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Pleanála

## Inspector's Report ABP 309517-21

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<b>Development</b>	Attic extension with new dormer to rear, new attic conversion with Velux roof window to front and rear at the side and associate site works.
<b>Location</b>	89 Wainsfort Manor Drive, Terenure, Dublin 6W
<b>Planning Authority</b>	South Dublin County Council
<b>P. A. Reg. Ref.</b>	SD20B/0453
<b>Applicant</b>	Joe and Louise Egan
<b>Type of Application</b>	Permission
<b>Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	Eamonn and Margaret Dignam.
<b>Date of Site Inspection</b>	7 <sup>th</sup> May, 2021
<b>Inspector</b>	Jane Dennehy.

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## **1.0 Site Location and Description**

- 1.1. The site is that of a two-storey semi-detached house with a single storey rear extension located on the south side of Wainsfort Manor Drive and it has front curtilage parking, and gardens to the front and rear. The location is within an established residential development constructed in the 1990s and characterised by two storey semi-detached houses in a uniform typology. School sports playing fields adjoin the south rear boundaries of the of the dwellings on the south side of Wainsfort Manor Drive. Kimmage Manor which is surrounded by residential development is located a short distance to the north.

## **2.0 Proposed Development**

- 2.1. The application lodged with the planning authority indicates proposal for an attic extension with a dormer in the rear roof slope, a new attic conversion with Velux roof windows in the front roof slope and rear roof slope front and rear with increased in height of the stairwell and landing window in the side elevation and associated site works. The alterations proposed are to extend out the attic space to the side. The ridge line is extended outwards and a shallow hip is formed over a raised gable end wall and a stairwell/landing window is increased in size by provision of additional height at the top.

## **3.0 Planning Authority Decision**

By order dated, 29<sup>th</sup> January, 2021 the planning authority decided to grant permission subject to standard conditions.

The planning officer in his report indicated satisfaction with the proposed development and recommended a grant of permission.

An observation was lodged by the appellant party indicating objections on grounds of overlooking, overdevelopment and adverse visual impact.

## 4.0 Planning History

There is no record of planning history for the application site.

## 5.0 Policy Context

### 5.1. Development Plan

The operative development plan is the South Dublin County Council Development Plan, 2016 – 2022 according to which the site is within an area subject to the zoning objective: RES – “*To protect and / or improve residential amenity.*”

According to Policy H18-Objectiv 2 it is the policy of the planning authority to favourable consider extensions subject to the protection of residential and visual amenities and compliance with the standards for residential extensions are provide for in Chapter 11 and there is guidance within the Council’s Document: *House Extension Design Guide 2010*.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

An appeal was lodged by Eamonn and Margaret Dignam of No 87 Wainsfort Manor Drive the adjoining semi-detached house on their own behalf on 23<sup>rd</sup> February, 2021. Photographs are included in the submission. According to the appeal

- the application drawings are inaccurate
- the proposed development is not in accordance with the County Council’s House Extension Design Guide.
- The attic conversion is similar to the attic conversion at No 85 which is a bedroom.
- The proposed development will overlook the appellant property. Eighty percent of the appellant’s garden will be visible from the proposed dormer whereas at present 20% to 30% is in visible. There will be a direct line of sight through existing Velux windows at the appellant’s property.

- Nos 85, 91 and 93 Wainsfort Manor Drive will also be overlooked
- The proposed development will be overbearing in impact. The size of the dormer is excessive in length and width, takes up over half of the rear roof space. and as close to the ridge line as possible. It is oppressive.
- The three Velux windows proposed for the front would be out of character with the other houses on the street and visually prominent and incongruous. They will be overbearing and will affect the privacy of Nos 38, 36, 34, 32, 30 and 20 Wainsfort Manor Drive and would set precedent for front elevation Velux windows
- None of the developments cited as precedent by the applicant's agent are relevant as they are not located on a horse-shoe bend like Nos 87 and 89 Wainsfort Manor Drive. The location in impact and the privacy
- The Velux windows at No 85 Wainsfort Manor Drive would be acceptable. P. A. Reg. Ref. SD10B/402 refers.)

## 6.2. Applicant Response

A submission was received from the applicant's agent on 23<sup>rd</sup> March, 2021 which includes a set of drawings. According to the submission:

- The dormer window will not overlook eighty percent of the rear garden at No 87. The semi-detached pair (Nos 87 and 89) are parallel and the rear elevations face in the same direction towards to south over the sports grounds. There is no overlooking onto any aspect of adjoining properties. The boundary fence is perpendicular off the rear of the properties. There is no enhanced overlooking.
- The attic conversion is for a bedroom with an en-suite below the Velux rooflights. The windows and the dormer are included to provide additional head height into the attic space. The windows and dormer are to provide additional height into the attic space. The existing first floor windows in the rear elevation of the houses overlook rear gardens. There is a greater overlooking aspect from No 85's rear elevation which does not seem to be a concern for the appellant party which is evident in the photograph.

- The dormer 's height, (matching that of the existing windows), width, design and positioning reduce the impact on the roof profile. It is set back by 2.36 metres to the pitch and the floor to ceiling height is 2.3 metres so that the dormer is below the level of the ridge. The finishes and materials are in a sympathetic to the roof profile and materials.
- It is not accepted that there is merit in a claim as to overlooking to the interior, through a Velux rooflight in the appellant party's extension. There is no overlooking potential due to the level of the proposed windows and orientation of the proposed development.
- The front Velux windows allow for additional internal lighting. There is separation distance of circa thirty-one metres from the properties on the opposite side of the road. Their position and size are such that they are not visually incongruous. Similar Velux roof windows to the front elevation are at No 3 Wainsfort Manor Drive and No 3 Wainsfort Manor Green. (P. A. Reg. Refs. SD19B/145 and SDB 16B/0617 refer.)
- There is precedent for similar extensions and dormer windows with the estate in addition to the extensions at 3 Wainsfort Manor Green and No 3 Wainsfort Manor Drive. They are at Nos 17 Wainsfort Manor Green, 27 Wainsfort Manor Green and 10 Wainsfort Manor Green, 9 Wainsfort Manor Drive, and 101 Wainsfort Manor Drive. (P. A. Reg. Refs SD11B/0099, SD16B /0110, SD18B/0355, SD 18B/105 refer.)

