



An
Bord
Pleanála

Inspector's Report ABP-310066-21

Development

An attic conversion to include a dormer window structure at attic level to the rear and realignment of main roof structure to replace the hipped design with a new gable/dutch hip design.

Location

2 Sycamore View, Castleknock,
Dublin 15, D15 EN2W

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

FW21B/0026

Applicant(s)

Sandra Breathnach

Type of Application

Permission

Planning Authority Decision

Grant Permission subject to
Conditions

Type of Appeal

First Party

Appellant(s)

Sandra Breathnach

Observer(s)

none.

Date of Site Inspection

24th July, 2021

Inspector

Stephen Kay

1.0 Site Location and Description

- 1.1. The appeal site is located in Sycamore View, Castleknock, a residential development close to Carpenterstown that comprises predominately two storey semi-detached houses. The site is located in a wider residential area that is bounded by the Royal Canal to the north and the M50 to the south.
- 1.2. The site is currently occupied by a two storey semi detached house that has a stated floor area of 113 sq. metres and which has previously been extended to the rear at ground floor level. The roof profile of the existing house on the site is hipped and the external finishes comprise primarily render. The existing floor plan layout submitted indicates the first floor as having two bedrooms however there is a smaller room that is labelled as a laundry and which has a stated floor area of 5.8 sq. metres.
- 1.3. The site is located in an estate of similar two storey dwellings and the pattern of development in the wider residential area comprises a mixture of two storey semi-detached and terraced houses. An inspection of houses in the general vicinity of the appeal site indicates that there have been a number of different forms of extensions to the original layout. Specifically, it is noted that the house to the east of the appeal site at No.36 Sycamore View has been extended to the side with a change in roof profile to an A profile gable. To the north east of the site, No.34 Sycamore Avenue has a rear dormer that extends up to the ridge line of the roof.
- 1.4. The stated area of the appeal site is 0.0232 ha.

2.0 Proposed Development

- 2.1. The proposed development comprises the conversion of the attic of the existing house to accommodate an area that is identified as a 'store' on the submitted plans. The attic area is also proposed to accommodate a WC incorporating a toilet and shower. The main elements of the proposed development can be summarised as follows:

- Alteration of the roof profile by the extension of the main roof ridge line and the change from a hipped roof to a half hipped roof. This roof profile is described in the public notices as a gable / Dutch hip design.
- The provision of a new dormer window to the rear roofslope. This dormer window is proposed to have a width of 3.6 metres when measured externally and to connect with the roof at the ridgeline. The dormer is proposed to be set c.1.25 metres from the boundary with the adjoining semi detached property at No.1 and c.1.5 from the southern end of the house. The dormer is proposed to be finished in zinc and to be raked forward when viewed in section.
- The new accommodation to be provided at attic level is indicated in the submitted plans as having a floor to ceiling height of 2.261 metres. The application recognises that the proposed accommodation does not meet habitable requirements and the space is proposed to be used for home office and storage.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to Grant Permission subject to 6 no. conditions, the most significant of which in the context of the current appeal are considered to be as follows:

Condition No. 2 requires that changes to the design and scale of the dormer window be undertaken as follows:

- Maximum width of 3.0 metres,
- Dormer to be centred in the roof,
- The width of the window / glass to be a maximum of 1.5 metres.
- Dormer to be set down by a minimum of 300mm below the ridgeline of the roof.

Condition No.3 requires that the finishes shall harmonise in colour and texture with the existing structure.

Condition No.4 requires that the entire premises shall be used as a single dwelling unit.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planning officer notes the planning history and the fact that the site is zoned residential and that the principle of the form of development is considered to be acceptable. The fact that the attic accommodation is indicated as storage in the current and previous applications is noted and that the key consideration is the potential impact on the visual amenities of the area and on adjacent properties. The massing of the proposed dormer is considered to be excessive relative to the existing roof and such as to be contrary to Objective DMS41 of the Plan. A grant of permission consistent with the Notification of decision which issued is recommended.

