



An
Bord
Pleanála

Inspector's Report ABP 309166-21

Development	Conversion of attic to storage including changing the hipped end roof to a gable end roof and a window to the gable wall.
Location	No. 12 Castlevew Heath, Swords, Co. Dublin, K67 H593.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F20B/0267
Applicant(s)	Paul and Grainne McKenna
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Paul and Grainne McKenna
Observer(s)	None
Date of Site Inspection	30 th April 2021
Inspector	Brendan Coyne

1.0 Site Location and Description

The site (0.018 ha) is located on the eastern side of the cul-de-sac Castlevue Heath in Swords, Co. Dublin. The site contains a two storey end-of-terrace 3-bedroom dwelling, with a stated floor area of 110 sq.m. The roof profile of the dwelling is hip-ended, and its front elevations comprise brick and rendered finish.

2.0 Proposed Development

2.1. Permission sought for the following;

- Conversion of the attic to a storage room,
- Change the hipped end roof to a gable end and provision of a window to the gable end.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council REFUSED permission for the proposed development. The reasons for refusal were as follows;

1. The proposed development, by reason of its scale, location and appearance, would be out of character with the existing dwelling on site and adjoining residential development, would be aesthetically unsatisfactory and visually obtrusive on the streetscape. The design and form proposed, would be insensitive to its context, would alter the existing roof profile of the terrace, and would, if permitted, be visually incongruous with the character of the streetscape of the residential area. Furthermore, the proposed development would be visually overbearing when viewed from adjacent property. The proposed development would, therefore, seriously injure the visual amenities of the area, and would therefore, be contrary to the proper planning and sustainable development of the area. The proposed development, if permitted, would create an undesirable precedent for other similar development in the immediate area and as such is contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its design & style is considered to be injurious to the residential and visual amenities of the area and contrary to the zoning objective for the area, namely to 'Provide for residential development and protect and improve residential amenity '. The proposed development, in the form of the conversion of the hipped roof to a gable, is visually out of character with the existing houses in the area, in terms of style and roof profile and would therefore materially contravene Objectives DMS41 and PM46 of the Fingal Development Plan 2017-2023, seriously injure the amenities of the area and of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Report (11/12/2020)

Basis for the Planning Authority's decision. Includes:

- There are five sets of terraced houses in groups of four along this section of the cul-de-sac.
- Due to the staggered building line and change in levels between the existing dwelling and neighbouring house No. 13 Castlevue Heath (located to the north), the subject dwelling has a prominent position on the street.
- The applicant refers to precedent of similar development at house Nos. 22 Castlevue Green, 36 Castlevue Avenue and 16 Castlevue Rise.
- The proposed change in roof profile is not acceptable in this instance, due to the prominence of the side elevation of the subject dwelling which is highly visible to house Nos.13 - 20 Castlevue Heath.
- The build-up of the side gable and additional attic level window would be overbearing and visually obtrusive when viewed from house Nos.13 - 20 Castlevue Heath.
- The retention of a fully hipped roof profile and the provision of a side dormer window would be more appropriate for this house.
- The Planning Authority has concerns in relation to the impact of the proposed development on the visual amenity of the area.

- The proposed roof profile would not complement the original house, or the row of houses to which it forms part of.
- Taking account of the position of the stairwell on the party wall, the option of utilising a side dormer to gain access to a converted attic is not a viable alternative in this instance.

3.2.2. Other Technical Reports

None

4.0 Planning History

4.1.1. Subject Site

None for subject site.

4.1.2. Surrounding Area

No. 22 Castleview Green

P.A. Ref. F20B/0126 Permission GRANTED in 2020 for alterations to existing hip roof to side to create a gable roof to accommodate attic stairs and to allow conversion of attic into non habitable storage with new velux to front and new dormer to rear with ancillary works.

