



An
Bord
Pleanála

Inspector's Report

ABP-312107-21

Development	Construction of a dormer roof extension to the rear and a dormer roof extension to the side on the main roof of the existing dwelling.
Location	5 Onward Walk, Portmarnock, Co Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F21B/0337
Applicant(s)	Elaine and Ian Duncan.
Type of Application	Permission
Planning Authority Decision	Refusal
Type of Appeal	Third Party
Appellant(s)	Elaine and Ian Duncan.
Observer(s)	None.
Date of Site Inspection	26 th May 2022.
Inspector	Lucy Roche

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
3.3. Prescribed Bodies	5
3.4. Third Party Observations	5
4.0 Planning History.....	5
5.0 Policy Context.....	5
5.1. Fingal Development Plan, 2017-2023.....	5
5.3. Extensions to Dwellings	5
5.4. Relevant Objectives	6
5.5. Natural Heritage Designations	6
6.0 The Appeal	7
6.1. Grounds of Appeal	7
6.2. Planning Authority Response	7
6.3. Observations	8
7.0 Assessment.....	8
8.0 Recommendation.....	9
9.0 Reasons and Considerations.....	9
10.0 Conditions	9

1.0 Site Location and Description

- 1.1. The appeal site has a stated area of 0.035ha and is located on the western side of Onward Walk, a residential street located the northwest of the settlement of Portmarnock. The western side of Onward Walk comprises a row of nearing identical dwellings, variations in design relate mainly to changes in fenestration (colour and design). The property backs an area of public open space associated with the adjoining residential development of Torcaill which is situated to the west of Onward Walk. The surrounding area is characterised by low density generally single plot housing.
- 1.2. The site itself comprises a detached two storey dwelling with single storey projection to its front elevation, and single storey addition to its rear. The existing dwelling has a stated GFA of 184sqm and a ground to ridge height of 7.798m. External finishes comprise red brick to its front façade and brown roof tiles. The attic space is currently served by a single roof light in the rear elevation. The site benefits from in-curtilage parking to front, private amenity space to rear.

2.0 Proposed Development

- 2.1. Planning permission has been sought for the construction of a dormer roof extension to the rear and a dormer roof extension to the side (with a roof light) on the main roof of No.5 Onward Walk. The proposed dormers are proposed to facilitate the provision of additional (non-habitable) floor space at attic level. The area of additional floor space to be provided within the attic space is stated as 32.5sqm which would result in an extended dwelling with a GFA of 216.50sqm.
- 2.2. The proposed rear dormer has a width of 3.5m, a height of 2.4m and projects c5.56m from the roof slope in line with the rear building line of the existing dwelling. The rear dormer has a pitched roof and finishes to match the existing dwelling.
- 2.3. The proposed side dormer extension has a width of 2.3m and a height of 2.3m. It projects c4.17m from the roof slope and is finished with a pitched roof profile. The proposed side dormer is designed to accommodate the staircase to serve the attic conversion.

2.4. The applicants have, as part of the appeal documentation, presented an alternative design proposal for consideration. This alternative proposal was submitted in the event that the Board agrees with Fingal County Council that the side dormer does affect the streetscape character and allows for the omission of the side dormer with the option of granting the rear dormer only. The revised proposals include for alterations to the internal layout of existing first floor accommodation to facilitate the provision of a new staircase to attic level.

3.0 Planning Authority Decision

3.1. Decision

The planning authority did by order dated the 12th November 2021, refuse permission for the proposed development for 2no reasons as follows:

1. The subject dwelling is located along Onward Park and the proposed development would be detrimental upon the current level of visual amenity enjoyed at this location. The proposed dormer extensions would be dominant upon roof slopes of the dwelling, would contravene Objective DMS41 and DMS44 of the Fingal Development Plan 2017-2023, would contravene the RS zoning objective for the area and as such would be contrary to the proper planning and sustainable development of the area
2. The proposed development would set an undesirable precedent for other similar development, which would in themselves and cumulatively be harmful to the residential amenities of the area and be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

While accepting that the proposed extension would be acceptable in principle having regard to the zoning objective for the area, the Planning Officer considers the proposed dormers in their current form are dominant upon both the side and rear roof slope, that they would be visually obtrusive and negatively impact upon the current level of amenities within the surrounding area. They consider the proposal

would represent a substantial intervention to provide only for non-habitable accommodation and that to permit the proposed development would give rise to an undesirable precedent for similar type of development within the immediate vicinity. They recommend that planning permission be refused for these reasons.

