



An
Bord
Pleanála

Inspector's Report ABP-314657-22

Development	Alterations to hip roof to side to create a Dutch gable roof to facilitate attic conversion.
Location	30 Somerton, Donabate, Co Dublin, K36CC84.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	F22A/0334.
Applicant	Dara McNee.
Type of Application	Permission.
Planning Authority Decision	Refuse Permission.
Type of Appeal	First Party v Refusal of Permission
Appellant	Dara McNee.
Observer(s)	None.
Date of Site Inspection	6 th April 2023.
Inspector	Enda Duignan.

1.0 Site Location and Description

- 1.1. The address of the appeal site is No. 30 Somerton, Donabate, Co Dublin. The site is located on the southern side of Somerton, c. 100m to the east of the junction of Somerton and the Carr's Mill. Somerton is an established residential area which typically comprises detached and semi-detached, double storey dwellings of a similar architectural style and form.

- 1.2. On site is a double storey, semi-detached dwelling with a single storey extension to the rear. Car parking is provided within the dwelling's front setback and an area of private amenity space is located to its rear (south). The site has a stated area of c. 0.024ha.

2.0 Proposed Development

- 2.1. Planning permission is sought for modifications to the hip roof to the side of the existing dwelling to create a Dutch gable roof. The alterations to the roof will facilitate the conversion of the attic into what is described as non-habitable storage. I note that the submitted floor plans identify a study/office and a bathroom at attic level. The proposed development also includes the construction of a dormer window on the rear roof slope measuring c. 3.8m wide by c. 1.4m high. In addition, a window with obscure glazing is proposed on the eastern gable wall and a new 'velux' style roof light is proposed on the front roof slope.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council refused planning permission for the development for the following 1 no. reason.

- Having regard to the character of this cul de sac, which has a distinct uniform appearance that is defined by pairs of semi-detached dwellings with hipped roof profiles and strong established building line. It is considered the proposed development would not complement the character of the adjoining dwelling, would appear visually incongruous and bulky within the streetscape and would create a visually discordant intervention that would seriously injure the visual

amenities of the area and appear out of character with the existing style and design of the houses within the street and would be contrary to Objective DMS41 of the Fingal County Development Plan 2017-2023.

3.2. Planning Authority Reports

3.2.1. Planning Report

The Fingal County Council Planning Report forms the basis for the decision. The report provides a description of the appeal site and surrounds and provides an overview of the proposed development, the planning history of the site and the policy that is applicable to the development proposal.

The Planning Authority refer to the supplementary information submitted by the Applicant which included photographs of dwellings within the surrounding Somerton/Carr's Mill estate complex and included planning permission references which they purport demonstrate a precedence for similar development within the surrounding area. In terms of their assessment of the planning application, the Planning Authority raise no concerns with the scale or form of the proposed dormer structure on the rear roof profile. However, concerns were highlighted with respect to the proposed alterations to the existing hipped roof. It was stated that the proposed Dutch gable roof would appear incongruous along the street, would alter the uniformity of the house styles and would be inconsistent with the established character of the site and surrounding area. A refusal of planning permission was therefore recommended.

3.2.2. Other Technical Reports

None.

3.2.3. Prescribed Bodies

None.

3.2.4. Third Party Observations

None.

4.0 Planning History

F22B/0113: Planning permission refused by the Planning Authority for alterations to the existing hip roof to side to create a Gable roof to accommodate attic stairs to allow conversion of attic into non habitable storage with Dormer to rear, frosted window to side gable and ancillary works. The application was refused for the following 1 no. reason:

- The proposed roof extension would alter the existing hip-end roof of a semi-detached house to a gable/'A' frame end and would impact on the symmetry and form of the matching pair of semi-detached dwellings when viewed from within the street. It would appear incongruous and out of character with the existing style and design of the houses within the street and would be contrary to Objective DMS41 of the Fingal County Development Plan 2017-2023, and would therefore be contrary to the proper planning and sustainable development of the area.

5.0 Policy and Context

5.1. Fingal County Development Plan, 2023-2029

The site is within an area zoned 'RS' of the Fingal County Development Plan (CDP), 2023-2029, the objective of which is 'Provide for residential development and protect and improve residential amenity'. All lands within the immediate surrounds of the subject site are also zoned 'RS'. The vision for 'RS' zoned lands is to 'Ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'.

The need for people to extend and renovate their dwellings is recognised and acknowledged in the current CDP (Section 3.5.13.1). The policy notes that extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area. The following policy and objective are relevant to the development proposal:

- **Policy SPQHP41** – Residential Extensions

Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

- **Objective SPQHO45 – Domestic Extensions**

Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

Section 14.10.2.5 of the CDP notes that roof alterations/expansions to main roof profiles, for example, changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip', will be assessed against a number of criteria including:

- Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures and prominence.

