



An
Bord
Pleanála

Inspector's Report 311554-21

Development	Extension and conversion of attic, including zinc dormer & 2 no. conservation roof lights at rear roof level, new internal stairs & all associated works & services
Location	78 St. Lawrence Road, Clontarf, D 3.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	3155/21
Applicant(s)	Cian O'Cuinneagain & Annette O'Brian
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	First Party v. Condition
Appellant(s)	Cian O'Cuinneagain & Annette O'Brian
Observer(s)	None
Date of Site Inspection	22nd November 2021

Inspector

Louise Treacy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 655 m² and is located at No. 78 St. Lawrence Road, Clontarf, Dublin 3. The existing property comprises a 2-storey, mid-terrace residential dwelling with a 2-storey return. This building is a Protected Structure. The dwelling has an extensive rear garden which backs onto a laneway adjoining the eastern site boundary. Construction works were ongoing on the property at the time of my inspection.
- 1.2. The adjoining dwelling to the north at No. 77 St. Lawrence Road has conservation roof lights on the rear roof slope. No. 81 St. Lawrence Road to the south has a zinc covered dormer window on the rear roof slope.

2.0 Proposed Development

- 2.1. The proposed development will consist of an extension and conversion of an existing attic into a bedroom, en-suite bathroom and ancillary spaces. It will include a zinc dormer and 2 no. conservation roof lights at roof level to the rear. It will also include new internal stairs for access and all associated ancillary works and services.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Grant Permission subject to 13 no. conditions issued on 7th September 2021.
- 3.1.2. Condition no. 3 requires that the development shall not be used for human habitation unless it complies with current building regulations.
- 3.1.3. Condition no. 5 requires revised drawings to be submitted to the Planning Authority in advance of works commencing on site showing the proposed dormer roof omitted and replaced with a conservation roof light.
- 3.1.4. All other conditions are generally standard in nature.

3.2. **Planning Authority Reports**

3.2.1. **Planning Reports**

3.2.2. Basis of Planning Authority's decision.

3.2.3. **Other Technical Reports**

3.2.4. **Conservation Officer:** Recommends that the proposed dormer window be omitted due to its significant impact on the legibility of the roof and special architectural character of the roofscape along this stretch of terrace.

3.2.5. **Engineering Department Drainage Division:** No objection subject to condition.

3.3. **Prescribed Bodies**

3.4. **An Chomhairle Ealaíon:** None received.

3.5. **Fáilte Ireland:** None received.

3.6. **The Heritage Council:** None received.

3.7. **An Taisce:** None received.

3.8. **Minister for Arts, Heritage, Regional, Rural & Gaeltacht Affairs:** None received.

3.9. **Irish Rail:** None received.

3.10. **Irish Water:** None received.

3.11. **Third Party Observations**

3.11.1. None.

4.0 **Planning History**

4.1. **Planning Authority Reg. Ref. 3933/20:** Planning permission granted on 1st April 2021 for repair, restoration and refurbishment and extension works to the existing 2-storey house with 2-storey rear annex.

