



An
Bord
Pleanála

Inspector's Report ABP 309445-21

Development	Alteration to the roofline, conversion of the attic space with a flat dormer
Location	Shandra, 11 Beechwood Park, Dun Laoghaire, Dublin A96 EH21
Planning Authority	Dún Laoghaire-Rathdown Co. Council
Planning Authority Reg. Ref.	Reg. Ref. D20B/0388
Applicants	Peter Cruise & Jennifer Groarke
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	First Party against condition
Appellants	Peter Cruise & Jennifer Groarke
Observers	None
Date of Site Inspection	23/6/2021
Inspector	Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The appeal site comprises Shandra, no. 11 Beechwood Park, which is a large, detached dwelling located on the eastern side of a cul de sac. Beechwood Park contains predominately two-storey detached dwellings. The site with a stated area of 0.0528 hectares is situated circa 1km to the south of Dun Laoghaire town centre.
- 1.2. The dwelling has a hipped roof profile. The property is served by a relatively large mature rear garden with a length of c.18m. The rear boundaries are defined by a block walls. To the south of the site is no. 10 Beechwood Park, a semi-detached dwelling which features a large two-storey extension to the side and rear of the property. No. 12 Beechwood Park a detached two-storey dwelling adjoins the site to the north. The eastern boundary of the site adjoins the rear of garden of large, detached property located off Glenageary Road Lower.

2.0 Proposed Development

- 2.1. The proposed development comprises alteration to the roofline, conversion of the attic space with a flat dormer.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted subject to 5 no. conditions. Condition no. 2 specified that the rear dormer extension be modified with the reduction in width to 4m and that it shall be centrally located within the main roof, that the fenestration be reduced and that both side elevation windows in the dormer be omitted.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Planning Officer concluded that the proposed development subject to conditions including the reduction of the dormer and proposed fenestration would not adversely impact on the residential amenities of adjacent properties by reason of overshadowing, overlooking or overbearing

appearance. It was also considered that the proposed development subject to conditions including the reduction of the dormer and fenestration would not significantly detract from the character of the surrounding area.

3.2.2. Other Technical Reports

3.2.3. Drainage Planning – No objections

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

3.4.1. The Planning Authority received no observations/submissions in relation to the application.

4.0 Planning History

- None

5.0 Policy Context

5.1. Development Plan

5.1.1. The site is governed by the provisions of the Dún Laoghaire – Rathdown County Development Plan 2016-2022.

- It is zoned Objective 'A' 'to protect, provide for and/or improve residential amenity.'
- Chapter 8 – Principles of Development
- Section 8.2.3.4 – refers to Additional Accommodation in built up areas
- Section 8.2.3.4(i) Dormer extensions to roofs will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding

considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries.

5.2. **Natural Heritage Designations**

- 5.2.1. The nearest Natura 2000 sites are South Dublin Bay and River Tolka Estuary SPA located c. 1.7km to the north of the appeal site and South Dublin Bay SAC located c. 1.8km to the north of the appeal site.

5.3. **EIA Screening**

- 5.3.1. Having regard to the nature of the proposed development alteration to the roofline and conversion of the attic space of an existing dwelling and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. 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**

A first party appeal has been lodged by Kane Architecture on behalf of the applicants Peter Cruise and Jennifer Groarke.

- The appeal is made against condition no. 2 of the permission granted under Reg. Ref. D20B/0388. Condition no. 2 states,

Prior to the commencement of development on site, the Applicant shall submit for the written agreement of the Planning Authority, revised drawings showing the proposed rear dormer extension modified as follows:

(a) The main body of the rear dormer shall be a maximum width of four (4m) when measured externally and centrally located within the main roof.

(b) The dormer's fenestration shall consequently be reduced in size.

(c) Both side elevation windows in the dormer extension shall be omitted.

Reason: To protect the residential amenities of the area and in the interests of visual amenity and harmony.

