



An  
Bord  
Pleanála

## Inspector's Report ABP-313533-22

### Development

Loft conversion including removal of hipped end of roof and the construction of a jerkinhead hipped roof, also construction of flat roof dormer with window to rear roof profile and window to gable end at loft level , also velux windows to front and rear roof profiles

### Location

13 Dromeen Avenue, Beaumont,  
Dublin 9

### Planning Authority

Dublin City Council

### Planning Authority Reg. Ref.

3353/22

### Applicant(s)

Naresh Baldawoo & Hazel Rooney

### Type of Application

Permission

### Planning Authority Decision

Grant

### Type of Appeal

First Party

### Appellant(s)

Naresh Baldawoo & Hazel Rooney

### Observer(s)

None

**Date of Site Inspection**

16<sup>th</sup> September 2022

**Inspector**

Lorraine Dockery

## **1.0 Site Location and Description**

- 1.1 The subject site is located on the north-eastern side of Dromeen Avenue and comprises a two-storey, semi-detached dwelling with a hipped roof profile.

## **2.0 Proposed Development**

- 2.1. Permission is sought for a proposed loft conversion including removal of hipped end of roof and the construction of a jerkinhead hipped roof, also construction of flat roof dormer with window to rear roof profile and window to gable end at loft level , also velux windows to front and rear roof profiles.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The planning authority decided to GRANT permission subject to 9 conditions.

Condition No. 7 is as follows:

7. The proposed development shall be amended as follows:
- a) The proposed jerkinhead hipped roof shall be omitted and the existing hipped roof profile shall be retained.
  - b) In place of the proposed jerkinhead roof, the applicant may construct a dormer extension to the side roof plane which shall comply with the following:
    - i. A dormer to the side may be provided which shall be fully hipped to match the existing roof profile and shall have its ridge line set down below that of the main roof ridge and 'pulled up' from the existing eaves line so that the side dormer shall sit fully within the plane of the main side hip roof as a separate floating subordinate feature.
    - ii. Any downpipes shall be located on the side dormer's rear elevation.
    - iii. The walls of the dormer shall be of a similar colour (or tiles/slates) to the existing roof finish.

- iv. All fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof.
  - v. Any associated window shall have a vertical emphasis.
- c) The proposed rooflights to the front shall be omitted.
- d) The proposed rear dormer shall be amended as follows:
  - i. The rear dormer shall have a maximum width of 1.5m and shall be set-back by a minimum of 500mm from the boundary line with the adjoining property, no. 15 Dromeen Avenue.
  - ii. No part of the dormer shall project above the main ridge or the side roof plane and shall be fully disaggregated from the side dormer.
  - iii. The rear dormer shall ensure that it is set-back from the eaves of the dwelling.
  - iv. Individual window opens to the rear dormer shall be no larger than the largest existing windows at first floor level below.
  - v. All the rear dormer's elevations; fascia/soffits; rainwater goods, window frames, glazing bars shall be finished in a dark colour so as to blend with the existing roof finish. White uPVC shall not be used.
- e) The rear or side dormer shall not accommodate any solar panels whether or not they would be exempted development under the Planning & Development Act 2000(as amended).

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority.

Reason: In the interests of orderly development and visual amenity of the area.

## **3.2. Planning Authority Reports**

### **3.2.1. Planning Reports**

The main points of the planner's report include:

- Recommends a grant of permission, subject to amendment of elements by condition

### 3.2.2. Other Technical Reports

Drainage Division- no objections, subject to conditions

## 4.0 Planning History

2061/17

Permission GRANTED for a front porch, conversion/ renovation to an existing side garage to side of property and extend driveway entrance opening.

## 5.0 Policy and Context

### 5.1. Development Plan

The Dublin City Development Plan 2016-2022 is the operative Development Plan for the area.

Zoning: 'Objective Z1' which seeks 'to protect, provide and improve residential amenities'.

### 5.2. Natural Heritage Designations

None

### 5.3. EIA Screening

Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure and outside of any protected site or heritage designation, the nature of the receiving environment and the existing pattern of residential development in the vicinity, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental 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**

The main points of the appeal are:

- Appeal against Condition No. 7(a), 7(b)(i)(ii)(iv), 7(c) and 7(d)(i)(ii) only
- Considerations should be omitted or revised as it completely changes the design and layout of the proposed loft conversion to such a degree as to make the conversion useless from a space and aesthetic viewpoint
- Conditioned alterations would not be in interests of visual amenity
- Precedent set for similar works in immediate vicinity- applications cited

### **6.2. Planning Authority Response**

None

### **6.3. Observations**

None

### **6.4. Further Responses**

None

## **7.0 Assessment**

- 7.1. I have read all documentation attached to this file including inter alia, the appeal and the report of the Planning Authority, in addition to having visited the site. This is an appeal against Condition No. 7(a), 7(b)(i)(ii)(iv), 7(c) and 7(d)(i)(ii) only of the decision to grant permission of Register Reference 3353/22, which issued from the planning authority on 19<sup>th</sup> April 2022. In this regard, I consider it is appropriate that the appeal should be confined to Condition No. 7(a), 7(b)(i)(ii)(iv), 7(c) and 7(d)(i)(ii) only and 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 it would be appropriate to use the provisions of Section 139 of the 2000 Act in this case.

- 7.2. **Condition No. 7** (as detailed above), in summary, relates to the replacement of the proposed jerkinhead roof profile with a dormer extension to side; omission of proposed front rooflights and alterations to proposed rear dormer.
- 7.3. I note that Condition No. 7 makes significant alterations to the proposal. I am satisfied that such significant alterations are not warranted in this instance. I am of the opinion that the proposal is such that it would allow for the provision of additional floorspace to this dwelling unit without negatively impact on the visual or residential amenities of the area to such an extent as to warrant the significant alterations put forward in Condition No. 7. The proposal would not impact on the character of the property or that of the street to such an extent as to warrant a refusal of permission or alterations to the design solution put forward. In terms of setting of precedent, I note that each application is assessed on its own merits. I do however note varying roof types/styles and elevational treatments in the vicinity of the site. I am satisfied in this instance that it is sufficient to condition details relating to exact materials and finishes.
- 7.4. Having regard to the nature of the conditions the subject of the appeal and based on the reasons and considerations set out below, I am satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and recommend that the said Council be directed under subsection (1) of Section 139 of the Planning and Development Act, 2000 that Condition No. 7 be AMENDED.

## 8.0 **Appropriate Assessment Screening**

- 8.1 Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites

arising from the proposed development, alone or in combination effects, can be reasonably excluded.

## 9.0 Recommendation

- 9.1 Having regard to the nature of the condition the subject of the appeal and based on the reasons and considerations set out below, I am satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and recommend that the said Council be directed under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND Condition No. 7 so that it shall be as follows for the reason and considerations set out:

### Reasons and Considerations

Having regard to the provisions of the provisions of the Dublin City Development Plan 2016-2022 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 alterations to Condition No. 7 attached to the grant of permission under planning register reference number 3353/22 would not seriously injure visual amenities, established character or appearance of the area and would, otherwise, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	The development shall be in accordance with Condition No.s 1 – 9 attached to the grant of permission under P. A. Reg. Ref: 3353/22 on 19th April, 2022 except as may otherwise be required in order to comply with the following conditions.  <b>Reason:</b> In the interest of clarity
2.	Condition No. 7 attached to the grant of permission under P. A. Reg. Ref. 3353/22 on 19th April, 2022 shall be amended as follows:



	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwelling shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual and residential amenity.</p>
--	--

---

Lorraine Dockery  
Senior Planning Inspector

25<sup>th</sup> October 2022