No. 36 Castleview Avenue

P.A. Ref. F19B/0081 Permission GRANTED in 2019 for the conversion of the attic to storage space including changing the existing hip roof on side wall to pitched roof with gable wall and construction of new dormer window to the rear of existing three-bedroom two-storey semi-detached house

No. 16 Castleview Rise

P.A. Ref. F18B/0315 Permission GRANTED in 2019 for the conversion of the attic to storage space including changing existing hip roof on side wall to pitched roof with gable wall and construction of new dormer window to the rear of existing three-bedroom two storey semi-detached house.

No. 7 Castlevue Walk

P.A. Ref. F19B/0335 Permission GRANTED in 2019 for the conversion of attic space, including changing existing hip roof to a gable end roof and insertion of dormer window to the rear of existing house at attic floor level and all associated site development works.

No. 19 Castlevue Crescent

P.A. Ref. F17B/0028 Permission GRANTED in 2017 for an attic conversion which will include the construction of a dormer roof to the side of the existing dwelling to form a gable end.

5.0 Policy and Context

5.1. Development Plan

5.2. Fingal County Development Plan 2017 – 2023

Zoning: The site is zoned objective 'RS' with the objective 'to provide for residential development and protect and improve residential amenity'.

Chapter 3 Design Criteria for Residential Development - Extensions to Dwellings states the following:

The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.

Objective PM46 Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

Chapter 12 Development Management Standards – relevant standards and criteria to ensure development occurs in an orderly and efficient manner, including the following;

Extensions to Dwellings:

Side extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation), and impacts on residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. Though in certain cases a set-back of an extension's front facade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape and avoid a 'terracing' effect. External finishes shall generally match the existing.

Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip', will be assessed against a number of criteria including:

- Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures and prominence.

Objective DMS41 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.

Objective DMS42 Encourage more innovative design approaches for domestic extensions.

5.3. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first-party appeal was received from DRB Design Consultants representing the applicants Paul and Grainne McKenna, against the decision made by the Planning Authority to refuse permission for the proposed development. The following is a summary of the grounds of appeal.

- The building up of the gable wall to provide additional space is a well-accepted building form within the context of attic conversions within Castlevue estate, neighboring estates and similar estates within the Swords area, all of which are characterised by short terraced blocks with hipped end houses at either end.
- Details provided of precedent permission for gable conversions within Castlevue estate and neighbouring estate Ashton.
- The appellants do not accept the reasoning of Fingal County Council given the weight of precedent that exists in the area.
- The appellants provide a shadow study to illustrate the proposal will have little effect on loss of light to neighboring dwelling No. 13.
- The subject dwelling is 2.4m from No. 13 and the difference in ground level is minimal, c. 300mm to 400mm.
- The relationship between house Nos. 12 and 13 Castlevue Heath is not unusual within these estates.
- The proposed development is consistent with the established pattern of attic conversions within Castlevue estate and its neighboring estates Ashton and Holywell.

6.1.2. Documentation submitted with the appeal includes;

- Shadow Study.
- Site Location Map, Site Plan, Plans, Elevations and Section drawing.
- Copy of the Councils decision to refuse permission.

6.2. Planning Authority Response

The Planning Authority confirms that it has no further comment to make. In the event that the appeal is successful, the Planning Authority request that provision should be made in the determination for applying a financial contribution in accordance with the Council's Section 48 Development Contribution Scheme.

6.3. Observations

None

7.0 Assessment

I have reviewed the proposed development and the correspondence on the file. I am satisfied that the proposed development is acceptable in principle, in accordance with the zoning objective of the site. The main issues for consideration are the reasons for refusal, as cited by the Planning Authority. This can be addressed under the heading 'Impact on Visual and Residential Amenity'. I am satisfied that all other issues were fully addressed by the Planning Authority and that no other substantive issues arise. The issue for consideration is addressed below.

