



An
Bord
Pleanála

Inspector's Report

ABP-310836-21

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| Development | Conversion of attic |
| Location | No 3, Hughes Road East, Walkinstown, Dublin 12 D12 PC8V |
| Planning Authority | Dublin City Council South |
| Planning Authority Reg. Ref. | 2697/21 |
| Applicant(s) | Jackie Brewer |
| Type of Application | Permission |
| Planning Authority Decision | Grant with Conditions |
| Type of Appeal | First Party |
| Appellant(s) | Jackie Brewer |
| Observer(s) | None |
| Date of Site Inspection | 28 th September 2021 |
| Inspector | Mary Crowley |

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1.0 Site Location and Description

1.1. The appeal site with a stated area of 246 m² comprises a two storey semidetached house in Walkinstown, a predominantly residential area of similar single family two storey dwellings. 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 an existing attic space to storage space and comprising of modification of existing roof structure, raising of existing gable wall, new access stairs and flat roof dormer to the rear and associated site works. The stated floor area of the existing house is 81.5sqm. The proposed floor area of attic conversion is 21sqm.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Dublin City Council issued a notification of decision to grant permission subject to 9 no conditions. Condition No 2(b) is relevant to this appeal:

Condition No 2 – *Prior to commencement of development, the applicant shall submit revised drawings for the written agreement of the Planning Authority to show the following amendment:*

a) *The width of the dormer window shall be reduced to no more than 3.7 metres in width.*

b) ***The dormer shall not extend above the existing ridge line of the roof.***

Reason: *In the interests of visual amenity*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The Case Planner recommended that permission be granted subject to conditions including the requirement that *the dormer shall not extend above the existing ridge line of the roof*. The notification of decision to grant permission issued by Dublin City Council reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage Division** – No objection to the proposed development subject to conditions as set out in the report.

3.3. Prescribed Bodies

3.3.1. None

3.4. Third Party Observations

3.4.1. None

4.0 Planning History

4.1. There is no evidence of any previous planning application or subsequent appeal on this site. The following planning history has been made available with the appeal file.

- **Reg Ref 2512/20** – Planning permission granted at No 11 Hughes Road East, for the conversion of an existing attic space comprising of modification of existing roof structure, raising of existing gable c/w window, new access stairs and flat roof dormer to the rear. Noted that the width of the dormer was circa 3.7m wide.
- **WEB 1684/18** – Planning permission granted at No 2 Hughes Road East for retention of dormer extension and attic conversion to the rear of existing house and all associated development works.

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 in an area zoned Z1 where the objective is “*to protect, provide and improve residential amenities*”. Sections relevant to this appeal are as follows:

- Section 16.10.12 Extensions and Alterations to Dwellings
- Appendix 17 – Roof Extensions

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 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 was prepared and submitted by the applicant, Jackie Brewer and may be summarised as follows. The appeal is against Condition No 2(b) only. See Section 3.1 above.

- The proposed alterations are required in order to utilise the existing attic space as valuable and required storage and provide reasonable head height. This will require the raising of the proposed flat roof dormer by 200mm above the existing ridge line of the property. The flat roof dormer does not affect the existing ridge line.
- Without this increase in height the attic would not be a practical storage space as the applicant would be unable to walk into the space which would make it a worthless alteration and financial commitment.
- The reason for the condition is unreasonable considering that the property is situated on the north east corner of the Hughes Road East. You would need to be standing at least 120m away from the property both to the west and south before a person could see the edge / peak of the dormer. The mature trees on the street in both directions approaching the property act as a visual screen whereby it would

be impossible to see the peak of the proposed dormer. The visual impact of the dormer is minimal and is in keeping with the local properties. Images provided.

- There are a number of similar developments in the Hughes Road East area that have been carried out. In some cases, their existing ridge lines have been altered and main ridge line increased in height to accommodate the rear dormers. Reference is made to 2512/20, WEB1061/21 and WEB1684/18 refer. these granted permissions does not include the condition applied in this case.
- Requested that Condition No 2(b) is omitted.

6.2. Planning Authority Response

6.2.1. None

6.3. Observations

6.3.1. None

6.4. Further Responses

6.4.1. None

7.0 Assessment

- 7.1. Further to my examination of the planning file and the grounds of appeal that relate to one condition only i.e. Condition No. 2 (b) of the notification of decision of the planning authority to grant permission, and having assessed the documentation and submissions on file, I consider it is appropriate that the appeal should be confined to this single condition. Accordingly, I am satisfied that the determination by the Board of this application as if it had made to it in the first instance would not be warranted and that it would be appropriate to use the provisions of Section 139 of the 2000 Act in this case.
- 7.2. Condition No 2(a) requires that the width of the dormer window shall be reduced from 5 metres to no more than 3.7 metres in width. This condition has not been appealed. Condition No 2(b), the subject of this appeal requires that *the dormer shall not extend above the existing ridge line of the roof*. I note the applicants appeal that without

raising of the proposed flat roof dormer by 200mm above the existing ridge line of the property the attic would not be a practical storage space as the applicant would be unable to walk into the space which would make it a worthless alteration and financial commitment. I also note the applicants reference to similar development in the area. In this regard I refer to the site photos taken on day of site inspection of similar developments undertaken directly across the road from the appeal site that extend above the existing roof ridge line and in one case can be considered imposing.

- 7.3. I refer to Appendix 17 – Roof Extensions of the Development Plan where it states that *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 and that if not treated sympathetically, dormer extensions can cause problems for immediate neighbours and in the way a street is viewed as a whole.* Having regard to the proposed scheme comprising modifications to the existing roof structure by raising the existing gable wall and amending the roof profile from hipped roof to gable ended roof in order to facilitate a large dormer window reduced to a maximum width of 3.7 metres I do not consider that the raising of the proposed flat roof dormer by 200mm above the existing ridge line would result in such a significant intervention in the context of the overall development that it would create a negative visual distraction when viewed in the context of adjoining buildings in the streetscape.
- 7.4. Overall I am satisfied that the scale, form and design of the front door does not overwhelm or dominate the original form or appearance of the parent house and that the scheme will not have a significant negative impact on the established character or visual amenities of the area. It is therefore recommended that Condition No 2(b) be omitted.
- 7.5. For clarity and completeness I have had due regard to the provisions of the Habitats Directive and conclude that having regard to the source-pathway-receptor model along with the nature of the proposed development I would not consider that an NIS or Appropriate Assessment is necessary in this case.

8.0 Conclusion & Recommendation

- 8.1. Having regard to the nature of the condition 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 **OMIT** Condition Number 2(b).

9.0 Reasons and Considerations

- 9.1. Having regard to the zoning objective for the area as set out in the Dublin City Development Plan 2011 - 2017, the established pattern of development in the area and the nature, scale and design of the proposed roof extension it is considered that the proposed development would not seriously injure the visual amenities of the parent dwelling or of properties in the vicinity and would therefore be generally in accordance with the proper planning and sustainable development of the area.

Mary Crowley

Senior Planning Inspector

5th October 2021