- Chapter 8 of the Dún Laoghaire – Rathdown County Development Plan 2016-2022 refers to Principles of Development. Section 8.2.3.4(i) refers to roof alterations and dormer extensions. The Planning Authority in their assessment of the application considered that the marginal increase in height associated with the changes to the roof ridgeline would integrate into the streetscape and would be acceptable. The principal of a dormer extension was also considered acceptable.
- The report of the Planning Officer raised concern regarding the mass and scale of the dormer and in particular the proximity of it to the ridgeline. To address those matters the Planning Authority conditioned the reduction of the width of the proposed dormer from 6.92m to 4m. Section 8.2.3.4(i) of the Development Plan states, ‘The design, dimensions and bulk of any roof proposals relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. The proposed quality of materials/finishes for dormers will be considered carefully as this can greatly improve their appearance. The level and type of glazing with a dormer structure should have regard to the existing window treatments and fenestration of the dwelling...Excessive overlooking of adjacent properties will be avoided unless support by neighbours can be demonstrated.’
- The report of the Planning Officer stated that ‘a dormer of this scale would be out of keeping with the character of the existing dwelling and surrounding area and this it would be visually dominant.’ It is highlighted in the appeal that there are two examples of developments in the immediate vicinity of the site which have full width dormer extensions located to the rear of semi-detached houses. It is submitted that these cited examples at no. 10 Beechwood Grove and no. 2 Myrtle Park, Dun Laoghaire, extended the full width of the ridgelines. In relation to the application at no. 2 Myrtle Park, the Planning Authority sought further information to address concerns regarding the mass and form of the dormer. In response the applicant submitted revised plans

which inset the dormer 600mm from the eaves and marginally set it below the ridgeline.

- In relation to the assertion by the Planning Authority that the proposed dormer would be 'out of keeping with the character.... and visually dominant' it is requested that it be assessed on the basis that an extension of this nature requires a modern design response. It is submitted that the proposed dormer would be complementary to the character of the property.
- The appeal refers to the permitted two-storey extension to the rear of the neighbouring property to the south no. 10. It is noted that the extension is relatively large in scale and includes floor to ceiling glazing on all facades. It is submitted that the proposed dormer is much smaller in scale than this neighbouring extension. Regarding the size of the windows to the dormer, these are not considered excessive when viewed in the context of the neighbouring floor to ceiling windows of the extension.
- Condition no. 2(c) requires the omission of both side elevation windows in the dormer extension. These windows are high level and located behind the line of the rear elevations which face the neighbouring gables. As noted previously the rear extension to no. 10 has floor to ceiling height windows which are conditioned to be opaque to the side of the extension. The side windows proposed to the dormer are to provide passive ventilation and it is submitted that they would not result in significant overlooking.
- It is submitted that whilst the proposed dormer is large it would not have a negative impact on the character and form of the dwelling. It is noted that no observations were received in relation to the application.
- It is stated that the only viable location for an attic stair in the property is in the centre. The requirements as specified under condition no. 2 to reduce the overall width to 4m and to centre the dormer would reduce the net floor area gained to an extent that the development would not be practicable as the proposed development is to provide an additional bedroom.
- It is submitted that had the applicants been given the opportunity to review the elements referred to in condition no. 2 with a further information request from

the Planning Authority that they could have made modifications to the proposal similar to other dormer applications in the area.

- In response to part (a) of condition 2, it is suggested that the dormer could be set back from the eaves by 600mm on either side. This would be similar to the dormer permitted at no. 2 Myrtle Park under Reg. Ref. D20A/0113.
- In response to part (c) of condition 2 which requires the omission of the side windows to the dormer it is proposed that the windows would be fitted with obscure glazing. Condition no. 2 of the permission granted under Reg. Ref D05A/1239 for the extension to no. 10 Beechwood Park is noted which required opaque glazing to the side north and south facing panels of the first floor bay window.
- The appeal includes revised drawing no. AP-01 which indicate the design of the dormer reduced from an external width of 6.927m to 5.727m and with the dormer centrally located within the roof plane.
- The applicants respectfully request that the Board review the decision of the Planning Authority and consider a less onerous condition.

