



An
Bord
Pleanála

Inspector's Report ABP-311814-21

Development	Conversion of attic & alterations to existing gable with alterations to roof slope.
Location	82, St Alban's Park, Dublin 4.
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	3324/21
Applicant(s)	Mr & Mrs Don Ross
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Mr & Mrs Don Ross
Observer(s)	None
Date of Site Inspection	28 th January 2022
Inspector	Mary Crowley

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1.0 Site Location and Description

1.1. The appeal site with a stated area is 300.2sqm and is located in St Albans Park and contains a semi-detached two-storey dwelling (137 sqm). There is a vehicular entrance to the front and a 23m long rear garden. The immediate area is characterised by houses of similar scale and design. 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 following:

- a) Conversion of attic space with dormer window to rear roof slope (26 sqm)
- b) Alterations of the existing gable with alterations to roof slope and all ancillary works.

3.0 Planning Authority Decision

3.1. Decision

Dublin City Council issued a notification of decision to refuse permission for the following reason:

1. *The proposed rear dormer extension and alterations of the existing gable with alterations to roof slope due to their size, scale and design would not reflect the character of the area, the surrounding buildings and the age and appearance of the existing building, would have a serious negative impact on the visual amenity and architectural quality of the residential conservation zone, would be contrary to Policy CHC(4) and Section 17.11 of the Dublin City Development Plan 2016-2022, would set an undesirable precedent in this area for similar developments and would, therefore, be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The **Case Planner** recommended that permission be refused for a single reason relating to the size, scale and design of the development and that it would have a serious negative impact on the visual amenity and architectural quality of the residential conservation zone, would be contrary to Policy CHC (4) and Section 17.11 of the Dublin City Development Plan 2016- 2022. The notification of decision to refuse permission issued by Dublin City Council reflects this recommendation.

3.2.2. Other Technical Reports

- **Drainage Report** - No objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).

3.3. Prescribed Bodies

3.3.1. None

3.4. Third Party Observations

- 3.4.1. There is one observation recorded on the planning file from Philip O'Reilly, No 18 Grosvenor Place, Rathmines. Concern is raised that the dormer window is oversized and will not be subordinate to the main roof profile.

4.0 Planning History

There is no evidence of any previous appeal on the site. The following planning history is noted from the Case Planners report:

- **Reg Ref 4365/16** - Permission granted for the removal of the existing detached single storey garage to the side of the existing dwelling house and the construction of a new single storey extension attached to the side of the existing dwelling house and all associated site works.
- **Reg Ref 1865/06** - Permission granted for the demolition of existing garage and the construction of a two storey extension to the side of existing two storey semidetached dwelling house, attic conversion incorporating existing & proposed with dormer & Velux windows to the rear, the widening of the existing driveway

entrance and all associated site works all to our existing dwelling house at no 82 St Albans Park, Dublin 4

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 **Zoned Z2 Residential Neighbourhoods (Conservation Areas)** where the objective is '*to protect and/or improve the amenities of residential conservation areas*'. Policies and objectives relevant to the appeal are set out as follows:

- **Residential Conservation Areas** - *Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.*
- **CHC4** - *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....*
- **Appendix 17** – *The guidelines contained within this section provide general advice and design principles for residential extensions.*
- **Section 17.11 Roof Extensions**
 - *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. If not treated sympathetically, dormer extensions can cause problems for immediate neighbours and in the way a street is viewed as a whole. When extending in the roof, the following principles should be observed:*

- *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.*

5.2. 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 and scale of the proposed development, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environment impact assessment can, therefore, 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 against the decision to refuse permission has been prepared by Peter Ferguson Associates and may be summarised as follows:

- In order to provide access to the attic floor and to comply with the current Building Regulations Part K, stair widths and head height, it was necessary to extend the roof and to increase the height of the existing gable wall extension as indicated. Roof slopes and the ridge height are unchanged on the extension and match the existing roof.

