



An
Bord
Pleanála

Inspector's Report

ABP-313887-22

Development	Attic conversion with raised gable and dormer window to rear, single storey extension to rear, dormer window to side and roof window to front.
Location	18, Glendale Park, Walkinstown, Dublin 12
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD22B/0143
Applicant(s)	John and Emer Lynskey.
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	First Party v Condition
Appellant(s)	John and Emer Lynskey
Observer(s)	None.
Date of Site Inspection	24 th October 2022.
Inspector	Lucy Roche

1.0 Site Location and Description

- 1.1. The proposed development site is situated in Glendale Park, a residential cul-de-sac, located off Whitehall Road in Walkinstown, Dublin 12, c2km northeast of Junction 11 on the M50. The area is primarily residential in nature.
- 1.2. No.18 Glendale Park has a stated area of 0.0576ha and comprises a single storey, three-bed, semi-detached dwelling with a hipped roof. The dwelling has a stated gross floor area of 130.33sqm and is of similar design, form and appearance to other dwellings on the cul-de-sac. The dwelling is set back c18 from the road and benefits from in-curtilage parking to the front and garden areas to the front and rear.
- 1.3. The Poddle River is located c50m to the south of the site and it is noted that the site is located within an area identified as being at risk of flooding (Flood Zones A and B).

2.0 Proposed Development

- 2.1. Planning permission has been sought to convert the attic of No.18 Glendale Park to allow for extra storage, bathroom and office space at attic level. The proposed works include:
 - A raised gable and dormer window to the rear.
 - Dormer window to the side.
 - Roof window to the front.
- 2.2. The attic space is to be accessed via a stairway in the current hallway and over the existing bathroom. The proposed works, as detailed on the plans submitted, include minor alterations to the pitch of roof and ridge line. The proposed works do not exceed the ridge height of the existing dwelling
- 2.3. A Single storey extension of 6.1sqm to the rear of the dwelling is also proposed. This infill extension projects from the southeast corner of the rear building and would create a flush rear building line with the existing property
- 2.4. The proposed works have a stated gross floor area of 56.13sqm

3.0 Planning Authority Decision

3.1. Decision

South Dublin County Council did by order dated 2nd June 2022 grant permission for the proposed development subject to four conditions. Condition 3, the subject of this first party appeal, is of note:

Condition 3 *Prior to the commencement of development the applicant, owner or developer shall submit the following for the written agreement of the Planning Authority: Revised plans that incorporate all of the following amendments- (a) The setback of the side dormer window from the front elevation by an additional 2 meters and shall be no longer than 6 meters in length*

REASON: To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports:

- The conversion of an attic in a residential dwelling is consistent in principle with zoning objective 'RES' and would generally be in compliance with Council policy in relation to extensions to dwelling houses, as set out in South Dublin County Council House Extension Design Guide (2010), and in the Development Plan.
- The principle of a change of roof profile is considered acceptable.
- The subject property is recessed back from the immediate street building line and is partially screened from the adjacent property north of site No. 16 Glendale Park and is not considered at a prominent position on this road. The roof is screened from the rear by mature trees to the west of the site.
- The scale, bulk, and design of the proposed flat-roofed side dormer windows are considered excessively large at a length of circa 8.5m and would be visually dominant in its present proposed state.

- The rear dormer window is below the ridgeline of the existing dwelling, built three tile courses above the eaves of the dwelling, contemporary in style to match the rear extension and complies the South Dublin County Council House Extension Design Guide (2010)

3.2.2. Other Technical Reports

Surface Water Drainage – No objections subject to standard conditions.

3.3. Prescribed Bodies

3.4. Irish Water – No objections subject to conditions

3.5. Third Party Observations

None

4.0 Planning History

SD21B/0087 Permission granted (2021) to convert the attic of No. 24 Glendale Park with works comprising; flat roof dormer to the rear; roof windows to the front of the roof; changing the half hip to a gable end, construction of new gable with windows to the side at first floor level; front single storey porch and all associated internal modifications.

SD20B/0497 Permission granted (2021) to convert the attic of No. 21 Glendale Park with works comprising raised gable and dormer window also single storey extension to rear, dormer window to side; roof window to side

3. Omit larger window on north elevation. The proposed larger bedroom window on the side dormer on the north elevation shall be omitted. REASON: In the interest of residential and visual amenity and proper planning and sustainable development.

