



An
Bord
Pleanála

Inspector's Report ABP-314175-22

Development

Demolition of existing single storey side extension and construction of new single storey side extension with rooflight, construction of an attic conversion to include a dormer window to the rear of the existing roof, also rooflights to the side and front of existing roof and all associated site works.

Location

22 Abbeyfield, Killester, Dublin 5

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

WEB1399/22

Applicant(s)

Adeline Gogarty & Erik Gannon

Type of Application

Permission

Planning Authority Decision

Grant, subject to 9 conditions

Type of Appeal

First Party -v- Condition 2

Appellant(s)

Adeline Gogarty & Erik Gannon

Observer(s)

None

Date of Site Inspection

26th October 2022

Inspector

Hugh D. Morrison

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1.0 Site Location and Description

- 1.1. The site is located at the northern end of Abbeyfield, which comprises a series of residential streets composed of inter war single storey dwelling houses. This site lies on the western side of the Abbeyfield, c. 0.5km to the north of the Killester DART Station. It abuts Killester Park further to the west.
- 1.2. The site itself is rectangular in shape and it extends over an area of 448 sqm. This site accommodates a semi-detached cottage with a front porch, single storey side and rear extensions, and an attic room/study and w.c. This cottage is served by a front garden with a drive-in from a gated vehicular entrance and a path from a gated pedestrian entrance. It is also served by an elongated, split-level, mature rear garden.

2.0 Proposed Development

- 2.1. The proposal would entail the following elements:
 - The demolition of an existing single storey side extension and the construction of a new single storey side extension with rooflight,
 - The construction of an attic conversion to include a dormer window to the rear of the existing roof,
 - The installation of rooflights to the side and front of the existing roof, and
 - All associated site works.
- 2.2. Under the proposal, 24 sqm would be demolished, 103.5 sqm would be retained and 31.5 sqm would be added.

3.0 Planning Authority Decision

3.1. Decision

Permission was granted, subject to 9 conditions, including the following one, which is denoted as No. 2:

The development hereby approved shall incorporate the following amendments:

(a) The dormer shall be reduced in external width by 650mm on its northern side.

(b) The window to the dormer shall match the dimensions of the ground floor window immediately below.

(c) The front rooflight shall be moved 200mm lower on the front roof plane.

Reason: In the interest of the visual amenities of this important residential conservation area and to accord with the Dublin City Development Plan requirements, in particular Appendix 17.11.

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 north at 23 Abbeyfield was the subject of 2812/13 and PL29N.242425. This application was for a 9.3 sqm dormer on the rear roof plane and it was granted at appeal, subject to a condition requiring that it be set back 1.2m and its glazing be set in by 900mm from either side with a 500mm solid panel between the two panes.

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 Z2, wherein the objective is “To protect and/or improve the amenities of residential conservation areas.”

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 have appealed Condition No. 2(a) & (b) only. They request that items (a) and (b) be omitted. They cited the following grounds of appeal:

- While the existing attic has been converted, its head height is very restricted. Accordingly, the proposed dormer window would increase this height and hence the usability of this converted attic.
- While the Planning Authority accepts the principle of the proposed dormer window, it considers that this dormer window would be “marginally over-scaled”, hence Condition 2(a). However, the reduction on its size would have a substantial impact upon the usability of the envisaged space.
- The dormer window on the rear roof of the adjoining dwelling house is wider than that proposed by the applicants. Its presence demonstrates that such a dormer window can be added without being visible from the street front.
- Condition 2(b) references the existing ground floor window that would be beneath the proposed dormer window. This window is 1m wide and it has limited visibility from with the applicants mature rear garden. This is a lengthy rear garden with Killester Park beyond from where the window would not be visible.
- The need to align the glazing in the proposed dormer window with the existing ground floor window is not necessary on visual grounds. Additionally, it would

reduce daylight and ventilation to the attic conversion, and it would cause the dormer window to appear too solid.

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 2(a) & (b) 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) Visual amenity, and
- (ii) Appropriate Assessment.