7.1. Impact on Visual and Residential Amenity

- 7.1.1. The Planning Authority refused permission for the proposed development on the grounds that its scale, form and design would be visually obtrusive, insensitive to its context and out of character with the pattern of development in the streetscape. The Planning Authority consider the proposal would visually overbearing when viewed from adjacent property to the north and would be injurious to the visual and residential amenities of the area. It is considered by the Planning Authority that such development would create an undesirable precedent for other similar development in the immediate area and would be contrary to Objectives DMS41 and PM46 of the Fingal Development Plan 2017-2023. Such development would be contrary to the 'RS' zoning objective for the area which seeks to 'provide for residential development and protect

and improve residential amenity '. The appellants contest the Planning Authority's reasons for refusal, as detailed in Section 6.1 above.

7.1.2. The proposed development provides for the conversion of the existing attic into a storage room and the alteration and extension of the existing hip-ended roof profile to provide a gable ended roof profile, with a window ope on the gable end. The subject dwelling comprises an end-of-terrace two storey dwelling located in the middle of a row of 5 no. sets of similar terraced houses, along the eastern side of Castlevue Heath. The front building line of the subject dwelling No. 12 is located c. 4.2m forward and at a slight oblique angle of neighbouring dwelling No. 13 Castlevue Heath, located to its north. A separation distance of c. 2m is provided both these dwellings.

7.1.3. With regards roof alterations to dwellings, Chapter 12 of the Development Plan sets out the following guidance;

Roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip', will be assessed against a number of criteria including:

- *Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*
- *Distance/contrast/visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures and prominence.*

7.1.4. Having regard to the character and pattern of development in the surrounding area, I note that Fingal County Council have granted permission for numerous similar roof alterations to dwellings in the Castlevue estate, many of which are detailed in Section 4.0 above. On this basis, it is my view that the proposal would not be out of character with the pattern of development in the area and would not set an undesirable precedent for similar development, as put forward by the Planning Authority. While the change in the roof profile of the dwelling from a hip to gable end would be a variation to the hip ended roof profile of dwellings along Castlevue Heath, I do not consider it would be visually obtrusive.

7.1.5. The appellants have submitted with the appeal a shadow analysis which details the shadow cast by the proposed development on the neighbouring property on the 21st

December, 20th March and 21st June for the hours 10am, 12 noon and 4 pm. Having reviewed the shadow analysis I am satisfied that the proposed development would not cause any notable increase in overshadowing or loss of daylight or sunlight to neighbouring dwelling No. 13.

- 7.1.6. The proposed window opening on the side gable elevation of the proposal would face the side roof slope of neighbouring dwelling No. 13. As such overlooking would not occur. Given the separation distance between the subject dwelling and neighbouring dwelling No. 13, I do not consider the scale and extent of the proposal would not result in any significant increase of overbearing impact on neighbouring property. I conclude, therefore, that the proposed development would not detract from the character and visual amenity of the surrounding streetscape or impact the residential amenity of neighbouring property. The proposal would not be contrary to Objective DMS41 and PM46. Objective DMS41 refers to dormer windows and does not apply in this instance.
- 7.1.7. The proposed development would be consistent with Fingal County Development Plan guidance on extensions to dwellings as set out in Chapters 3 and 12, which seek to facilitate the need for people to extend and renovate their dwellings subject to not having a negative impact on adjoining properties or on the nature of the surrounding area. It is my view that such development provides an acceptable balance between the adaptable re-design of a house, sustainable development and providing accommodation that meets the needs of families, so that the life cycle and use of that building can continue. On this basis, I recommend that the appeal should not be upheld in relation to this issue.

7.2. Screening for Appropriate Assessment

- 7.2.1. Having regard to the nature and modest scale of the proposed development, to the location of the site within a fully serviced urban environment, and to the separation distance and absence of a clear direct pathway to any 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.

8.0 Recommendation

- 8.1. I recommend that permission be granted subject to conditions, for the reasons and considerations below.

9.0 Reasons and Considerations

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 would not seriously injure the residential or visual amenities of the area. 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>Reason: 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>Reason: In the interest of public health</p>
3.	<p>All external finishes shall harmonise in colour and texture with the existing dwelling on the site.</p>

	REASON: In the interest of visual amenity.
4.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area.</p>

Brendan Coyne
Planning Inspector

05th May 2021