4.2. This permission was being implemented on site at the time of my inspection.

- 4.3. **Relevant Planning History for the Area**
- 4.3.1. **Planning Authority Reg. Ref. 2226/21:** Planning permission granted on 10th September 2021 for development including a loft conversion and new dormer window to the rear of No. 117 St. Lawrence Road, Clontarf, Dublin 3.
- 4.3.2. I note that the scale of the proposed dormer window was reduced in response to a Request for Further Information which noted concerns that the structure would cause serious injury to the form and roof profile of the historic terrace.
- 4.3.3. **Planning Authority Reg. Ref. 4213/18:** Planning permission granted on 29th January 2019 for development including an attic conversion and dormer window to the rear of No. 54 St. Lawrence Road, Clontarf, Dublin 3.
- 4.3.4. Condition no. 2 requires that the highest part of the dormer window shall be set a minimum of 200 mm below the ridge line of the roof.
- 4.3.5. **Planning Authority Reg. Ref. 3225/17:** Planning permission granted on 25th September 2017 for development including attic conversion and dormer to the rear of No. 58 St. Lawrence Road, Clontarf, Dublin 3.
- 4.3.6. **Planning Authority Reg. Ref. 4472/16:** Planning permission granted on 6th April 2017 for development including an attic extension with new dormer window to the rear of No. 81 St. Lawrence Road, Clontarf, Dublin 3.
- 4.3.7. Condition no. 2 (a) requires the rear dormer to be reduced in size to match that permitted at No. 84 St. Lawrence Road (planning authority reg. ref. 2148/15).
- 4.3.8. **Planning Authority Reg. Ref. 2148/15; ABP Ref. PL29N.244773:** Planning permission granted on 26th August 2015 for the construction of a single-storey kitchen/dining/playroom extension and conversion of existing attic space with new contemporary dormer window to rear roof.

5.0 Policy and Context

5.1. Dublin City Development Plan 2016-2022

5.2. Land Use Zoning

5.2.1. The site is subject to land use zoning “Z2” (Residential Neighbourhoods Conservation Areas) which has the objective “to protect and/or improve the amenities of residential conservation areas”.

5.2.2. The existing property is a Protected Structure (RPS Ref. 7656).

5.3. Protected Structures – Policy Application

5.3.1. Interventions to Protected Structures should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural detail, scale, proportions and design of the original structure.

5.3.2. Where possible, existing detailing, fabric and features of the structure should be preserved, repaired or, if missing or obscured, should be reinstated or revealed. In almost all cases, the materials used for alterations, extensions or repairs should match the original and the use of non-traditional materials will not normally be acceptable. Original and historic fabric should be retained and protected, wherever possible.

5.3.3. **Policy: CHC1:** To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.

5.3.4. **Policy CH2:** To ensure that the special interest of Protected Structures is protected. Development will conserve and enhance Protected Structures and their curtilage and will: (a) protect or, where appropriate, restore form, features and fabric which contribute to the special interest; (b) incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances; (c) be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials; (d) not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should

relate to and complement the special character of the Protected Structure; (e) protect architectural items of interest from damage or theft while buildings are empty or during course of works; (f) have regard to ecological considerations, for example, protection of species such as bats.

5.3.5. **Policy CH4:** To protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a conservation area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.

5.4. **Alterations and Extensions**

5.4.1. The policy regarding extensions and alterations to dwellings is set out in Sections 16.2.2.3 and 16.10.12 and Appendix 17 of the development plan. In general, applications for planning permission to extend dwellings will only be granted where the planning authority is satisfied the proposal will: (1) not have an adverse impact on the scale and character of the dwelling, and (2) not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to daylight and sunlight.

5.4.2. Further guidance in relation to dormer extensions is set out in Section 17.11 of Appendix 17. When extending the roof, the following principles should be applied:

- The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.
- Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
- Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.
- Roof materials should be covered in materials that match or complement the main building.
- Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.

5.5. Natural Heritage Designations

5.5.1. None.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A first-party appeal has been lodged by Ryan + Lamb Architects on behalf of the applicants. The appeal relates to condition no. 5 of the Planning Authority's Notification of the Decision to Grant Planning Permission only and can be summarised as follows:

- A significant number of similar attic developments have been granted and completed at Nos. 117, 54, 58 and 81 St. Lawrence Road (Planning Authority Reg. Refs. 2226/21, 4213/18, 3225/17 and 4472/16 refer). These developments have all been permitted within the lifetime of the current city development plan.
- The submitted design complies with the requirements of the Dublin City Development Plan 2016-2022.
- The recently permitted attic conversion and dormer window at No. 117 St. Lawrence Road was amended at Further Information stage to align with development plan guidance and policies. This permitted development and that which is now proposed, are similar in size, scale, orientation and design. It is not consistent that one development should be permitted and the other significantly altered.
- The omission of the proposed dormer ignores the wider roofscape of the street.
- This condition would render the room insufficient as a habitable room.
- Should the dormer be permitted, it will allow the house to become a 4-bedroom dwelling and will protect its character, fabric and use for the next century.

