



An  
Bord  
Pleanála

## Inspector's Report ABP313622-22

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<b>Development</b>	Attic conversion, rear dormer with flat roof and two roof lights to front.
<b>Location</b>	4 Deerhaven Avenue, Clonee, Dublin 15.
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	FW22B/0023
<b>Applicant(s)</b>	Sandra Burgess
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant Permission with Conditions.
<b>Type of Appeal</b>	Applicant V Condition 2.
<b>Appellant(s)</b>	Sandra Burgess
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	11 <sup>th</sup> November 2022.
<b>Inspector</b>	Hugh Mannion

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## 1.0 Site Location and Description

- 1.1. The application site has a stated area of 0.023ha and comprises one of a pair of semidetached two storey houses at 4 Deerhaven Avenue, Clonee, Dublin 15. The area is residential in character and this house, and the adjoining houses have front and rear gardens. The general area is accessed off the M3 at junction 4.

## 2.0 Proposed Development

- 2.1. The proposed development comprises an (1) attic conversion, (2) a flat roofed rear dormer and (3) two roof lights on the front roof plane at 4 Deerhaven Avenue, Clonee, Dublin 15.

## 3.0 Planning Authority Decision

### 3.1. Decision

Grant with conditions.

**Condition 2** limited the rear dormer to a maximum width of 3m and set it down 300mm from the roof ridgeline, required that the proposed dormer to match the finish of the existing rear elevation and omitted the front roof lights.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The planner's report recommended a grant of permission as set out in the manager's order.

#### 3.2.2. Other Technical Reports

No additional reports.

## 4.0 Planning History

No relevant planning history.

## 5.0 Policy and Context

### 5.1. Development Plan

5.2. The site is zoned RS “to provide for residential development and protect and improve residential amenity” in the Fingal County Development Plan 2017-2023.

5.3. Relevant objectives in the Plan include.

**Objective 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.

**Objective DMS42** Encourage more innovative design approaches for domestic extensions.

**Objective DMS28** A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.

### 5.4. Natural Heritage Designations

Not relevant.

### 5.5. EIA Screening

Having regard to the nature and modest scale of the proposed development it is possible to set aside any requirement for submission of an EIAR and carrying out of an EIA at a preliminary stage.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

- The requirement to drop the height of the rear extension to 300mm below the ridge height would reduce the internal height to 1720mm and render the resulting room unviable.
- Reducing the size of the attic has further negative impact on the layout of the stairs. This is a relatively modest house accommodating two adults and two teenagers and the utility of the dormer extension is unreasonably reduced by the planning authority's condition.
- The extension is well set back from the party wall of the adjoining house and will not negatively impact in that property.
- The front rooflights serve the attic room and the stairs to it – they will not be unreasonably dominant in views from the public realm.
- There is at least a 25m separation distance from rear dormer to the rear wall of the house behind it.

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

- The application was assessed in accordance with the County Development Plan.
- The Plan seeks to prevent dormer extensions that are the dominant part of the roof or are above roof ridge height.
- The proposed development is overly dominant.
- The Board should support the planning authority's decision.

### **6.3. Observations**

- None

## 6.4. Further Responses

None.

## 7.0 Assessment

- 7.1. The appeal relates only to condition number 2 which (a) limited the rear dormer to a maximum width of 3m and set it down 300mm from the ridgeline, (b) required the proposed dormer to match the finish of the existing rear elevation and (c) omitted the front roof lights.
- 7.2. I have read the file and carried out a site inspection and I consider that no planning issues arise other than the appealed condition, and that the consideration of the appeal may be properly confined to the appealed condition number 2.
- 7.3. **Condition 2 (a) – reducing the rear dormer.**
- 7.4. Numbers 2 and 4 Deerhaven Avenue are a pair of semidetached houses at the end of a cul de sac. Number 2 has a two storey return on the boundary with Littlepace Road (the local distributor road). The planning authority is concerned that the ‘box dormer’ will be too dominant on the rear roof plane and negatively impact on the amenity of the area. The applicant, *inter alia*, makes the case that the amendments sought by the planning authority seriously undermines the utility of the proposed attic conversion.
- 7.5. Because the box dormer, as proposed, is kept below the ridge line it will not be visible to viewers in front the house and I consider that requiring a reduction to 300mm below the roof ridge is unnecessary.
- 7.6. The impact on views from Littlepace Road will be minimal. I consider that the main concern will be the impact on views from the houses to the rear on Deerhaven View. The submitted drawings show that proposed attic bedroom window will be 11.67m from the rear boundary. The proposed W.C. is fitted with opaque glass. I conclude that overlooking from this bedroom will be minimal and that the amendments sought by the planning authority would unreasonably diminish the utility of the attic conversion and are not required to protect the visual or residential amenity of the area. I recommend omitting this part of the condition.

### **7.7. External finishes.**

7.8. The planning authority in condition 2 (b) required that the external finishes match those of the existing rear elevation of the houses. This is a reasonable requirement which I recommend be attached as in the draft order below.

### **7.9. Front Roof Lights**

7.10. The planning authority's condition 2 (c) omitted the two-front facing 'velux' type windows. There does not appear to be any other front facing 'velux' type windows in the immediate area, but this type of window is fairly common in residential areas and a standard method of gaining day light for attic rooms. I consider that these windows will not seriously injure the visual or residential amenity of the area. I recommend omitting this part of the condition.

### **7.11. Appropriate Assessment.**

7.12. Having regard to the modest scale and nature of the proposed development, its location in a built-up area and the minimal foreseeable emissions therefrom I conclude that no impacts will arise for any European site.

## **8.0 Recommendation**

8.1. I recommend that condition 2 be amended as follows for the reasons and considerations set out below.

## **9.0 Reasons and Considerations**

9.1. The application site is in an area zoned 'to provide for residential development and protect and improve residential amenity' in the Fingal County Development Plan 2017-2023. The proposed development comprises a modest extension to an existing house with the aim of providing additional residential accommodation within the footprint of an existing house. It is considered that the amendments to the rear dormer extension and the omission of the front facing roof lights required by condition 2 (a) and 2(c) are not required to protect the visual and/or residential amenity of the area and that the external finishes should match the existing rear elevation finishes of the house.

Therefore, an amended condition 2 should be attached as set out below.

## 10.0 Conditions

2	The external finish of the proposed dormer shall match that of the existing rear elevation of the house.  <b>Reason:</b> IN then interests of visual amenity.
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Hugh Mannion  
Senior Planning Inspector

30<sup>th</sup> November 2022