6.2. Planning Authority Response

- The Planning Authority refer the Board to the Planner's Report and state that they consider that the grounds of appeal do not raise any new matters which would justify a change of attitude to the proposed development.

7.0 Assessment

- 7.1. The subject appeal is a first party appeal against condition no. 2 of the grant of permission under PA Reg. Ref. D20B/0388. I consider, having regard to the nature of the condition, that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted and the appeal should be determined under the provisions of Section 139 of the Planning & Development Act, 2000, as amended.

Condition no. 2

7.2. Prior to the commencement of development on site, the Applicant shall submit for the written agreement of the Planning Authority, revised drawings showing the proposed rear dormer extension modified as follows:

- (a) The main body of the rear dormer shall be a maximum width of four (4m) when measured externally and centrally located within the main roof.
- (b) The dormer's fenestration shall consequently be reduced in size.
- (c) Both side elevation windows in the dormer extension shall be omitted.

Reason: To protect the residential amenities of the area and in the interests of visual amenity and harmony.

7.3. In terms of dormer extensions to roofs it is advised in Section 8.2.3.4(i) of the Dún Laoghaire – Rathdown County Development Plan 2016-2022 that they will be considered having regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries.

7.4. The report of the Planning Officer stated that the scale of the dormer extension as proposed would be out of keeping with the character of the existing dwelling and surrounding area and this it would be visually dominant. They conditioned the reduction in the scale of the dormer extension to address their concerns. In response to the assessment of the Planning Authority and their requirement to reduce the proposed dormer the applicants cited two examples of rear dormer extensions in the surrounding area. I note that the Planning Authority granted permission for rear dormer extensions at no. 10 Beechwood Grove and no. 2 Myrtle Park. The property no. 10 Beechwood Grove is situated circa 108m to the west of the appeal site was granted permission for an extension including developing the roof space under Reg. Ref. D06B/0641. No. 2 Myrtle Park is located circa 270m to the north of the appeal site. Under Reg. Ref. D20A/0113 permission was granted for extensions and alterations to the dwelling including a dormer to the rear of the property. It is noted in the appeal that the Planning Authority in their assessment of the proposal sought

further information for the design of the rear dormer to be revised and reduced in scale. The applicants reduced the height and the dormer so that it was set below the roof ridgeline, it was inset 600mm from the eaves and also that the width of the dormer was reduced. The first party have stated that the matter of the design of the dormer could have been similarly addressed by the Planning Authority with a further information request rather than the attachment of condition no. 2.

- 7.5. It is submitted in the appeal that the proposed dormer as condition by the Planning Authority would reduce the net floor area gained to an extent that the development would not be practicable as the proposed development is to provide an additional bedroom. It is stated in the appeal that the only viable location for an attic stair in the property is in the centre. Therefore, the requirements as specified under condition no. 2 to reduce the overall width to 4m and to centre the dormer are considered onerous by the applicants in terms of the feasibility of the revised design for their required purposes.
- 7.6. The rear dormer as originally proposed has a width of 6.927m and a height of 2.547m and it would project out a maximum of 3.3m from below the rear roof ridgeline. The proposed revised dormer design submitted with the appeal as illustrated on Drawing No. AP-01 has a width of 5.727m, a height of 2.547m and would project out 3.3m. While I would concur with the assessment of the Planning Authority that the originally proposed design due to its mass and scale would appear out of keeping with the character of the existing dwelling and that it would be visually dominant, I would consider that the revisions to dormer proposed by the applicants have addressed these matters. In terms of the revised design of the rear dormer I consider that given the reduced scale it is visibly contained within the rear roof plane inset from the side edge of the roof a minimum of 600mm and a maximum of 2m from the side of the roof above the base of the roof. Accordingly, I consider that it integrates well into the rear roof plane and does not appear as an overly dominant feature. The reduction in the scale of the windows to the main section of the proposed dormer also provide a significantly improved design response. I note that the condition attached by the Planning Authority would further reduce the scale of the dormer, however given the statement in the appeal that it would not be practicable to provide an additional bedroom should the dormer be reduced as required by the condition, I am satisfied that revised design proposed in the appeal

will address the concerns of the Planning Authority while also providing a practical design response for the applicants.

