



An
Bord
Pleanála

Inspector's Report ABP-311517-21.

Development	Attic conversion including dormer window and rooflights to front and dormer space to the rear of existing dwelling.
Location	12 Belarmine Lawns, Belarmine, Dublin 18, D18DD35.
Planning Authority	Dun Laoghaire Rathdown Co. Council.
Planning Authority Reg. Ref.	D21B/0348.
Applicant(s)	Mark Farber.
Type of Application	Permission.
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	Colm Murphy and Michelle Hardie Murphy.
Observer(s)	1. Angela Harding and Alan Harrison 2. Ronan Kernan
Date of Site Inspection	6 th January 2022.
Inspector	Lucy Roche.

1.0 Site Location and Description

- 1.1. The appeal site is situated within the large residential development of Belarmine, which is located off/to the northeast of the Enniskerry Road (R117) on the southern side of the M50 motorway approximately 0.5km northwest of Stepside Village.
- 1.2. 12 Belarmine Lawns comprises a two-storey end-of-terrace dwelling with designated on-site parking area to the front and private amenity space to the rear. The existing dwelling has a stated Gross Floor Area of 117sqm. The structure has a brick finish to its front elevation and gable ended roof. A pair of semi-detached three storey dwellings border the property to the south. The property backs onto the residential cul-de-sac, Belarmine View. The appeal site has a stated area of 0.0214ha.

2.0 Proposed Development

- 2.1. Permission is sought to convert the existing attic space of 12 Belarmine Lawns to provide a stated 29sqm of habitable accommodation to include a new master bedroom with ensuite bathroom. The proposed works include for the provision of a dormer window and roof lights to the front and dormer window to the rear of the existing dwelling.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant permission subject to 3 conditions. The conditions were standard in nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

As set out in the Planning Report, the Planning Authority was satisfied that the proposed development, in particular the proposed dormer roof space to rear, addressed the previous grounds for refusal under D21B/0047 and was satisfied that the development as now proposed, due to its massing, scale and form would not adversely impact on the residential amenity of adjacent properties or significantly

detract from the character of the surrounding area. The Planning Authority Case Officers report recommended that permission for the development be granted subject to condition.

3.2.2. Other Technical Reports

Surface Water Drainage reported no Objection

3.3. Prescribed Bodies

None

3.4. Third Party Observations

The Planning Authority received four submissions in relation to the planning application. The issues raised are similar to those set out in the appeal.

4.0 Planning History

D21B/0047 Refers to an April 2021 decision where a split decision was issued in respect of a proposed Attic Conversion at 12 Belarmine Lawns, Stepside, Dublin 18.

Permission was granted for attic conversion including dormer window and roof lights to front. Permission was refused for a dormer window to the rear on grounds that it would be visual obtrusive, set an undesirable precedent and serious injury the amenities / depreciate the value of properties in the vicinity.

5.0 Policy Context

5.1. Development Plan

The appeal site is subject to zoning Objective A, under the Dun Laoghaire- Rathdown County Development Plan 2016-2022 which seeks to 'Protect and/or improve residential amenity'

Chapter 8 Principles of Development,

Section 8.2.3.4(i) refers to Extensions to Dwellings, in particular the following extract is considered relevant:

Dormer extensions to roofs will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. The proposed quality of materials/finishes for dormers will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer structure should have regard to existing window treatments and fenestration of the dwelling. Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of adjacent properties. Excessive overlooking of adjacent properties should be avoided unless support by the neighbours affected can be demonstrated.

5.2. It is noted that the appellants refer to The Dún Laoghaire-Rathdown County Council Draft County Development Plan, 2022-2028 in their appeal submission however as this plan has not been adopted the policies and provisions set out within this document are not applicable to the assessment of this appeal.

5.3. **Natural Heritage Designations**

None

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A third-party appeal was lodged by Colm Murphy and Michelle Hardie Murphy. A Summary of the grounds of appeal is as follows:

- The proposed development would counter / contravene the Dun Laoghaire Rathdown County Development Plan 2016-2022 (specifically

Section 8) and the Draft County Development Plan 2022-2028 specifically Chapter 12)

- The development, in particular the proposed dormer to the rear, would be out of character and form with neighbouring properties.
- The proposed development has the potential impact on the residential amenities of adjacent properties, particularly in terms of overlooking / loss of privacy
- The proposed development has the potential to depreciate the value of property in the vicinity
- The proposed development does not adequately address the reasons cited for refusal under the previous application D21B/0047

6.2. Applicant Response

The following points were raised in the response to the appeal submitted on behalf of the applicant Mark Farber:

- This project has been the subject of a previous application to the local authority, which was refused, and the current application as granted by the local authority has reduced the scale, size, impact of the proposal and set back the rear wall of the dormer
- The dormer construction is proposed as zinc which will blend with the existing slate roofs and other dormers in the area which are constructed also in zinc
- Notes that there is existing fenestration to the rear of adjacent units, to existing attic spaces
- The units currently have a separation distance of 22m back-to-back which is normally accepted as providing adequate residential amenity and privacy. The proposal will not reduce this
- Notes the applicants dwelling and appellants dwellings are not back-to-back but 35-40m away and splayed away from each other

6.3. **Planning Authority Response**

The Planning Authority refer the Board to the Planners Report and state that the grounds of appeal do not raise any new matters which would, in the opinion of the Planning Authority, justify a change of attitude to the proposed development.

