



An  
Bord  
Pleanála

## Inspector's Report ABP-313935-22

### Development

First floor extension to side of existing house to include 2 new bedrooms and a new attic conversion with dormer window to rear to include new bedroom and office space, internal alterations and all associated site works.

### Location

60 Cill Eanna, Raheny, Dublin 5

### Planning Authority

Dublin City Council

### Planning Authority Reg. Ref.

3716/22

### Applicant(s)

Declan Whooley & Sarah Kelly

### Type of Application

Permission

### Planning Authority Decision

Grant, subject to 9 conditions

### Type of Appeal

First Party -v- Condition No. 6

### Appellant(s)

Declan Whooley & Sarah Kelly

### Observer(s)

None

### Date of Site Inspection

26<sup>th</sup> October 2022

**Inspector**

Hugh D. Morrison

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## 1.0 Site Location and Description

- 1.1. The site is located on the northern side of Cill Eanna, a residential street, which parallels the DART line between Harmonstown and Raheny Stations. This Street is accessed to the east off Howth Road (R105) as it approaches the centre of Raheny. The Street is composed largely of rows of two-storey semi-detached dwelling houses with attached garages to their sides.
- 1.2. The site itself is of regular shape and it extends over an area of 309.27 sqm. This site accommodates a two-storey semi-detached dwelling house with an attached garage/utility room to the side and a single storey rear extension. This dwelling house is served by a front garden, through which runs a drive-in from the vehicular entrance, and a rear garden.

## 2.0 Proposed Development

- 2.1. The proposal would entail the following elements:
  - A first-floor extension to the side of the existing dwelling house over the attached garage/utility room under a pitched roof with a half-hipped end and a parapet. This extension would provide accommodation for two new bedrooms,
  - A new attic conversion with a dormer window to the rear. This attic conversion would provide a new bedroom and office space, and
  - Internal alterations and all associated site works.
- 2.2. Under the proposal, 139.2 sqm would be retained, and 44.4 sqm would be added, to give a total floorspace of 183.6 sqm.

## 3.0 Planning Authority Decision

### 3.1 Decision

Permission granted, subject to 9 conditions, including Condition No. 6, which states the following:

The development hereby approved shall adhere to the following:

- (a) The roof of the proposed side extension shall be fully hipped.

(b) The parapet wall of the proposed side extension shall not exceed the height of the parapet wall at No. 62 Cill Eanna as approved under plan ref. no. 6319/05.

(c) The proposed 3 no. "Velux" type roof lights on the front plane of the roof of the house shall be omitted.

(d) The proposed extension shall be similar, in terms of materials and finishes, to the existing structure.

(e) The attic level of the proposed side extension shall not be used for human habitation unless it complies with the current building regulations.

(f) All elevations, fascia/soffits, rainwater goods, window frame glazing bars shall be finished in a dark colour as to blend with the existing roof finish.

(g) The flat roof of the existing extension shall not be used for recreational purposes and shall only be accessible for the purposes of a fire emergency or for maintenance.

Reason: In the interest of visual and residential amenity.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

See decision

#### **3.2.2. Other Technical Reports**

- Dublin City Council: Drainage: No objection, standard drainage advice given.

### **4.0 Planning History**

The adjoining dwelling house to the west at 62 Cill Eanna was the subject of 6319/05 to construct a first-floor side extension and to retain a widened front entrance was permitted and implemented.

## 5.0 Policy and Context

### 5.1. Development Plan

Under the Dublin City Development Plan 2016 – 2022 (CDP), the site is shown as lying within an area zoned Z1, wherein the objective is “To protect, provide and improve residential amenities.”

Section 16.10.12 of the CDP addresses extensions and alterations to dwellings as follows:

*The design of residential extensions should have regard to the amenities of adjoining properties and in particular the need for light and privacy. In addition, the form of the existing building should be followed as closely as possible, and the development should integrate with the existing building through the use of similar finishes and windows. Extensions should be subordinate in terms of scale to the main unit.*

*Applications for planning permission to extend dwellings will only be granted where the planning authority is satisfied that the proposal will:*

- *Not have an adverse impact on the scale and character of the dwelling.*
- *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.*

Appendix 17 of the CDP sets out “Guidelines for Residential Extensions”. Extracts from their introduction are set out below:

*...Given the wide variety of house types and styles within Dublin city, it is not possible to deal with every type of addition. Rather, this document sets out a number of general principles that should be addressed in all cases and which will be applied by the planning authority in assessing applications for permission.*

*The guidelines should be interpreted in the context of the Development Plan Core Strategy, which promotes a compact city, sustainable neighbourhoods and areas where a wide range of families can live.*

Section 17.11 of this Appendix addresses roof extensions as follows:

*When extending in the roof, the following principles should be observed:*

- *The design of the dormer should reflect the character of the area, the surrounding buildings and the age and appearance of the existing building.*

- *Dormer windows should be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.*
- *Any new window should relate to the shape, size, position and design of the existing doors and windows on the lower floors.*
- *Roof materials should be covered in materials that match or complement the main building.*
- *Dormer windows should be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.*

## 5.2. Natural Heritage Designations

Portions of Dublin Bay are the subject of European designations.

## 5.3. EIA Screening

The proposal is for domestic extensions to an existing dwelling. Such extensions are not a class of development for the purpose of EIA.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The applicants appeal Condition No. 6(a) & (c) only. They request that an alternative proposal with respect to the roof over the proposed first floor side extension be considered/permitted instead.

- Condition 6(a)

The applicants explain that the originally proposed half hipped design for the new roof would have provided the needed head height to facilitate the vertical extension of the existing staircase. While a fully hipped roof would negate this arrangement, the proposed side dormer over a fully hipped roof would ensure that the needed head height would be available.