- 7.7. In relation to the matter of overlooking from the proposed rear dormer, I note that the Planning Authority under part (c) of condition no. 2 required that both side elevation windows in the dormer extension be omitted. The applicants have requested that these side windows be retained in the extension in order to provide passive ventilation. They highlighted that the two-storey extension to the rear of the neighbouring property no. 10 Beechwood Park granted under Reg. Ref. D05A/1239 includes side windows to the first floor bay window. The Planning Authority in that case conditioned that the first floor side windows be fitted with opaque glazing. The first party also noted that the proposed side windows to the dormer are high level and located behind the line of the rear elevations which face the neighbouring gables. I note these relevant points raised in respect of the subject side windows and I would consider that having regard to their location behind the neighbouring rear building line that their inclusion would be acceptable subject to them being fitted with obscure glazing.
- 7.8. In relation to the matter of overlooking from the main section of windows to the proposed dormer which face east, I note that there are no directly opposing windows. Furthermore, having regard to the separation distances provided of in excess of 18m from the proposed dormer to the boundaries of the adjoining properties to the east and south-east, I am satisfied that it would not result in any significant new overlooking to adjoining properties.
- 7.9. I have considered the proposed design modifications of the dormer extension submitted as part of the first party appeal and I am satisfied that it will serve to help to assimilate the proposed development into its context. Accordingly, I would recommend that the Board amend condition no. 2 and specify that the dormer extension shall be developed in accordance with the further plans and particulars submitted with the appeal to Board on the 15th day of February, 2021 as detailed on Drawing No. AP-01. Furthermore, for clarity I would recommend that the condition include the specification that both side elevation windows in the dormer extension shall be fitted with obscure glazing in order to protect the residential amenities of the neighbouring properties.

7.10. In conclusion, I am satisfied, therefore, that subject to these modifications to the proposed design of the rear dormer extension although larger than that approved by the Planning Authority, will not impinge on the residential amenity or privacy of neighbouring properties. Furthermore, I consider that the design is compatible with the development plan requirements for dormer extensions to dwellings and that it would have no undue impact on established residential amenities, and that it would be visually acceptable.

Appropriate Assessment

7.11. The appeal site is not within or adjoining any Natura 2000 site. Having regard to the nature and scale of the proposed development, alteration to the roofline and conversion of the attic space of an existing dwelling, the location of the site in a serviced suburban area and the separation distance to the nearest European site and the absence of a direct hydrological connection, 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. Having regard to the nature of the condition which is the subject of the appeal and based on the reasons and considerations set out below, I am satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and recommend that the said Council be directed under subsection (1) of section 139 of the Planning and Development Act, 2000 to **Amend** Condition Number 2.

9.0 Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, and to the pattern and character of development in the area, it is considered that the proposed dormer as amended in the further plans and particulars received by the Board with the appeal as detailed on Drawing No. AP-01, would by reason of its design and scale, not detract from the character of the existing dwelling or the visual amenities of the area. The proposed development

would therefore be in accordance with the proper planning and development of the area.

10.0 Condition

Condition no. 2

The rear dormer extension shall be developed in accordance with the further plans and particulars received by An Bord Pleanála on the 15th day of February, 2021 as detailed on Drawing No. AP-01. Both side elevation windows in the dormer extension shall be fitted with obscure glazing.

Reason: In the interest of residential and visual amenity.

Siobhan Carroll
Planning Inspector

24th of June 2021