3.2.2. Other Technical Reports

None on file.

3.3. Prescribed Bodies

None on file.

3.4. Third Party Observations

None received by the Planning Authority.

4.0 Planning History

The following planning history is referenced in the report of the Planning Officer on file:

- Fingal Co. Co. Ref. FW20B/0075 – Permission granted subject to conditions for an attic conversion including a dormer window to the rear and replacement of the hipped roof with a part hipped roof at No.2 Sycamore View. Permission was granted subject to conditions which included the restriction of the maximum width of the dormer to 3.0 metres, the centring of the dormer in the roof, the maximum width of the window at 1.5 metres and the dormer to be set down by 300 mm from the ridgeline of the roof.

A number of appeals are referenced in the first party appeal submission received which are cited as precedents for the form of development proposed and are noted in the grounds of appeal at 6.1 below. The following are specifically noted as they relate to applications which were the subject of appeal to An Bord Pleanala.

- Fingal Co. Co. Ref. FW18B/0138; ABP Ref. ABP-303859-19 – Application for a rear extension and attic conversion with addition of new dormer at No.42 Hunters Run, Clonee, Dublin 15. Split decision issued by the Planning Authority refusing permission for the dormer and granting the extension. From a review of this application, this site was located in a visually prominent corner location, but the scale of dormer was large with an internal width of 2.9 metres and extending up to the roof ridgeline with a floor to ceiling height of 2.45 metres. Permission for the dormer element of the proposal was granted by the Board.
- Fingal Co. Co. Ref. FW20B/0070; ABP Ref. ABP-308013-20 – Permission refused by the Planning Authority but granted on appeal by the Board for the conversion of attic accommodation and the addition of a dormer with external width of 3.575 metres and extending up to the ridgeline of the roof. (from details of this application on the LA and ABP websites it appears that the originally proposed external width of dormer was 4.175 metres which was recommended by the inspector to be reduced to a maximum of 3.0 metres by

way of condition however no such condition is attached to the final grant of permission).

The following planning history is also noted:

- Fingal Co. Co. Ref. F06B/0129 – Permission granted for single storey extension to the side and rear and rear dormer extension at No. 34 Sycamore Avenue to the north east of the current appeal site.
- Fingal Co. Co. Ref. F04B/0198 – Permission granted for demolition of existing garage and erection of two storey extension to the side and single storey extension to the rear at No. 36 Sycamore View to the east of the current appeal site.

5.0 Policy Context

5.1. Development Plan

The appeal site is located on lands that are zoned Objective RS under the provisions of the Fingal County Development Plan, 2017-2023 with the stated Objective ‘to provide for residential development and protect and improve residential amenity’.

The vision for this zone is to ‘*ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity*’.

The following objectives listed in the development plan are noted and considered to be of relevance to the assessment of this case:

Objective DMS41 – states that ‘*dormer extensions 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 the roof. Consideration may be given to dormer extensions proposed up to the ridge level of a house and shall not be high than the existing ridge height of the house.*’

Objective DSM42 states that it is an objective to ‘*encourage more innovative design approaches for domestic extensions*’.

Objective DSM28 relates to separation between dwellings and states that ‘a separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential development over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.’

5.2. Natural Heritage Designations

The appeal site is not located within or close to any European site. The closest such site to the appeal site is the Rye Water Valley/Carton SAC (site code 001398) which is located c.5km to the west of the appeal site at the closest point.

5.3. EIA Screening

Having regard to the nature and limited scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development. 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

The following is a summary of the main issues raised in the first party appeal received:

- That the appeal is against conditions and specifically against the requirements of Condition No.2 that specify changes to the scale and design of the proposed dormer.
- That the appellant lives in the house with her family that includes two teenage children and requires the space to provide space for home working and study.

