



An
Bord
Pleanála

Inspector's Report ABP-313797-22

Development

Change to first floor front elevation removal of existing 3 front dormer windows and replacing with 1 full width dormer. Change to ground floor front windows extra height. Removal of 1 bay window and replacing with 1 flat window also other bay changed to square bay window. 2 new ground floor windows and 1 first floor window to the side elevation. Bay window extension to the rear.

Location

1B Wayside Cottages Glenamuck
South, Kilternan, Co. Dublin

Planning Authority

Dun Laoghaire Rathdown County
Council

Planning Authority Reg. Ref.

D22B/0151

Applicant(s)

Gillian Lynch

Type of Application

Permission

Planning Authority Decision

Split

Type of Appeal

First Party

Appellant(s)

Gillian Lynch

Observer(s)

None

Date of Site Inspection

18/10/2022

Inspector

Lorraine Dockery

1.0 Site Location and Description

- 1.1. The subject site, which has a stated area of 348 square metres, contains a dormer dwelling located on a corner site within a cul-de-sac. The area contains a mixture of traditional cottages and dwellings/extensions of more recent construction.

2.0 Proposed Development

- 2.1. In summary, permission is sought to include for removal of existing three front dormer windows and replacing with one full width dormer on front roofslope and change to fenestration in front, side and rear elevations.

3.0 Planning Authority Decision

3.1. Decision

SPLIT decision

Permission GRANTED for 2 no. new ground floor windows and 1 no. first-floor window to side elevation and 1 no. bay window extension to rear, subject to four standard conditions.

Permission REFUSED for removal of existing 3 no. front dormer windows and replacing with 1 no. full width dormer; the removal of 1 no. bay window and its replacement with 1 no. flat window, the alteration of the other bay window to a square bay window for 1 no. reason as follows:

1. The proposed 'removal of existing 3 no. front dormer windows their replacement with 1 no. full width dormer, the removal of 1 no. bay window and its replacement with 1 no. flat window, and the alteration of the other bay window to a square bay window' in combination would be out of character with the existing pattern of development in the vicinity and would be contrary to the provisions of Section 8.2.3.4 (Additional Accommodation in Existing Built-up Areas)(i)(Extensions to Dwellings) of the Dun Laoghaire Rathdown County Development Plan 2022-2028 and Chapter 11, parcel 18, table of the Kilternan Glenamuck LAP. The works would be visually obtrusive and incongruous, would set an undesirable precedent for further similar

development in the immediate area and would seriously injure the visual amenities of property in the vicinity, contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The main points of the planner's report include:

- Recommends split decision, similar to that which issued from the planning authority

3.2.2. Other Technical Reports

Municipal Services, Drainage Planning Department- No objections

3.3 Prescribed Bodies

None

4.0 Planning History

D06A/1715

Permission GRANTED for detached dormer bungalow, together with associated site works including foul water connection to public sewer on this site

D05A/0608

Permission GRANTED for detached dormer bungalow, together with associated site works including environmental waste treatment plant on this site-parent permission.

5.0 Policy and Context

5.1 Development Plan

The Dun Laoghaire County Development Plan 2022-2028 is the operative County Development Plan.

Zoning: Objective A' which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

Section 12.3.7.1 Extensions to Dwellings

Kilternan Glenamuck LAP- located within Land Parcel 18

5.2 Natural Heritage Designations

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

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 The Appeal

6.1 Grounds of Appeal

The main points of the appeal are:

- Appeal against decision to refuse permission for front dormer and fenestration changes to front elevation
- Notes planning authority misquoted section of Dun Laoghaire-Rathdown County Development Plan 2022-2028 in reason for refusal
- Queries how proposal can be contrary to Parcel 18 of LAP
- Mix of dwellings with various designs and footprints in vicinity- cites example of contemporary designed house in vicinity
- Proposed dormer prevents the need for building past the front building line; provides additional floorspace required by applicants

6.2 Planning Authority Response

A response was received in which no new issues raised. Refers to Planner's Report

6.3 Observations

None

6.4 Further Responses

None

7 Assessment

- 7.1 I have read all the 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 the refusal of permission for alterations to dormers on front roofslope and proposed fenestration changes to front elevation.
- 7.2 The primary issues, as I consider them, are the impact on the visual amenity of the area arising from the proposed works.
- 7.3 I note, as raised in the appeal submission, that the reason for refusal inadvertently references section 8.2.3.4 of the previous County Development Plan 2016-2022 instead of section 12.3.7.1 of the recently adopted County Development Plan 2022-

2028. The Planner's Report references the correct Development Plan within the body of their report.

- 7.4 The operative County Development Plan 2022-2028 is generally favourable to such extensions, subject to normal planning criteria and I note section 12.3.7.1(iv) in this regard.
- 7.5 In terms of visual amenity, I do not have issue with the extent or scale of the proposed dormer extension and/or fenestration changes to the front elevation and I consider that the proposed works would integrate satisfactorily with the existing dwelling and other properties in the vicinity. A mix of dwelling styles is evident in the locale. While I note older properties in the wider area, this is a dwelling of relatively recent construction and of little architectural historical merit. The proposed works are considered not to be visually incongruous in this context and I am of the opinion that any impacts on the visual amenities of the area are not so great as to warrant a refusal of permission. I consider the proposed works to be of a scale and design appropriate to its urban location. I have no information before me to believe the proposal would set an undesirable precedent for further similar development in the vicinity. In any event, each application is assessed on its own merits.
- 7.6 I do not anticipate the proposed works to result in significant impacts on the residential amenity of the area.
- 7.7 Having regard to the above, I am satisfied that the proposed development is in accordance with the provisions of the operative County Development Plan and the Kiltiernan Glenamuck LAP, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

8 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 Recommendation

9.1 I recommend permission be GRANTED subject to conditions.

10 Reasons and Considerations

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the visual amenities of the area or be out of character with the existing pattern of development in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

11 Conditions

1.	The development shall be carried out 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 shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity
2.	Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional

	<p>circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the amenities of property in the vicinity.</p>
3.	<p>Water supply and drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health and surface water management.</p>
4.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.</p> <p>Reason: To protect the amenities of the area</p>
5.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings 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>

Lorraine Dockery
Senior Planning Inspector

25th October 2022