Precedent for the proposed side dormer is provided by 2367/17 at 46 Cill Eanna. This dormer has a fixed obscure glazed window, and it is finished in a

dark grey render to match the colour of the main roof. The proposed dormer would replicate these features.

Other precedents are as follows:

- 2065/10 at 51 Cill Eanna,
  - 4507/09 at 3 Cill Eanna, and
  - 3561/06 at 41A Cill Eanna.
- Condition 6(c)

Given the obscure glazing in the side dormer window that is now proposed, the need for a front rooflight over the new staircase would not arise.

Accordingly, the applicants seek permission for the pair of front rooflights that would serve the proposed study/office only.

Precedent for front rooflights is provided by 5291/07 at 20 Cill Eanna where, amongst other things, a single Velux window to the front was permitted.

The applicants consider that their amended proposal would be fully compatible with the visual amenities of the existing streetscape, and it would be consistent with the maintenance of the residential amenities of the area.

## 6.2. Planning Authority Response

None

## 6.3. Observations

None

## 6.4. Further Responses

None

## 7.0 Assessment

- 7.1. The applicant has appealed Condition 6(a) & (c) attached to the permission granted by the Planning Authority. Under Section 139 of the Planning and Development Act



2000 – 2022, the Board has the discretion to determine this appeal without undertaking a *de novo* assessment of the proposal. I have reviewed the proposal in the light of the Dublin City Development Plan 2016 – 2022 (CDP), relevant planning history, the submissions of the parties, and my own site visit. Accordingly, I consider that the Board should exercise the aforementioned discretion in this case. I also consider that the appealed condition should be assessed under the following headings:

- (i) The description of the proposal,
- (ii) Visual amenity, and
- (iii) Appropriate Assessment.

#### **(i) The description of the proposal**

7.2. The description of the proposal refers to “a first-floor extension to the side of existing house”. Not unusually this description does not cite the type of roof that would be specified. The originally submitted plans depicted a double pitched roof with a half-hipped end and a parapet. Condition 6(a) attached to the Planning Authority’s permission requires that a fully hipped end be specified. At the appeal stage, the applicants have submitted revised plans that show a fully hipped end in conjunction with a side dormer window. The description of the proposal does not refer to this dormer window, as distinct from a rear dormer window, and so its introduction now lies out with the ambit of the description. I, therefore, conclude that it is inadmissible under the terms of the current application.

#### **(i) Visual amenity**

7.3. Under the original proposal, the applicants proposed that the first-floor side extension be provided with a double pitched roof with a half-hipped end and a parapet. Under Condition 6(a) attached to the Planning Authority’s permission, this roof is required to be fully hipped, on the grounds of visual amenity. I concur with the need for this intervention.

7.4. At the appeal stage, the applicants have explained that Condition 6(a) would negate the needed headroom for the staircase, which would serve the permitted attic conversion and dormer window to the rear. To ensure the availability of this headroom, they propose that a side dormer window be added over the fully hipped

roof end. This dormer would have a tiled double pitched roof and a dark rendered front and sides. Its window would be obscure glazed. The dormer window would “fit-in” just below the proposed roofline of the fully hipped end. Plans of it have been submitted.

- 7.5. The applicants draw attention to the incidence of similar side dormer windows in Cill Eanna and so precedent exists for such dormer windows. During my site visit, I observed that this is indeed the case, e.g., the dwelling house opposite at No. 59 has just such a side dormer window.
- 7.6. As discussed, under the first heading of my assessment, the introduction of a side dormer window as a way of responding to Condition 6(a) places the proposal outside the ambit of the description and so, regrettably, is inadmissible.
- 7.7. Under Condition 6(c), the 3 no. Velux windows proposed for the front roof plane would be omitted in the interest of visual amenity. The applicants have responded to this Condition by omitting one of these windows, i.e., the one that would be lower on the roof than the other two. They explain that, as the proposed side dormer window is envisaged as lighting the staircase, this window would no longer be needed. By contrast, the other two windows would be needed to light the proposed office/study.
- 7.8. I consider that the siting of the rooflight now proposed for omission would be ungainly, whereas the siting of the pair of rooflights would have a certain aesthetic coherence. I, therefore, raise no objection to their retention within the proposal.
- 7.9. I conclude that the retention of the pair of rooflights to the front roof plane, proposed at the appeal stage, would be compatible with visual amenity.

### **(iii) Appropriate Assessment**

- 7.10. The site is not in or beside any European site. It is a fully serviced suburban site. Under the proposal, the dwelling house on this site would be extended. No Appropriate Assessment issues would arise.
- 7.11. Having regard to the nature, scale, and location of the proposal, and proximity to the nearest European site, it is concluded that no Appropriate Assessment issues arise as the proposal would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

That the Planning Authority be directed to confirm Condition 6(a) and amend Condition 6(c) to read as follows: The single “Velux” type roof light, which would be sited at a lower point on the front roof plane than the other two such roof lights, shall be omitted.

## 9.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2016 – 2022, it is considered that Condition 6(a) attached by the Planning Authority is warranted in the interest of visual amenity. Furthermore, under the description of the proposal, the side dormer window, proposed at the appeal stage, would be inadmissible. Provided the single rooflight which would be sited at a lower level on the front roof plane is omitted, the retention of the proposed pair of rooflights in this front roof plane would be compatible with the visual amenities of the area. On the foregoing basis, the proposal would accord with the proper planning and sustainable development of the area.

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Hugh D. Morrison  
Planning Inspector

27<sup>th</sup> October 2022