5.0 Policy Context

5.1. Development Plan

The application was assessed by South Dublin County Council in accordance with the policies and objectives of the South Dublin Development Plan 2015-2022. The South Dublin County Development Plan 2022-2028 was made on 22nd June 2022 and came into effect on 3rd August 2022. I have assessed the proposal under the provisions of the operative Development Plan, namely the South Dublin County Development Plan 2022-2028.

Zoning: The site is subject to zoning objective RES - 'To protect and/or improve Residential Amenity'.

Chapter 6 Housing, Section 6.8.2 Residential Extensions

Policy H14: Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

H14 Objective 2: To review and update the South Dublin County Council House Extension Design Guide, 2010 during the lifetime of this Development Plan, to include a review of design options for mid terrace type extensions with a view to facilitating these extensions in Local Authority housing where appropriate

5.1.1. South Dublin County Council House Extension Design Guide (2010)

5.1.2. Attic conversions and Dormer windows:

- Use materials to match the existing wall or roof materials of the main house

- Meet building Regulation requirements relating to fire safety and stairs in terms of head room and means of escape
- Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch
- Locate dormer windows as far back as possible from the eaves line (at least three tile courses).
- relate dormer windows to the windows and doors below in alignment, proportion, and character
- In the case of a dormer window extension to a hipped roof, ensure it sits below the ridgelines of the existing roof and matches the materials used in the main house
- Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof
- Avoid extending the full width of the roof or right up to the gable ends – two small dormers on the same elevation can often be a suitable alternative to one large dormer
- Avoid dormer windows that are over dominant in appearance or give the appearance of a flat roof
- Avoid the use of flat roofed dormer windows extensions on houses with flat roof.

Overlooking and loss of privacy:

- Provide frosted or opaque glass windows with restricted openings in bathrooms, halls and stairways.

5.2. **Natural Heritage Designations**

The site is not located on or within proximity to any designated site.

5.3. EIA Screening

The proposed development is not of a type listed under Part 1 or 2 of Schedule 5 of the Planning and Development Regulations 2001 (as amended) nor is it considered a sub-threshold development for the purposes of Schedule 7 of the Planning and Development Regulations. An EIAR is not therefore required

6.0 The Appeal

6.1. Grounds of Appeal

This first party appeal relates to condition no. 3, which requires the proposed side dormer window to be set back from the front elevation by an additional 2 meters and that it be no longer than 6 meters in length.

- The appellants query the reasoning for the addition of Condition 3 as they are unclear as to what specific element of the proposed design is not in agreement with planning authority guidelines.
- The proposed structure complies with the guidelines set out in South Dublin County Development Plan 2016-2022 and South Dublin County Council House Extension Design guide 2010
- There is no justification for reducing the proposed dormer by 2m and there is no justification for limiting the length of the dormer to 6m
- The adjacent house No.16 Glendale Park is stepped closer to the road and will block the sideview of the proposed dormer
- The only angle that you can view the dormer is straight on. Given the property is set back approximately 20m from the road, it is not possible to visually determine the length of the dormer.
- Making the structure 2m shorter will have no bearing on visual appearance of dormer.
- The proposed dormer does not extend the full length of the house and is set back c5m from the front elevation.

- It is designed away from the ridge and eaves and will have no impact on light falling on the adjacent house No.16 Glendale Park
- The only windows facing the adjacent house is opaque and small in size.
- There has been no objection to the proposed design submitted.
- The amendments requested undermine the entire design and would necessitate the relocation of the proposed attic stairs and the subsequent loss of one of the ground floor bedrooms, which is not a viable option.
- The appeal documentation includes artist renditions of the proposed side dormer extension.