6.4. **Observations**

Two (2no) observations were received from:

- Angela Harding and Alan Harrison, 14 Belarmine Lawns, Stepside, Dublin 18
- Ronan Kernan, 11 Belarmine View, Stepside, Dublin 18

The issues raised by the observers were covered in the grounds of appeal.

6.5. **Further Responses**

None

7.0 **Assessment**

- 7.1. It is proposed to convert the attic to habitable accommodation within the inclusion of a dormer window and rooflights to the front and dormer to the rear of the existing dwelling. The aspect of the proposed development that is the main issue raised in the appeal submission is the dormer window to the rear elevation, the main concerns being that it would be out of character with the pattern of development in the area and that it would impact upon the amenities of neighbouring properties by way of overlooking / loss of privacy.
- 7.2. The proposed dormer window to the rear of the property has a width of 3.4m and a height of 2.43m. It has been positioned towards the centre of the roof pane and is set above the eaves. It is to have a render finish to match the external walls of the rear elevation of the dwelling and contains two windows, both of which serve the master bedroom. While the construction of a dormer window at this location would introduce a new design feature into the local roofscape, I would not consider that such a feature would have a significant negative impact upon the visual amenities or

character of the area. The dormer in question is located to the rear of the property and while it would be visible from the rear of some neighbouring properties and in part from the public road and amenity spaces to the north, I would not consider these factors alone sufficient to conclude that the proposed development would have a negative impact upon the character of development in the area. In terms of scale and design, I am satisfied that the dormer is proportionate in size to the rear roof pane, that it would accord with the design of the existing dwelling and that it would not appear overly dominant or incongruous in this residential setting. I consider the use of render acceptable as an external finish.

- 7.3. In relation to the matter of overlooking from the proposed rear dormer, while the proposed windows within the dormer structure would allow for views over the gardens of neighbouring properties, I consider that the established pattern of development within the immediate vicinity of the site, which comprises rows of semi-detached and terraced houses backing onto one another, already allows for a similar degree of overlooking from existing first floor windows, and having regard to existing separation distances (c11.5m, as stated, from existing first floor windows to the opposing property boundary to the northwest) which are considered adequate and which are to be maintained, I am satisfied that this aspect of the proposed development would not result in significant new overlooking of adjoining properties.
- 7.4. The dormer window to the front elevation has a width of 2.6m and a height of c2.15m. It is set back from the eaves and party / side boundaries and is to be finished in zinc cladding. I consider this dormer window to be of a relatively modest scale that integrates well into the front roof pane and does not appear as an overly dominant feature and while dormer windows are not a feature of the existing dwellings in Belarmine Lawns, they are a feature of neighbouring residential areas within Belarmine such as Belarmine Walk which is situated to the south of and is visible from the front of the appeal site. I consider this aspect of the proposed development to be sympathetic to the design and scale of the existing house. Having regard to the pattern of development in the area I am satisfied that the proposed dormer would not result in any significant new overlooking to adjoining properties
- 7.5. In order to facilitate the construction of the proposed dormer window to the front elevation it will be necessary to relocate the existing solar panels. I consider such works a minor alteration that would be unlikely to have a significant impact upon the

visual amenities of the area. The proposal also entails the provision of two roof lights on the front elevation. The rooflights are relatively small in size and I would consider that they would have a negligible impact on the visual amenities and character of the area.

7.6. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring properties. However, having regard to the assessment and conclusions set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

7.7. Appropriate Assessment

The appeal site is not within or adjoining any Natura 2000 site. Having regard to the minor nature and scale of the proposed development, the location of the site in a serviced suburban area and the separation 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.

8.0 **Recommendation**

8.1. I recommend a grant of permission for the reasons and considerations and subject to conditions set out below

9.0 **Reasons and Considerations**

The proposed development is located in an area zoned to protect and/or improve residential amenity in the Dun Laoghaire Rathdown County Development Plan 2016 to 2022. Having regard to the design and pattern of existing development in the area and the design and scale of the proposed works, it is considered that, subject to compliance with the conditions set out below, the proposed development would not detract to any significant degree from the existing character of development in the area; would not seriously injure the amenities of residential properties in the vicinity and would be consistent with the provisions of the Dun Laoghaire Rathdown County

Development Plan 2016 to 2022. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 interests of Clarity

2. All external finishes, including roof tiles/slates, shall harmonise in material colour and texture with the existing dwelling on site

Reason: in the interest of visual amenity

Lucy Roche

Planning Inspector

10 January 2022