



An
Bord
Pleanála

Inspector's Report

ABP-310987-21

Development	Attic conversion with dormer window to rear, removal of hipped roof and build up gable wall with window at attic level.
Location	39 Glen Ellan Grove, Swords, Co. Dublin, K67 EY97
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F21B/0192
Applicant(s)	Richard and Karen Sheehan.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	First Party
Observer(s)	None.
Date of Site Inspection	21 st October 2021.
Inspector	Barry O'Donnell

1.0 Site Location and Description

- 1.1. The subject site is located at 39 Glen Ellen Grove, within the Glen Ellen estate to the north-west of Swords. The site consists of a two-storey semi-detached dwelling on a site of 0.02ha.
- 1.2. Glen Ellen is a large estate of semi-detached and detached housing, accessed from Murrough Road. Glen Ellen Grove is centrally located within the estate and the subject site is located at the end of the cul-de-sac. Houses within cul-de-sac incorporate primarily hipped roofs and there is some variation between the elevational treatment and materials palette of individual houses. The subject house incorporates a hipped roof and a projecting gable element on the front elevation.

2.0 Proposed Development

- 2.1. Permission is sought for an attic conversion, with a dormer window to the rear, together with reprofiling of the existing roof, to build it up from a hipped roof to a gable end and incorporating a window at attic level within the gable end.
- 2.2. The proposed roof reconfiguration involves building up the roof vertically from the eaves, by approx. 2.95m, to form a gable end and the provision of a box dormer with dimensions of approx. 3m x 1.4m in a central location within the rear roof plane.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 14th July 2021, subject to 7 No. conditions.
 - Condition No. 2 stated
 - a) Prior to commencement of development revised drawings shall be submitted for the written agreement of the Planning Authority to show the following:
 - i. A fully-hipped roof with a modest side dormer (window to be in obscured glazing) set down at least 100mm from the ridge of the roof and at least 3

tile courses from the eaves. The dormer shall be no greater than 3m in width.

- ii. The rear dormer shall be set down at least 200mm from the ridge line of the roof and set up at least 3 tile courses from the eaves.
 - iii. A revised section drawing of the attic room showing the proposed internal floor ceiling height.
- b) The attic floor plan drawing submitted has been labelled as the proposed first floor plan and a door has been indicated on the floor plan beside the rear dormer window. A revised accurate drawing of the proposed attic room shall be submitted for the written agreement of the Planning Authority prior to commencement of development. If the attic room does not comply with Building Regulations in relation to habitable room standards it shall be used for storage purposes only.

3.2. Planning Authority Reports

- 3.2.1. A Planning Report dated 8th July 2021 has been provided, which reflects the Planning Authority's decision on the application. Concerns were expressed that the proposed roof reprofiling works would give rise to a visual imbalance in the pair of semi-detached houses of which the subject house forms part. Retention of the hipped roof and the provision of a side dormer was considered more appropriate. The report stated that the rear dormer should be set down below the ridge line of the roof and positioned up from the eaves and also stated the side dormer window should be fitted with obscured glazing, in the interest of privacy. Regarding the application drawings, the report stated that the attic floor plan drawing was labelled as the first floor plan drawing and recommended an accurate drawing should be submitted prior to the commencement of development.

3.2.2. Other Technical Reports

The planning report states that no internal department reports were requested.

3.3. Prescribed Bodies

- 3.3.1. None received.

3.4. Third Party Observations

3.4.1. None received.

4.0 Planning History

4.1.1. I did not encounter any recent application for the site in my review of planning records for the area.

Nearby Relevant Planning History

F21B/0244 - *13 Glen Ellen Gardens*: Permission granted on 22nd September 2021 for alterations of the existing hipped roof to extend the existing ridge line, and create a gable wall to the side elevation, and construction of a roof dormer to the rear slope.

F20B/0179 - *54 Glen Ellen Green*: Permission granted on 30th October 2020 for a proposed new gable wall to the side of the existing house and a proposed new flat roof dormer to the rear of the existing house roof

F19B/0233 - *8 Glen Ellen Crescent*: Permission granted on 12th December 2019 for an attic conversion to include new dormer roof to rear, gable roof to side, storage area and boiler room.

F19B/0112 - *18 Glen Ellen Grove*: Permission granted on 7th August 2019 for conversion of existing attic space to office / playroom / storage area with new revised roof profile (from hipped to gable end) to side / rear, with new window to gable end at attic level.

F17B/0255 - *9 Glen Ellen Crescent*: Permission granted on 14th February 2018 for an attic conversion to include new dormer roof in rear, gable roof to side, storage area and boiler room

F16B/0077 - *25 Glen Ellen Grove*: Permission granted on 13th June 2016 for a new gable for the conversion of the attic space, 2 roof windows to rear elevation and a new window to the side elevation.