- The width of dormer proposed is sought to provide adequate space in the attic area to undertake work and study. The bathroom is proposed to alleviate the necessity to climb the stairs.
- It is recognised that the space does not meet the required 2.4 metres to be classed as a habitable space, but it will not be used as habitable accommodation.
- That the applicant was inspired by other similar developments in the general area and that these indicated a trend of 3.6 metre wide dormers being approved. The width proposed is required to provide for 3.0 metre width internally required to allow for two desks to be provided.
- That the appellant has no issue with the requirement of condition No.2 to be centred on the roofslope or that the width of the window would be a maximum of 1.5 metres.
- That the requirement to set down the dormer by a minimum of 300mm from the existing roof ridgeline is of particular concern. Given the requirements for insulation this would result in a floor to ceiling height that would not allow for standing height for the appellants children.
- Noted that Objective DMS41 does not specify any dimensions or specific requirement that the dormer be set down from the ridge line. The wording actually specifically references the dormer being potentially as high as the ridgeline.
- A number of previous permissions granted during the current development plan are noted as precedents:
 - FW18B/0138; ABP Ref. ABP-303859-19 – Application for a rear extension and attic conversion with addition of new dormer that extended up to the roof ridge line. Split decision issued by the Planning Authority refusing permission for the dormer and granting the extension. Permission granted by the Board.

- Fingal Co. Co. Ref. FW17B/0056 – Permission granted by the planning authority for development incorporating an attic conversion and addition of a box dormer that extended up to the roof ridge line at No.42 Porters Gate, Clonsilla, Dublin 15.
- Fingal Co. Co. Ref. FW16B/0051 – Permission granted by the Planning Authority for development incorporating an attic conversion and addition of a box dormer that extended up to the roof ridge line at No.18 Beechfield Green, Clonee, Dublin 15.
- Fingal Co. Co. Ref. FW16B/0045 - Permission granted by the Planning Authority for development incorporating an attic conversion and addition of a box dormer of external width 4.0 metres at No.36 Riverwood Heath, Castleknock, Dublin 15. (It is noted from the PA website that this dormer was set down by c.300mm from the ridgeline of the roof).
- Fingal Co. Co. FW20B/0070; ABP Ref. ABP-308013-20 – Permission refused by the Planning authority but granted on appeal by the Board for the conversion of attic accommodation and the addition of a dormer with external width of 3.575 metres and extending up to the ridgeline of the roof. (from details of this application on the LA and ABP websites it appears that the originally proposed width of dormer was 4.175 metres which was recommended by the inspector to be reduced to a maximum of 3.0 metres by way of condition however no such condition is attached to the final grant of permission).

6.2. Planning Authority Response

The following is a summary of the main issues raised in the response to the grounds of appeal received from the Planning Authority:

- That the requirements regarding maximum width of the dormer and the set down from the roof ridgeline are specified to ensure that the proposed development does not form a dominant part of the roof, does not impact in an unduly negative way on the residential and visual amenities of the area and that the development therefore complies with the requirements of Objective DMS41 of the development plan.

7.0 Assessment

7.1. The following are considered to be the main issues in the assessment of this appeal:

- Principle of Development / Consideration of case De Novo
- Design and Impact on Visual Amenities,
- Impact on Residential Amenity
- Other Issues
- Appropriate Assessment

7.2. Principle of Development / Consideration of Case De Novo

7.2.1. The appeal site is located on lands that are zoned Objective RS under the provisions of the Fingal County Development Plan, 2017-2023 with the stated Objective *'to provide for residential development and protect and improve residential amenity'*.

The principle of a dormer extension and conversion of the attic is therefore in my opinion acceptable in principle in this location subject to compliance with other relevant development plan policies and objectives and that development would not have a significant negative impact on the visual or residential amenities of the area.