6.2. Planning Authority Response0

- The planning authority confirms its decision and considers that the issues raised in the appeal have been covered in the planner's report.
- If an obligation under Part V of the planning and development Act 2000 (as amended) applies the planning authority requests that a condition stating the nature of the obligation be included in the decision.
- In the event of a decision to grant permission, the planning authority requests that cognisance be had to whether the South Dublin County Council Development Contribution Scheme applies.
- Furthermore, the development maybe within the area for which supplementary development contributions are applicable in relation to the Kildare Route Project Supplementary Development Contribution Scheme

6.3. Observations

- None

7.0 Assessment

- 7.1. This is a first party appeal against Condition 3 attached to South Dublin County Council's decision to grant permission for the conversion of the attic space of No. 18 Glendale Park, comprising, a raised gable and dormer window to the rear, dormer window to the side and roof window to the front. Condition No.3 relates specifically to the dormer window to the side and requires the owner / developer to submit revised plans showing the dormer set back an additional 2 meters from the front elevation and reduced in length so that it does not exceed 6 meters.
- 7.2. The conversion of the attic space within an existing residential dwelling is I consider acceptable in principle. I am satisfied the development is otherwise in accordance with the proper planning and sustainable development of the area. I am therefore satisfied that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted. My assessment will therefore be limited to the matters raised in relation to the terms of the condition, pursuant to the provisions of section 139 of the Planning and Development Act 2000 (as amended).
- 7.3. The dormer in question comprises a flat roofed dormer, proposed to the side / northern roof plane of No. 18 Glendale Park. As presented to the planning authority the dormer is c8.7m in length and c1.8m in height. It is set back c5m from the front elevation and c0.5m from the proposed rear gable. It is set below the ridge line and back from the eaves. The structure contains a single window in its northern elevation. This window serves a bathroom and is to be fitted with obscure glazing. I am satisfied that the structure as proposed would not seriously impact the amenities of the adjoining property, No. 16 Glendale Park by way of overlooking, overshadowing or overbearing.
- 7.4. The planning authority in their assessment, considered that the development as proposed would, generally, be in compliance with Council policy in relation to extensions to dwelling houses, as set out in South Dublin County Council House Extension Design Guide (2010), and in the Development Plan. However, they considered the scale, bulk, and design of the proposed flat-roofed side dormer to be excessively large and visually dominant. They considered that a revised proposal with a reduced scale and bulk would be consistent with the zoning objective, which seeks to 'To protect and/or improve Residential Amenity' under the South Dublin

County Council Development Plan 2016-2022. I note the reason cited for inclusion of Condition 3 - To protect the amenities of the area and in the interests of the proper planning and sustainable development of the area.

- 7.5. While I would agree that the proposed dormer is relatively large and that it would occupy much of the northern roof plane of the dwelling, I do not agree with the assertion of the planning authority that it would be visually dominant.
- 7.6. The existing dwelling, No.18 Glendale Park, is set back c18m from the cul-de-sac road and c10m from the established building line to the north. The proposed dormer structure is positioned a further 5m from the front elevation of the dwelling. This setback, coupled with location of the proposed dormer structure on the northern roof plane, where it would be partially obscured by the neighbouring dwelling, No. 16 Glendale Park, is I consider sufficient to ensure that the proposed dormer structure would not have a significant negative impact upon the visual amenities of this area.
- 7.7. Furthermore, I note that the proposed attic accommodation is to be served by a staircase leading from the hallway and over the existing ground floor bathroom. The amendments required by Condition 3 would, as noted by the first party appellants, require this staircase to be relocated, such works have the potential to compromise existing habitable accommodation at ground floor level.
- 7.8. On the basis of the above, I consider that the amendments required by Condition 3 of the planning authority's decision are unwarranted. I therefore recommend that Condition 3 be removed.

8.0 **Appropriate Assessment**

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.

9.0 Recommendation

- 9.1. Having regard to the nature of Condition 3, the subject of the appeal, the Board is satisfied that the determination of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of Section 139 of the Planning & Development Act 2000, as amended, to Omit said condition for reasons and considerations hereunder:

10.0 Reasons and Considerations

Having regard to the residential zoning for the area in the South Dublin Development Plan 2022-2028 which seeks to protect and/or improve residential amenity, the design and scale of the proposed dormer window, its location to the side (north) of the existing dwelling, set back within the site and partially obscured by the neighbouring dwelling, No. 16 Glendale Park it is considered that, the dormer window as proposed, would not seriously injure the amenities of the area or properties in the vicinity and would otherwise be in accordance with the proper planning and sustainable development of the area

Lucy Roche
Planning Inspector

7th November 2022