There are also a number of records of planning permission within the estate for side dormer windows.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is zoned 'RS' under the Fingal County Development Plan 2017-2023, with an objective to "*Provide for residential development and protect and improve residential amenity.*"
- 5.1.2. Section 12.4 contains design criteria for residential development. In respect of roof alterations, it states that such proposals will be considered against a number of criteria, including:
- Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
 - Existing roof variations on the streetscape.
 - Distance/contrast/visibility of proposed roof end.
 - Harmony with the rest of the structure, adjacent structures and prominence.
- 5.1.3. The section also provides guidance in relation to dormer extensions, stating that such proposals will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties and that the design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations.
- 5.1.4. The following objectives are relevant to the appeal: -
- DMS41: Dormer extensions to roofs 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 a 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.*

5.2. Natural Heritage Designations

- 5.2.1. The subject site is not located within or adjacent to any designated European Site.

5.3. EIA Screening

- 5.3.1. The proposal is for a domestic attic conversion and roof extension. This type of development does not constitute an EIA project and so the question as to whether or not it might be sub-threshold does not arise.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The grounds of appeal can be summarised as follows: -

- A first party appeal is lodged in respect of condition 2(a)(i) of the Planning Authority's decision.
- There is a lack of consistency associated with this condition. There are examples of this style of development in the immediate vicinity. Reference is made to 18 Glen Ellan Grove (Reg. Ref. F19B/0112) and 54 Glen Ellan Green (Reg. Ref. F20B/0179).
- The Board is requested to overturn this condition.

6.2. Planning Authority Response

- 6.2.1. A submission was received on 6th September 2021, the contents of which can be summarised as follows: -

- The subject site has a prominent location at the top of a cul-de-sac.
- A similar roof profile extension at 25 Glen Ellan Grove was considered to be appropriate in view of the site's location within a row of houses and in a location which was not visually prominent.
- The proposal is not considered acceptable as it would create a visual imbalance in the pair of semi-detached houses of which it forms part.
- Retention of a fully hipped profile and a side dormer would be more appropriate for the house.

- In the event that permission is granted, the Board is requested to make provision for a S48 contribution.

6.3. **Observations**

6.3.1. None received.

6.4. **Further Responses**

6.4.1. None received.

7.0 **Assessment**

7.1. This is a first party appeal against condition 2(a)(i) of the Planning Authority's decision to grant permission for application Reg. Ref. F21B/0192. Under Section 139 of the Planning and Development Act, 2000, as amended (the Act), the Board has the discretion over whether to consider these conditions in isolation from the remainder of the development. I consider, having regard to the nature and intent of condition 2(a)(i), that determination by the Board as if the application had been made to it in the first instance would not be warranted in this instance and the appeal can be assessed under the provisions of Section 139 of the Act.

7.2. **Condition 2(a)(i)**

- 7.2.1. The condition amends the proposed development and requires that a fully-hipped roof should be retained and that a modest side dormer should be provided (window to be in obscured glazing), set down at least 100mm from the ridge of the roof and at least 3 tile courses from the eaves. The dormer window was required to be no greater than 3m in width.
- 7.2.2. The applicant states that there is a lack of consistency associated with this condition and that there are a number of examples of this style of development in the immediate vicinity.
- 7.2.3. The Planning Authority's submission on the appeal restates the view that the proposed roof reprofiling works would create a visual imbalance in the pair of semi-detached houses and that retention of a fully hipped roof, with a side dormer, would be more appropriate.

- 7.2.4. Section 12.4 of the development plan states that proposals such as this will be assessed against a number of criteria, including (a) consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures (b) existing roof variations on the streetscape (c) distance/contrast/visibility of proposed roof end and (e) harmony with the rest of the structure, adjacent structures and prominence.
- 7.2.5. I have given consideration to the requirements of condition 2(a)(i) and to the underpinning rationale for the condition, provided in the planning report. The subject site is in a prominent location, at the end of a cul-de-sac, and the proposed roof reprofiling works would be a noticeable addition to the street. But I do not consider that the visual impact would be significant or unacceptable, such that the amendments required by condition 2(a)(i) are justified. The subject house and adjacent houses are each of a stock design and whilst there is a symmetry to the design of each of the semi-detached house pairs, the area is not subject to any designation or protection, relating to the architectural design. Moreover, and as the applicant states, permission has been granted elsewhere within the Glen Ellen estate for similar forms of development and, in the instances where the development has been completed, for example at 18 Glen Ellen Grove, it has had no negative impact on the character of the area.
- 7.2.6. The proposed roof reprofiling will not have any undue or unacceptable impact on adjacent properties, in terms of overshadowing, given the relationship of the house to adjacent properties. Any smallscale overshadowing of 40 Glen Ellen Grove will be in the morning and any shadow cast will be onto the side plane of the house.
- 7.2.7. In view of the above considerations, I conclude that the requirements of condition 2(a)(i) are unjustified and the condition should be omitted.

8.0 Recommendation

- 8.1. I recommend that the Board, for the reasons and considerations set out below, direct the Planning Authority under Section 139 of the Act to remove conditions 2(a)(i) of its decision to grant permission under Reg. Ref. F21B/0192

9.0 Reasons and Considerations

Having regard to the scale and design of development proposed, together with the pattern of development in the surrounding area and the provisions of Section 12.4 of the Fingal County Development Plan 2017-2023, it is considered that the requirements of conditions 2(a)(i) are not necessary and that the proposed development would not impact on the amenities of adjoining property and would not impact on the character or visual amenity of the area.

Barry O'Donnell
Planning Inspector

21st October 2021.