



An  
Bord  
Pleanála

## Inspector's Report ABP-309612-21

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<b>Development</b>	Alterations to house including attic conversion, dormer windows and raising of roof ridge.
<b>Location</b>	16B Park Lane, Dublin 4
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	WEB1953/20
<b>Applicant</b>	Paul and Naomi Murphy.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party vs. Refusal
<b>Appellants</b>	Paul and Naomi Murphy
<b>Observer</b>	None
<b>Date of Site Inspection</b>	15 <sup>th</sup> May 2021
<b>Inspector</b>	Stephen J. O'Sullivan

## **1.0 Site Location and Description**

1.1. The site is a suburban part of Dublin c4km southeast of the city centre. It has a stated area of 157m<sup>2</sup>. It consists of the curtilage of a terraced, two storey house with a stated floor area of 115m<sup>2</sup>. There are five houses in the terrace. The front wall and roofs of each is offset slightly from the adjoining houses. The site is on an estate of detached and terraced houses that appears to date from the 1980s. The back of the site adjoins sports fields.

## **2.0 Proposed Development**

2.1. It is proposed to provide a new bedroom and toilet at attic level. This would involve inserting a box dormer on the rear slope of the roof. Its flat roof would be 550mm higher than the existing roof ridge. The forward part of its roof would be sloped to meet the existing front roof slope over the house. The development would provide an additional stated floor area of 24m<sup>2</sup>.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The planning authority refused permission for one reason which stated that the proposed extension would be visually obtrusive and would negatively impact the residential amenity of adjoining properties and set an undesirable precedent for other dormers that extended over the ridgeline. It would not comply with the guidance for dormer extensions in appendix 17 of the development plan and would be contrary to the zoning objective for the site.

### **3.2. Planning Report**

It is noted that there is an extant permission for a dormer on the house with the same footprint on that currently proposed. However the current proposal seeks to provide a ceiling height of 2.4m to allow the habitable occupation of the room and so increase the height of the roof by c200mm. The proposed dormer does not comply with appendix 17 of the plan because it would be higher than the existing roof over a

house that is part of a terrace of houses with roofs the same height. The proposal would visually detract from the property and neighbouring properties and would set a precedent for other similar extensions. It was recommended that permission be refused.

## 4.0 Planning History

Reg. Ref. 3700/15 – Permission was granted by the council for a dormer window to the rear of the house. Its duration has been extended to 8<sup>th</sup> April 2026.

## 5.0 Policy Context

### 5.1. Development Plan

The Dublin City Development Plan 2016-2022 applies. The site is zoned under objective Z1 to protect, provide and improve residential amenities.

Appendix 17.11 of the development plan refers to the extension of roofs over houses. It states –

*The roofline of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch, cladding or ornament of a roof is carefully considered. If not treated sympathetically, dormer extensions can cause problems for immediate neighbours and in the way a street is viewed as a whole.*

*When extending in the roof, the following principles should be observed:*

- *🏡 The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.*
- *🏡 Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.*
- *🏡 Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.*
- *🏡 Roof materials should be covered in materials that match or complement the main building.*

- *🏠 Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.*

## 5.2. **Natural Heritage Designations**

None

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The ground of appeal can be summarised as follow

- The council's reason for refusal is based on the visual impact of the proposed development. The proposed development would not have a significant negative visual impact that would justify refusing permission. It would be on the rear slope of the roof which faces sports grounds on the adjoining land. The house is near the end of a cul-de-sac and does not occupy a prominent position. The small proposed increase in the height of the roof ridge would not be out of place in the terrace because the roofs over the houses there are staggered. This staggering does not appear to have been properly appreciated by the council. The proposed development is acceptable in this rather unusual situation of a terrace with varied setbacks and a staggered roofline.
- There are no grounds to support a conclusion that the proposed development would have a negative impact on the amenities or value of adjacent properties. It is noted that none of the neighbours have objected to the proposed development.

### 6.2. **Planning Authority Response**

None received

### 6.3. **Observations**

None.

## 7.0 Assessment

- 7.1. The council's decision reflects a position that dormer extensions should not increase the overall height of the roof as viewed from the street. This is a reasonable position and one that could be inferred from the emphasis placed in appendix 17.11 on the importance of the roofline and the need to consider visual impacts on the street as a whole. It would apply to the large majority of terraced houses, as acknowledged in the appeal. The council's approach to the current case was proper and deserves due consideration by the board.
- 7.2. Nevertheless I would agree with the appellants' argument that the particular circumstances of the site would mitigate any negative visual impact from the proposed development. The staggered building line and roof line in the terrace that contains the house on the site provide a context in which the proposal to provide additional height by extending the rising slope of the front of the roof over the house by a modest amount would not be out of place. The proposed development would not be visually obtrusive, therefore. It would also be in keeping with appendix 17.11, because it would reflect the character of the area, the surrounding buildings and the age and appearance of the existing building. The character of this area is established by standard 20<sup>th</sup> century embellished with some superficial design features (in this case a variation in the line of the roof and front wall along a terrace) as was common in the 1980s. The proposed dormer would be in harmony with that design approach and the character of the area. A grant of permission in this case would not justify permitting dormer extensions that were visually obtrusive or out of keeping with the character of the area in which they would be.
- 7.3. The extension would be for residential use. The proposed development would not cause significant injury to the amenities or value of property in the vicinity. The council did not advance any reason to conclude that it would, other than its appearance. The proposed development would therefore be in keeping with the Z1 residential zoning of the area, notwithstanding the council's assertion that it would be 'contrary' to that zoning.

## 8.0 Recommendation

- 8.1. I recommend that permission be granted subject to the conditions set below.

## 9.0 Reasons and Considerations

Given the variation in the roofline across the terrace that includes the house on the site, the proposed development would not be visually obtrusive and would be in keeping with the established character of the area notwithstanding the fact that it would raise the ridge height of the existing roof. As such it would be in keeping with the provisions of the Dublin City Development Plan 2016-2022 including the Z1 residential zoning objective that applies to the area and the advice on domestic extensions set out at Appendix 17. It is therefore considered that, subject to the conditions below, the proposed development would not seriously injure the character or residential amenities of the area and would be in keeping with its proper planning and sustainable development.

## 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..

**Reason:** In the interest of clarity

2. The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interests of visual amenity

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Stephen J. O'Sullivan

Planning Inspector

15<sup>th</sup> May 2021