- The location of the applicants property is at an angle with the adjoining property No 80 St Albans Park, the distance between the properties is 8m and should not be viewed as a continuous residential terrace, the proposed gable treatment will affect the visual amenity of the area.
- The proposed rear extension will not seriously impact on the adjoining properties especially to development at the rear. As a general rear aspect of the property is towards Willow Mews and due to the applicant's long garden, the nearest residence is approximately 34m from the rear wall of No 82 St Albans Park.
- There are several attic conversions in the area, some with larger extension to the rear and side e.g those between house numbers 27B and 29A St Albans Park.
- The proposed extension to No 82 St Albans Park is of a scale and design that will have no serious negative impact on the visual amenity and architectural quality of the residential conservation zone of the DCC Development Plan. The precedent for such an extension as proposed has been set over the years by many previous extensions.

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. 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
- Design & Scale
- Appropriate Assessment
- Other Issues

7.2. Principle

7.2.1. The appeal site is wholly contained within an area zoned is Zoned Z2 Residential Neighbourhoods (Conservation Areas) where residential extensions and alterations to an existing dwelling for residential purposes is considered an acceptable development in principle. This is however subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance. To this end I agree with the Case Planner that *there are a number of serious concerns relating to the scale of the rear dormer and the associated proposed alterations to the existing gable and to the roof slope.*

7.3. Design & Scale

- 7.3.1. It is noted from the Case Planners report that the applicant did not submit a side elevation showing the alterations to the roof profile. However, this drawing was submitted with the first party appeal. Together with my site inspection I am satisfied that there is adequate information on the appeal file to determine this case.
- 7.3.2. Although neither the dwelling house nor the adjoining dwellings are listed as a Protected Structure the house is located within a designated residential conservation area (Zoned Z2 Residential Neighbourhoods (Conservation Areas)). It was evident on day of site inspection that there is an obvious visual quality in the design, form, setting and location of the houses along St Albans Park both individually and collectively that forms a residential development pattern comprising two storey hipped roof semi-detached dwellings that are of significant visual quality and aesthetic.
- 7.3.3. In this context I consider that the scale and design of the proposed development of attic space with large dormer window to rear roof slope and a large attic gable extension to the side to be unsympathetic to the notable character and streetscape of the area. In particular the significant alterations proposed to the existing hipped roof when viewed in the context of adjoining buildings in the established streetscape would

appear out of scale and character. The proposed amendments do not complement the established pattern of development along St Albans Park and would create a negative visual distraction when viewed in the overall context of the streetscape that would appear highly incongruous and would upset the established existing symmetry of this streetscape. I consider that the proposed works would result in a development that would dominate and upset the established character, height and roof profiles of this residential area creating a negative visual impact. This would be contrary to Policy CHC (4) and Section 17.11 'Roof Extensions' of the Dublin City Development Plan 2016-2022. Refusal is recommended.

- 7.3.4. I have considered the examples of similar type developments in the immediate area as set out by the first party. However, I agree with the Case Planner that there are a number of rear dormer windows in the immediate area however due to their scale and size these dormers are visually subordinate to the roof slope of the existing dwellings.

7.4. Appropriate Assessment

- 7.5. Having regard to the nature and scale of the development 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.

7.6. Other Issues

- 7.7. 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 26 sqm and is exempt from the requirement to pay a development contribution (first 40sqm is exempt).

8.0 Recommendation

- 8.1. I have read the submissions on file and visited the site. Having due regard to the provisions of the Development Plan, together with all other issues arising, I

recommended that permission be **REFUSED** for the following reasons and considerations.

9.0 Reasons and Considerations

1. Having regard to the design and scale of the proposed development and specifically the scale, visual prominence and impact on the established roof profile and streetscape arising from the proposed dormer attic element to the side roof slope, it is considered that the proposed development would be visually incongruous and would have a negative impact on the scale and character of the dwelling, the streetscape and the visual amenities of the area. The proposed development would, therefore, be contrary to the provisions of Policy CHC (4) and Section 17.11 'Roof Extensions' of the Dublin City Development Plan 2016-2022. Accordingly, the proposed development would seriously injure the visual amenities of the area and of property in the vicinity and would contravene the provisions of the development plan and by itself and by the precedent it would set, would be contrary to the proper planning and sustainable development of the area.

Mary Crowley

Senior Planning Inspector

7th February 2022