7.2.2. The appeal site is not located on a corner site or other location such that it is excessively visually prominent or likely to have a significant impact on visual amenity. The house on the site is also sited such that it is separated by c.22 metres from the adjoining properties to the south west on Sycamore Drive. The fact that the development the subject of appeal is not proposed as habitable accommodation by reason of the restricted floor to ceiling height is noted and is not considered to be a basis on which the principle of the proposed development is not acceptable. Rather, as set out in the application documentation on file, the development is proposed to cater for the home working and schooling / study requirements of the occupants and accommodating such requirements is in my opinion a strong justification for the principle of the form of development proposed.

7.2.3. The first party appeal submitted is against parts of the requirements imposed by Condition No.2 attached to the Notification of Decision to Grant Permission issued by the Planning Authority and specifically against 2(a) that restricts the width of the dormer to 3.0 metres (externally) and 2(d) that requires the setting down of the dormer by a minimum of 300mm from the roof ridgeline. Having regard to the above regarding the acceptability of the principle of the proposed development it is therefore considered appropriate that the appeal would be considered under s.139 of the Planning and Development Acts (as amended) as an appeal against condition No.2.

7.3. **Design and Impact on Visual Amenities,**

7.3.1. As per the submission received from the Planning Authority, the basis for the imposition of Condition No.2 attached to the Notification of Decision to Grant Permission issued is to ensure compliance with Objective DMS41 of the *Fingal County Development Plan, 2017-2023* and that the proposed dormer structure does not comprise a dominant part of the roof. Objective DMS41 – states that *‘dormer extensions 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 the 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.’*

7.3.2. There are in my opinion a number of issues to note in terms of compliance with Objective DSM41. Firstly, as noted by the first party, the wording of the objective does not specifically exclude a dormer that extends up to the height of the roof ridge. Rather the emphasis is on dormers not comprising a dominant part of the roof. Secondly, in terms of the height of the dormer relative to the roof ridge line, I note the fact that the proposed reduction in height of the dormer would result in a 300mm reduction in the available floor to ceiling height of the attic accommodation that is already relatively restricted at 2.26 metres and which reduces further in the eastern side of the floorplan. Notwithstanding the non habitable nature of the proposed accommodation, a reduction in height of 300 mm would, in my opinion make the accommodation suitable only for storage purposes and of poor amenity for the

proposed use as office / study accommodation. In visual amenity terms, there is an argument to be made that a small reduction in the ridge height of say 100mm would enable the dormer to be lowered below the level of the ridge tile of the roof and help to ensure that the ridgeline and impact on the streetscape is better protected. On balance however I do not consider that this reduction in height, that would impact on the accommodation to be provided, is justified on visual amenity grounds.

7.3.3. I note the precedent cases presented by the first party with regard to circumstances where developments similar in form to the proposed dormer have been permitted on houses in the general area that are of similar design to that on the appeal site. Obviously, each case has to be assessed on its individual merits, however the cases highlighted in the first party appeal indicate developments where assessments undertaken by the Planning Authority under the current development plan have permitted dormer extensions that are both wider than 3.0 metres and which extend up to the ridgeline of the roof. I specifically note the two cases cited by the first party where the decision was the subject of appeal. Under ABP Ref. ABP-303859-19 – the Board permitted a dormer extension on a dwelling of similar scale and design to that on the current appeal site which had an internal width of 2.9 metres and extended up to the roof ridgeline. Similarly, under ABP Ref. ABP-308013-20 the Board granted permission for a development that included a dormer with external width of 4.175 metres and extending up to the ridgeline of the roof. Obviously, these cases do not relate to houses immediately proximate to the current appeal site, however they were assessed under the provisions of the current development plan, relate to houses of a similar form design and scale to that on the appeal site and indicate the interpretation of the Board of the requirements of Objective DSM41. I also note the fact that the house to the north east of the appeal site at No. 34 Sycamore Avenue has a rear dormer that extends up to the roof ridge line and that this element is not clearly visible above the ridgeline when viewed from the street.