### 6.3. Planning Authority Response

In a letter from the planning authority, it is stated that the planning authority considers the issues to have been addressed at application stage and it confirms that there is no change to its decision to grant permission.

## 7.0 Assessment

- 7.1. The issues central to the determination of a decision and considered below having regard to the appeal are that of impact on the amenities of the adjoining property and the visual amenities of the area and these matters are considered below.
- 7.2. On review of the plans with regard to overlooking of the adjoining property. No 87 Wainsfort Manor Drive, the views attainable from the proposed dormer are directed towards the end of the rear gardens and over the sports fields to the south. There would be minimal scope for fuller range view downwards into the gardens, over the single storey extension at the appellant party's property or to the interior through the Velux rooflight in the roof slope.
- 7.3. However, it is considered that due to the considerably size and proximity of the proposed dormer to the appellant party's property, it is likely that would give rise to perceptions of overlooking and invasion of privacy and amenity. The proposed dormer is of considerable size and is large scale e in proportions especially when considered relative to the existing, original roof slope of the houses. A reduction in width to a maximum of 2.5 metres and an increase to 1.5 metres in setback from edge of the roof where at it adjoins the appellant property is warranted to reduce the ameliorate the impact on the adjoining property. With this adjustment, the top, at the ridge line could be accepted. This modification would be sufficient to ameliorate visual impact due to the size and consequent potential adverse impacts on residential amenities at the adjoining property. This could be addressed by compliance with a condition.
- 7.4. The proposed extension of roof ridge line and increase in the gable end element of the development alters the profile of the dwelling considerably above the eaves height and the proposed 'Dutch' hip is at a very high level. These elements would result in a somewhat bulky roof profile form above the eaves and significantly alters the symmetry in the presentation of the semi-detached pair on the streetscape. However, given that that there is a curvature of the street it is considered that this form can be accepted without there being an undue adverse impact on the visual amenities and established character within the streetscape.
- 7.5. It is noted that the appellant also objects to the installation of the rooflights in the front elevation to light the attic bedroom. The contention in the appeal as to

overlooking of the properties on the opposite side of the road from the proposed rooflights is not accepted due to separation distance at circa thirty metre, and the relatively shallow roof slope.

- 7.6. However, as stated above, the proposed extension out to the side would result in the roof profile is significantly altered in massing and form. It is considered that the addition of rooflights in the front roofslope of the existing and proposed extension to the side would result in additional visual prominence an element of visual clutter in the streetscape. Therefore, it is considered that they should be omitted. On review of the plans, it would appear that the bedroom to be provided at the extended attic level, would receive daylight and sunlight from the south through the dormer widow and rear elevation rooflight.
- 7.7. There is no objection to the proposed increase to the height of the landing/stairwell window in the side elevation, subject to there being no openings and opaque glazing being fitted. This can be clarified by condition.
- 7.8. Finally, it is recommended that that exempt development entitlement should be removed by condition, owing to the confined size and configuration of the remaining rear garden space, the extent of development permitted so as to allow for further planning review in the event of consideration of possible future development.
- 7.9. **Environmental Impact Assessment – Screening.**
- 7.9.1. Having regard to the minor nature of the proposed development and its location in a serviced inner suburban 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.
- 7.10. **Appropriate Assessment.**
- 7.10.1. Having regard to the scale and nature of the proposed development and to the serviced inner suburban location, no Appropriate Assessment issues arise. The proposed development would not 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. In view of the foregoing, it is recommended that the decision to grant permission be upheld by that modifications, which can be addressed by condition are necessary in order to provide for the protection of the visual and residential amenities of the area.

## 9.0 Reasons and Considerations

Having regard to the South Dublin County Council Development Plan, 2016-2022 according to which the site is located within an area subject to the zoning objective, RES: to protect and or improve the residential amenity it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential amenities of adjoining or the visual amenities of the area and would 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 to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.

2. The proposed development shall be amended as follows:

The three Velux rooflights in the front roof slope shall be omitted

The box dormer shall be reduced to a maximum width of 2.5 metres and setback 1.5 metres from the party boundary with the adjoining property at No 87 Wainsfort Manor Drive.

The glazing to the landing /stairwell window shall be glazed and fitted.

Openings are not permissible.

Prior to the commencement of the development the applicant shall submit and agree in writing with the planning authority, revised plan, section and elevation drawings at a scale of 1:50.

**Reason:** In the interest of the visual amenities of the area and the residential amenities of adjoining properties.

- 3 Development described in Classes 1 or 3 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001 as amended, shall not be carried out within the curtilage of the dwellings without a prior grant of planning permission.

**Reason:** In the interest of residential amenities

- 4 Details of the materials, colours and textures of all the external finishes to the proposed development, shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Sample panels shall be erected on site for inspection by the planning authority in this regard.

**Reason:** In the interest of visual amenity.

- 5 Site development and building works shall be carried only out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 hours to 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.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water and mitigation measures against flood risk including in the basement area, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.

7. The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.

**Reason:** In the interest of public health.

**Jane Dennehy**  
Senior Planning Inspector  
10<sup>th</sup> May, 2021.