3.2.2. Other Technical Reports

- None Received

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None received

4.0 Planning History

- No relevant planning history recorded on site

5.0 Policy Context

5.1. Fingal Development Plan, 2017-2023

5.2. Zoning: The site is zoned 'RS' with the objective 'to provide for residential development and protect and improve residential amenity'. The vision for this area is to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity

5.3. Extensions to Dwellings

5.3.1. The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.

5.3.2. 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 (whether for functional roof space or light access) shall generally not form a dominant part of a roof. Consideration may be given to dormer extensions proposed up to the ridge level of a house, but in all cases no dormer extension shall be higher than the existing ridge height of the house. 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.

5.4. Relevant Objectives

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.

DMS44: Protect areas with a unique, identified residential character which provides a sense of place to an area through design, character, density and/or height and ensure any new development in such areas respects this distinctive character

5.5. **Natural Heritage Designations**

The subject site is not located on or adjacent to a designated site. Designated sites within the wider area include:

- The Malahide Estuary SAC and NHA which are located c1km to the east
- The Malahide Estuary SPA which is located c1.1km to the northeast
- Sluice River Marsh located 1.4km to the southwest
- Baldoyle Bay SPA, SAC and NHA which are located c 1.8km to the south

6.0 The Appeal

6.1. Grounds of Appeal

This is a first party appeal against the decision of Fingal County Council to refuse permission for the proposed development. The applicants' grounds of appeal are summarised as follows:

- With reference to Objective DM41 they note that both the proposed side and rear dormers are at the ridge height. The rear dormer is 3.5m (external dimensions) at its maximum width while the house width overall is c8.6m wide excluding eaves overhang. Reference is made to a similar size dormer permitted by Fingal County Council
- With reference to DMS44 and refusal reason No.2 they refer to a number of previous planning application within 500m of the appeal site where permission has been granted for roof dormer extensions
- They ask the Board to grant permission for the dormers in their current form (due to limited head height dropping the ridge height is not tenable). However, should the Board agree that the side dormer does affect the streetscape's character they ask that the Board condition the removal of the side dormer and grant the rear dormer only which they believe has little or no effect on the streetscape of Onward Walk. Revised drawing no.21039-01 Rev P2 shows side dormer removed.

6.2. Planning Authority Response

- The planning authority has no further comment to make and respectfully requests that the decision be upheld, and permission be refused.
- In the event that the Board decide not to uphold the planning authority's decision they request that provision be made in the determination for applying a financial contribution in accordance with the Council's Section 48 Development Contribution Scheme

6.3. Observations

There are no observations recorded on the appeal file.

7.0 Assessment

- 7.1. The applicants are seeking permission to alter / extend their existing dwelling, via the introduction of 2no dormer windows, to provide additional (non-habitable) accommodation at attic level. Fingal County Council in their reason for refusal state that the proposed development would be detrimental upon the current level of visual amenity enjoyed at this location, would be dominant upon roof slopes of the dwelling, and would therefore contravene Objectives DMS41 and DMS44 of the Fingal Development Plan 2017-2023 and the RS zoning objective for the area.
- 7.2. Under the provisions of the Fingal Development Plan 2017 – 2023 the site is wholly contained within an area zoned RS (Residential) where the objective is “to provide for residential development and protect and improve residential amenity”. Having regard to this zoning objective I am satisfied that a proposal to alter / extend etc existing dwellings, for residential purposes, would be acceptable in principle at this location, subject to the acceptance or otherwise of site specifics / other policies within the development plan and government guidance.
- 7.3. Following consideration of the plans and particulars submitted and having inspected the area I am satisfied that while the proposed development would introduce new design features into the local roofscape, the scale and design of both of the proposed dormer structures would not overwhelm or dominate the original form or appearance of the parent building and would not exceed the ridge height of the existing house in accordance with County Development Plan Objective DMS41. Furthermore, I do not consider that the proposed works would have a detrimental impact on the privacy of adjacent properties.
- 7.4. While both dormer additions would be visible from public areas outside of the site (the side dormer would be visible from Onward Walk to the front of the site and both the side and rear dormer additions would be visible from ‘Torcaill’ the adjoining residential development to the west), I do not consider the visual impact to be so significant as to warrant a refusal or redesign.

7.5. In conclusion I consider the proposed development and any precedent it would set for similar development in the area to be acceptable and I am satisfied that the proposed development would not materially contravene the Development Plan.

7.6. Appropriate Assessment:

7.6.1. 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. It is recommended that permission be granted for the development as originally proposed subject to conditions set out below.

9.0 Reasons and Considerations

Having regard to the provisions of the Fingal Development Plan 2017 – 2023 and its zoning for residential purposes, to the location of the site in an established residential area and to the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development not seriously injure the residential or visual amenities of the area and 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. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development
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	<p>shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity</p>
2.	<p>The external finishes of the proposed extension (including roof tiles/slates) shall be the same as those of the existing dwelling in respect of colour and texture. Details of the proposed materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
3.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

Lucy Roche
 Planning Inspector
 27th May 2022