Response

- 6.2.1. In response to the appeal, the PA state that the development is contrary to Objective DMS41 of the Fingal County Development Plan. The dormer by reason of its width and massing is considered to form a dominant part of the roof of the subject dwelling. The dimensions of the proposed development have been amended accordingly and to address the undue negative impact of the original design.

6.3. **Observations/Further Responses**

- None.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, inspected the site and having regard to relevant planning policy and guidance, I consider that the main issues for this appeal relate to the scale and massing of the development and its impact on visual and residential amenity.

7.2. **Scale, Mass and Impact on Visual and Residential Amenity**

- 7.2.1. The appeal is situated on land zoned RS in the current Fingal County Development Plan. The objective of the zoning is to provide for residential development and protect and improve residential amenity. Dormer extensions to roofs will be considered where there is no impact on existing character and form or impact on the privacy of adjacent properties. The proposed dormer is therefore acceptable, subject to environmental safeguards.
- 7.2.2. Policy DMS41 requires that dormer extensions shall not form a dominant part of the roof or impact on the privacy of adjacent properties. It is also stated that the design, dimensions and bulk of any roof proposal relative to overall size of dwelling and gardens will be overriding considerations. I would accept therefore the appellant's argument that there is no requirement in the development plan or planning guidelines that limits the dormer windows to a maximum width of 3m. However, I would also note that the policy context for the development requires that the size of dormer be determined by its relative proportions with the existing roof such that it remains subordinate to the main roof .
- 7.2.3. The appeal site comprises a semi-detached dwelling, with a width of c6.1m, and a rear garden depth of 10.49m (main rear elevation to boundary wall). The proposed dormer, with a width of c.4.3m extends across c.70% of the roof and at this scale would in my view dominate the rear roofscape of the property and views of it from property to the south.

- 7.2.4. The applicant has argued that the offset from the central line is necessary in order to provide sufficient head height in the bathroom area. Whilst I would accept that the offset is marginal and may be acceptable, the overall bulk of the dormer is not, and therefore if the structure is reduced in size any offset from a central location would be exaggerated and detract from the character and form of the dwelling and the amenity of the surrounding residential area.
- 7.2.5. With regard to glazing, the proposed development provides two windows in the rear dormer with a combined width of c.3m. At roof level this has the potential to overlook adjoining properties to the east and west and I would concur with the planning authority that the glazed area should be reduced. The appellant has argued that bathroom glazing would be obscure glass and I would accept that this would reduce the potential for overlooking and I would recommend, therefore that the clear glazed are be restricted to no more than 1.5m.
- 7.2.6. The appellant refers to other dormer windows which have been permitted in the area and which were outside of the parameters proposed in this instance (Appendix A to C of appeal). Whilst I would accept that such deviations do exist, I am mindful that these dormer windows have been proposed on properties of different sizes to the proposed development and within their own site specific context. Whilst I am mindful of the examples referred to, I do not consider that they provide an appropriate or overriding precedent for the proposed development.

8.0 Appropriate Assessment

- 8.1. Having regard to the modest scale of the proposed development and its location in an existing urban area, 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.

9.0 Recommendation

- 9.1. I recommend that the Board direct the planning authority to attach condition no. 3 of the permission.

10.0 Reasons and Considerations

Having regard to the location of the proposed development in a residential area, the residential zoning associated with the site, the scale of the proposed development relative to the existing structure and the inclusion of substantial glazing, it is considered that inclusion of Condition 2 is necessary to protect the residential amenity of the area, and would be in accordance with the the proper planning and sustainable development of the area.

11.0 Conditions

3	<p>Prior to the commencement of development, revised plans and elevations shall be submitted to the planning authority for written agreement and provide that the dormer shall be:</p> <ul style="list-style-type: none">(a) Limited to a maximum of 3m in width,(b) Centrally positioned between the gable end of the subject house and boundary with adjoining house to the west, and(c) Have a total clear glazed width of no more than 1.5m. <p>Reason: In the interest of clarity.</p>
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Deirdre MacGabhann
Planning Inspector

9th February 2021