7.3.4. The proposed change to the roof form to create a part hipped roof form has precedent in the extension undertaken immediately opposite the appeal site at No.36 Sycamore View and would not in my opinion constitute a visually incongruous form of development or depreciate the visual amenities of the area. The change to the roof profile is such that I consider it likely that the dormer as proposed would be largely screened from views from Sycamore View. Some oblique views of the

dormer may be available from the south along the street, however I do not consider that these views would be significant as the dormer would be largely blocked by the proposed part gable end profile of the roof. Viewed from the rear, the dormer would be of significant scale, however subject to a reduction in the size of the window I do not consider that the structure would constitute an excessively visually dominant feature when viewed from the houses to the rear on Sycamore Drive.

- 7.3.5. The standing seam zinc finish proposed to the dormer is in my opinion in keeping with the design and finishes to the existing house and would result in a high quality design and finish. I note that the design incorporates an angle to the elevation of the dormer with the top of the structure projecting out further than the bottom and it appears from the drawings that the window to the dormer would be partially recessed. While this design feature would act to make the structure slightly more visible when viewed from the street, I do not consider that this would make a significant difference to the overall visibility and impact on visual amenity. The partially recessed window would likely act to limit potential views from the dormer to the properties on either side.
- 7.3.6. For the reasons above, it is my opinion that the design of dormer as proposed would not have a significant negative impact on the visual amenities of the area or adjacent residential properties and that its scale and design is consistent with the principles set out in Objective DSM41 of the development plan.

7.4. Impact on Residential Amenity

- 7.4.1. In terms of residential amenity, the adjacent houses to the rear (west) are located such that the separation distance between opposing above ground floor windows would be a minimum of 22 metres and such that no significant issues of overlooking would be likely to arise.
- 7.4.2. The scale of the window proposed at c.2.25 metres in width by c.1.25 metres in height is large and I consider that a reduction in the size of the window would help to reduce any perception of overlooking for houses to the west. Condition No.2(c) attached to the Notification of Decision issued by the Planning Authority requires that the width of the window in the proposed dormer would be reduced to a maximum of

1.5 metres and I consider that this width is acceptable and would act to minimise any sense of significant overlooking.

- 7.4.3. Having regard to the above, subject to the restriction of the width of the window to the dormer to a maximum width of 1.5 metres, I do not consider that the proposed development would have any significant negative impact on the residential amenities of surrounding properties.

7.5. Other Issues

- 7.5.1. The scale of the proposed extension is stated to be 26.7 sq. metres. It is noted that the house on the appeal site appears to have been extended previously with the addition of a single storey rear extension. The floor area of this constructed extension is estimated at approximately 14.4 sq. metres based on internal dimensions of 5.43 metres by 2.65 metres and the overall scale of extensions (constructed and permitted) would therefore be c.41.1 sq. metres.
- 7.5.2. Paragraph 11 (i)(a) of the 2021-2026 Fingal Development Contribution Scheme states that the first 40 square metres of domestic extensions are exempt from the payment of contributions under the scheme and that this exemption is cumulative and limited to 40 square metres in total per dwelling. Given the limited extent to which the 40 sq. metres would be exceeded, the fact that a financial contribution condition was not attached to the decision issued by the Planning Authority and the fact that the appeal is being considered under s.139 of the Act, I do not consider it necessary to address this issue further.

7.6. Appropriate Assessment

- 7.6.1. Having regard to the nature and scale of the proposed development and its location relative to Natura 2000 sites, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. Having regard to the above, based on the reasons and considerations set out below, it is recommended that Fingal County Council be directed to revise Condition No.2 attached to the decision to omit parts (a) and (d).

9.0 Reasons and Considerations

Having regard to the form and character of the established dwelling on the site, to the context of the site and to the design and scale of the roof alterations to include change of hipped roof to gable and the provision of a box dormer at the rear, it is considered that, subject to compliance with revised Condition No.2, the proposed development would not seriously injure the visual amenities of the area or of property in the vicinity and would be in accordance with the provisions of the Fingal County Development Plan, 2017-2023 including Objective DMS41. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Stephen Kay
Planning Inspector

26th July, 2021