(i) Visual amenity

7.2. Under the proposal, the attic conversion would be facilitated by the construction of a rear dormer window. The front face of this dormer window would be 3.35m wide and 2.4m high. It would be sited below the existing ridgeline and above the existing eaves line of the rear roof plane. Its northern side would be set 0.4m in from the common boundary with the adjoining semi-detached cottage to the north at No. 23

Abbeyfield and its southern side would initially be chamfered to “fit-in” with the valley formed by the junction between the original cottage roof and the double pitched roof over the rear extension. The front face of the dormer window would contain a window composed of two lights with a combined width of 2.2m and a height of 1.25m. This dormer window would be finished in standing seam metal.

- 7.3. The Planning Authority accepted the principle of the proposed rear dormer window. However, under Condition 2(a) and (b), it requires that it be reduced in width from the north by 0.65m and that its window be reduced in width to display the dimensions of the ground floor window below, i.e., 1.05m x 1.25m. The reason for these requirements was stated as being “In the interest of the visual amenities of this important residential conservation area and to accord with the Dublin City Development Plan requirements, in particular Appendix 17.11.”
- 7.4. The applicants draw attention to the effect of Condition 2(a) and (b) upon the proposed attic conversion, i.e., valuable space would be forfeited and the lighting of and outlook from the space would be unduly limited. They also draw attention to the existing dormer window at No. 23. This window demonstrates that a rear dormer window can be added that is out of sight from the street front. It is wider than the one that they propose. They further draw attention to the limited visibility that the dormer window would have when viewed from within their mature rear garden and to the risk that the reduced window width would unbalance the solid to void ratio of the proposed dormer window.
- 7.5. During my site visit, I observed the combined rear elevations of the two cottages both of which have been the subject of rear extensions. At present the applicant’s rear roof plane is punctuated by two rooflights, while the neighbour’s one is punctuated by a single roof light and a dormer window extension that tapers along its face to “fit-in” with a virtually full width rear extension. By contrast, the applicant’s rear extension is of lesser width and so the two rear elevations are markedly different.
- 7.6. Condition 2(a) would ensure that the proposed dormer window is set back from the common boundary the same distance as that exhibited by the neighbour’s one. A certain balance would be achieved thereby, but, against the backdrop of differing rear elevations, its value would be limited. The knock-on effect of the setback would

be to accentuate the skewed relationship between the front face of the proposed dormer window and the ground floor window below. As proposed, the centreline of the window in this face would appear to align superficially with the existing ground floor window below, while being centred within the overall face. Under Condition 4(a), this would be upset, i.e., the window could either be clearly aligned and off centre or vice versa.

- 7.7. Condition 2(b) requires that the window be effectively halved in width. While I understand that this reduction would enable the width of the window beneath to be matched, the applicant expresses a valid concern over the solid to void ratio of the resulting face. During my site visit, I observed that other windows in the vicinity have a vertical emphasis, e.g., on the neighbour's dormer window, and in the applicant's existing rear extension. In these circumstances, I consider that the specification of three lights rather than the proposed two would invite a comparison with these windows and, thereby, relieve any tension between it and the existing window below.
- 7.8. In the light of my assessment, I conclude that Condition 2(a) is unnecessary, and Condition 2(b) should be amended to require the specification of three lights to the window in the face of the proposed dormer window.

(iii) Appropriate Assessment

- 7.9. 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.
- 7.10. 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

- 8.1. That the Planning Authority be direct to omit Condition 2(a) and to amend Condition 2(b) to read as follows: The window to the dormer shall be respecified with three lights of equal width.

9.0 Reasons and Considerations

Having regard to the following provisions of the Dublin City Development Plan 2016 – 2022:

- The site's location within a residential conservation area, wherein the zoning objective is "To protect and/or improve the amenities of residential conservation areas", and
- Appendix 17.11, which addresses dormer windows,

It is considered that Condition No. 2(a) attached by the Planning Authority to its permission would be unnecessary and Condition 2(b), subject to revised wording, would ensure that the proposed dormer window complies with the above cited provisions of the Development Plan. This window would thus be compatible with the visual amenities of the area, and it would accord with the proper planning and sustainable development of the area.

Hugh D. Morrison
Planning Inspector

28th October 2022