



An
Bord
Pleanála

Inspector's Report ABP-313971-22

Development

Conversion of the attic into study/storage with a dormer window to the rear, modify existing hipped roof and extend height of gable wall including new window to existing two-storey, semi-detached dwelling including all associated site works.

Location

349 Howth Road, Dublin 5

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

3722/22

Applicant(s)

Ciaran Vipond and Jane Chadwick

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

First Party

Appellant(s)

Ciaran Vipond and Jane Chadwick

Observer(s)

None

Date of Site Inspection

22nd November 2022

Inspector

Lorraine Dockery

1.0 Site Location and Description

- 1.1 The subject site is located on the southern side of Howth Road and comprises a two-storey, semi-detached dwelling with a hipped roof profile.

2.0 Proposed Development

- 2.1 Permission is sought for the conversion of the attic into study/storage with a dormer window to the rear, modify existing hipped roof and extend height of gable wall including new window to existing two-storey, semi-detached dwelling including all associated site works.

3.0 Planning Authority Decision

3.1 Decision

The planning authority decided to GRANT permission subject to 7 conditions.

Condition No. 3 is as follows:

3. The proposed development shall adhere to the following:
- a) The proposed alteration of the roof to create a standard A gable type roof and shall be omitted. The existing fully hipped roof profile of the existing roof shall be retained.
 - b) The proposed dormer box on the rear plane of the roof shall not exceed 2.5 metres in width.
 - c) The proposed additional window in the modified gable end hereby omitted shall also be omitted.
 - d) The proposed dormer 'box' extension shall not extend past the existing slope of the side gable end of the roof.
 - e) The attic level shall not be used for human habitation unless it complies with the current building regulations.

f) All 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. No white uPVC shall be used.

g) The rear dormer shall not accommodate solar panels whether or not they would be exempted development under the Planning & Development Act 2000 (as amended).

h) All internal and external works to give the effect of the above.

Reason: In the interest of visual and residential amenity

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

None

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. 3 only
- A number of properties along Howth Road and environs have made alterations to roof profiles and added extensions/dormers- similar to that permitted at 321 Howth Road (Reg. Ref. 2946/19)- precedent already set
- Maintains consistency with established ridge line
- Proposal does not adversely affect character of terrace of houses; dormer visually subordinate to main roof
- Condition renders proposed dormer inaccessible due to insufficient headroom at top of stairs and impractical due to substantial reduction in size
- Require additional accommodation to cater for needs of family
- Would not have significant impacts on residential or visual amenities of the area

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. 3 only of the decision to grant permission of Register Reference 3722/22, which issued from the planning authority on 07th June 2022. In this regard, I consider it is appropriate that the appeal should be confined to Condition No. 3 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. 3** (as detailed above), in summary, relates to the retention of the existing roof profile; alterations to proposed rear dormer, omission of window in modified gable and restriction of use of solar panels on dormer.

7.3 I note that Condition No. 3 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 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. 3. I am of the opinion that 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. 3 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. 3 so that it shall be as follows for the reason and considerations set out:

Reasons and Considerations

Having regard to 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. 3 attached to the grant of permission under planning register reference number 3722/22 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.	<p>The development shall be in accordance with Condition No.s 1 – 7 attached to the grant of permission under P. A. Reg. Ref: 3722/22 on 07th June, 2022 except as may otherwise be required in order to comply with the following conditions.</p> <p>Reason: In the interest of clarity</p>
2.	<p>Condition No. 3 attached to the grant of permission under P. A. Reg. Ref. 3722/22 on 07th June, 2022 shall be amended as follows:</p> <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>Reason: In the interest of visual and residential amenity.</p>

Lorraine Dockery
Senior Planning Inspector

28th November 2022