



An  
Bord  
Pleanála

## Inspector's Report

### ABP-310689-21

|                                     |  |
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| <b>Development</b>                  | Attic conversion with roof dormer, rooflights and side gable window. |
| <b>Location</b>                     | 16, Londonbridge Drive, Sandymount, Dublin 4                         |
| <b>Planning Authority</b>           | Dublin City Council South  |
| <b>Planning Authority Reg. Ref.</b> | WEB1369/21   |
| <b>Applicant(s)</b>                 | Catherine & Anthony Dunne  |
| <b>Type of Application</b>          | Permission   |
| <b>Planning Authority Decision</b>  | Grant with Conditions  |
| <b>Type of Appeal</b>               | Third Party  |
| <b>Appellant(s)</b>                 | Deirdre McHugh   |
| <b>Observer(s)</b>                  | None   |
| <b>Date of Site Inspection</b>      | 28 <sup>th</sup> September 2021                                      |
| <b>Inspector</b>                    | Mary Crowley   |

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## 1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 164 sqm is located at the end of a residential cul de sac; London Bridge Drive. The appeal site is an end of terrace two storey red brick with gable overlooking Lansdowne Hall. The area is characterised as primarily residential. A set of photographs of the site and its environs taken during the course of my site inspection is attached. These serve to describe the site and location in further detail.

## 2.0 Proposed Development

- 2.1. Permission is sought for the conversion of the attic roof space (22 sqm) with roof dormer to rear part of roof and two rooflights to front part of roof, attic level side gable window with associated internal alterations to dwelling house (100 sqm).

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. Dublin City Council issued notification of decision to grant permission subject to 8 no standard conditions. Noted that Condition No 3 required that the attic space shall only be used for storage.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The Case Planner having considered the proposal noted inter alia *that the proposed gable window would not, by virtue of its modest size and location within a stairwell, give rise to adverse overlooking impacts on properties on Lansdowne Hall*. The Planner recommended that permission be granted subject to standard conditions. The notification of decision to grant permission issued by Dublin City Council reflects this recommendation.

#### 3.2.2. Other Technical Reports

#### 3.2.3. Drainage Division – No objection subject to standard conditions.

### **3.3. Prescribed Bodies**

3.3.1. None

### **3.4. Third Party Observations**

3.4.1. There are 4 no observations recorded on the planning file from (1) Deirdre McHugh, (2) Marie Clerkin, (3) Collette McLaren and (4) Neil Hogan. The issues raised relate to the proposed gable window, overlooking, impact on private residential amenity, visual impact and depreciation of property values. Requested that obscure glass be used.

## **4.0 Planning History**

4.1. There is no evidence of any previous planning application or subsequent appeal on this site.

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1. The operative plan for the area is the Dublin City Development Plan 2016 – 2022. The site is on lands zoned Z1 where the objective is “*to protect, provide and improve residential amenities*”.

### **5.2. Natural Heritage Designations**

5.2.1. The site is not located within a designated Natura 2000 site.

### **5.3. EIA Screening**

5.3.1. Having regard to the nature of the development comprising a residential extension located in a built up area zoned for residential development where public water mains and sewerage are available the need for environmental impact assessment can be excluded at preliminary examination and a screening determination is not required.

## **6.0 The Appeal**

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

6.1.1. The first party appeal has been prepared and submitted by Deirdre McHugh, No 5 Lansdowne Hall and may be summarised as follows:

- Concerned that DCC concluded that the proposed gable window would not give rise to “adverse overlooking impact” on the properties on Lansdowne Hall.
- Should the gable window go ahead requested that it be opaque and without the ability to open. This amendment would meet the needs of both the owners of No 16 Londonbridge Drive in terms of light and those of Lansdowne Hall in terms of privacy.

### **6.2. Applicant Response**

6.2.1. The first party response to the appeal has been prepared and submitted by the applicant and may be summarised as follows:

- The applicant is happy to accept the solution proposed which states that the residents of 5 Lansdown Hall would accept the proposed gable window if it is constructed using opaque glass and if it cannot be opened from the inside.

### **6.3. Planning Authority Response**

6.3.1. None

### **6.4. Observations**

6.4.1. There is one observation recorded on the appeal file from Marie Clerkin, No 6 Lansdowne Hall. Issues raised relate to the impact of the gable window and associated overlooking and loss of privacy and the necessity for a gable window where the proposed attic use is storage. Photos attached.

### **6.5. Further Responses**

6.5.1. None

## 7.0 Assessment

7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings:

- Principle
- Residential Amenity
- Other Issues

### 7.2. Principle

- 7.2.1. Under the provision of the Dublin City Development Plan 2016 – 2022 the site is wholly contained within lands zoned Z1 where the objective is “*to protect, provide and improve residential amenities*” and where residential extensions and alterations to an existing dwelling for residential purposes is considered a permissible use. I am satisfied that the principle of the development is acceptable at this location subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance.
- 7.2.2. In terms of scale and design I have considered the plans and particulars submitted and together with my site inspection I am satisfied that the scale and design of the works proposed will not overwhelm or dominate the original form or appearance of the parent building and will not have a significant negative impact on the adjoining houses in terms of established character and visual amenities.

### 7.3. Residential Amenity

- 7.3.1. As part of the development, it is proposed to insert an attic level side gable window serving a new stairway and overlooking Lansdowne Hall. As documented in the appeal above concern is raised that this gable window would give rise to “adverse overlooking impact” on the properties on Lansdowne Hall and it is requested that the gable window be opaque and without the ability to open. The applicant in their response to the appeal states that they are happy to accept the solution proposed. I am satisfied that the compromise reached between both parties through the appeal

process is acceptable. It is recommended that a condition be attached reflecting this compromise.

#### **7.4. Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development comprising a rear residential extension and its distance to the nearest 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.

#### **7.5. Other Issues**

- 7.5.1. **Development Contributions** – Dublin City Council has adopted a Development Contribution Scheme under Section 48 of the Planning and Development Act 2000 (as amended); the Dublin City Council Development Contribution Scheme 2020 -2023 refers. The stated area of the proposed scheme before the Board is 22 sqm and is exempt from the requirement to pay a development contribution (first 40sqm is exempt).

#### **8.0 Recommendation**

- 8.1. It is recommended that permission be **granted** subject to conditions for the reasons and considerations set out below.

#### **9.0 Reasons and Considerations**

- 9.1. Having regard to the provisions of the Dublin City Development Plan 2016 – 2022 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 not seriously injure the residential or visual amenities of the area and would be acceptable in terms of pedestrian and traffic safety. 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><b>Reason:</b> In the interest of clarity</p> |
| 2. | <p>a) The attic area shall be used solely for storage purposes associated with the main residential accommodation.</p> <p>b) The new side elevation window facing Lansdowne Hall shall be obscure glazing and without the ability to open. Details shall be agreed in writing with Dublin City Council prior to commencement of work on site.</p> <p><b>Reason:</b> In the interest of the protection of the residential amenities.</p>   |
| 3. | <p>The site and building works required to implement the development shall be carried out only between the hours of 0800 to 1800 Monday to Fridays, between 0800 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of adjoining property in the vicinity</p>   |

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**Mary Crowley**

**Senior Planning Inspector**

**5<sup>th</sup> October 2021**