6.2. Planning Authority Response

6.2.1. None received.

6.3. Observations

6.3.1. None.

7.0 Assessment

- 7.1. A first-party appeal has been lodged against condition no. 5 of Dublin City Council's Notification of the Decision to Grant Permission, which requires the proposed dormer roof extension to be omitted and replaced with conservation roof lights.
- 7.2. Following my examination of the planning file and grounds of appeal, I consider it appropriate that the appeal should be confined to condition no. 5 only. Accordingly, I am satisfied that the determination by the Board of this application as if it had been made to it in the first instance would not be warranted and that the Board should determine the matters raised in the appeal only in accordance with Section 139 of the Planning and Development Act 2000, as amended.
- 7.3. The appellant's agent has identified recent planning permissions which have been granted for dormer extensions to the rear of neighbouring residential properties along St. Lawrence Road (see section 4.0 Planning History of this report for details). The appeal submission includes drawings which compare the subject development with the most recently granted rear dormer window at No. 117 St. Lawrence Road. This property is located on the eastern side of the road, to the south of the current appeal site. As identified by the applicant's agent, I note that the proposed and permitted dormer extensions are largely similar in terms of their design and scale.
- 7.4. Policy CH2 of the development plan requires, inter alia, that development to Protected Structures shall relate sensitively to the scale, proportions, design, period and architectural detail of the original building. The development plan guidance in relation to alterations and extensions to residential dwellings requires, inter alia, that the dormer windows should be visually subordinate to the roof slope and be set back from the eaves level to reduce the potential for overlooking of adjoining properties.
- 7.5. In my opinion, the scale and design of the proposed dormer window would be acceptable at this location. In this regard I note that the dormer structure is 2.26 m in height with an overall width of 3.5 m. It sits below the roof ridge line and above eaves level and is proposed to be clad in zinc. I consider that no overlooking impacts would

arise to the neighbouring properties given the central positioning of the structure within the rear roof slope.

7.6. The submitted Conservation Report notes that a contemporary zinc box dormer roof extension is considered most appropriate, by providing a clear contrast between the existing Protected Structure and the new addition. This design rationale is accepted, and I note that it reflects the permitted dormer extension to the rear of No. 81 St. Lawrence Road.

7.7. While I note that Dublin City Council's Conservation Officer recommended that the dormer structure be omitted due its significant impact on the legibility of the roof and special architectural character of the roofscape along this stretch of terrace, I consider that its omission would be unreasonable having regard to the pattern of such developments which have already been permitted at this location. I further note that the structure generally complies with development plan guidance in relation to dormer structures and that it would enable an additional bedroom to be provided within the dwelling, thus providing an improved standard of family accommodation. Having regard to the foregoing, I recommend that the Planning Authority be directed to omit condition no. 5 of the Notification of the Decision to Grant Permission.

7.8. **Appropriate Assessment**

7.8.1. Having regard to the nature and scale of the proposed development, comprising a dormer window extension at rear roof level, 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. I recommend that the Planning Authority be directed to omit Condition No. 5 for the reasons and considerations set out hereunder.

9.0 Reasons and Considerations

9.1. Having regard to the residential land use zoning of the site, the nature and scale of the proposed development and the permitted pattern of development on neighbouring sites, it is considered that the modifications and requirements of the Planning Authority, in its imposition of Condition No. 5 are not warranted, and that the proposed development, with the omission of this condition, would have no significant impact on the character of the Protected Structure, any such neighbouring structure or the character of the terrace. Thus, the proposed development would be in accordance with the proper planning and sustainable development of the area.

Louise Treacy
Planning Inspector

23rd November 2021