Dormer extensions to roofs will be evaluated against the impact of the structure on the form, and character of the existing dwelling house and the privacy of adjacent properties. The design, dimensions, and bulk of the dormer relative to the overall extent of roof as well as the size of the dwelling and rear garden will be the overriding considerations, together with the visual impact of the structure when viewed from adjoining streets and public areas. Dormer extensions shall be set back from the eaves, gables and/or party boundaries and shall be set down from the existing ridge level so as not to dominate the roof space. The quality of materials/finishes to dormer extensions shall be given careful consideration and should match those of the existing roof. The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. Regard should also be had to extent of fenestration proposed at attic level relative to adjoining residential units and to ensure the preservation of amenities. Excessive overlooking of adjacent properties should be avoided.

5.2. Natural Heritage Designations

The nearest designated Natura sites are the Rogerstown Esturay Special Protection Area (SPA) (Site Code: 004015) and the Rogerstown Esturay Special Area of Conservation (Site Code: 000208), c. 850m to the north of the appeal site.

5.3. EIA Screening

- 5.3.1. The proposed development does not fall within a Class of Development set out in Part 1 or Part 2, Schedule 5 of the Planning and Development Regulations, 2001 (as amended), therefore no EIAR or Preliminary Examination is required.

6.0 The Appeal

6.1. Grounds of Appeal

A First Party appeal has been prepared and submitted on behalf of the Applicant. The main points raised within the appeal submission can be summarised as follows:

- An existing and proposed streetscape photomontage has been enclosed within the appeal submission and it is contended that this demonstrates that the proposal is in keeping with the character of the surrounds.
- Imagery has also been enclosed within submission which indicates that there are 7 no. house types within a total of 17 houses on the existing cul-de-sac. It is stated that the Planning Authority's argument that the proposal is out of character is incongruous, given the organic nature of the existing street styles and house types.
- Examples of 3 different roof profiles within the Somerton/Carr's Mills/Rahillion estates are provided. Reference is also made to the strong planning precedence for similar and same development within the immediate vicinity of the site and planning references are provided for a total of 8 no. properties. It is stated that this demonstrates a long established precedence within the estate and the cul-de-sac for similar development.
- In terms of a rationale for the proposed development, the Applicant wishes to stay in their home and it is stated that their only option to create additional storage space to cater to the needs for an enlarged family is to extend into the attic.

6.2. Planning Authority Response

A submission was received from the Planning Authority on 30th September 2022. It is stated that the appeal property is located in a street where the semi-detached character of the properties has not been altered and there is a coherent homogeneity to the road. The Planning Authority are of the view that the proposed alterations would alter the symmetry of this pair of semi-detached dwellings and negatively impact on the existing character, built form and design integrity of the existing dwelling, and the semi-detached pair it forms part of, and the general character of the street as it would set a precedent for similar form of development. It is stated that the character of this road is reinforced by the homogeneity of its roof structures, their shape, their slopes, their materials etc., which are replicated throughout this road, and which has maintained a high level of its original intactness, which has provided a strong roof and streetscape. It is considered that the proposed design of the roof has not considered the relationship with the existing house and surrounding context. It is stated that the proposed roof extension would dominate the original building and negatively impact on the symmetry of the pair of semi-detached houses and the overall street pattern.

6.3. Observations

None.

6.4. Further Responses

None sought.

7.0 Assessment

The main issues are those raised in the Planning Report, the consequent reason for refusal and the Appellant's grounds for appeal. Overall, I am satisfied that no other substantive issues arise. The issue of appropriate assessment also needs to be addressed. The issues can be dealt with under the following headings:

- Principle of Development
- Design, Visual Amenity & Neighbourhood Character
- Other Matters

- Appropriate Assessment

7.1. Principle of Development

- 7.1.1. The proposal seeks planning consent for alterations to the roof of the existing dwelling and the construction of a dormer structure on the rear roof slope. I note that the site is located on lands zoned 'RS' of the Fingal County Development Plan (CDP), 2023-2029, the objective of which is 'to provide for residential development and to protect and improve residential amenity'. Residential development is identified as a permitted in principle use on lands zoned 'RS'. Having regard to the pattern of development in the surrounding area and the applicable zoning designation, I am satisfied that the conversion of the existing attic space is acceptable at this location. The issue that needs to be ascertained is whether the proposed development is acceptable on this specific site, taking into consideration the concerns highlighted by the Planning Authority, the design, form and layout of the proposal and the sustainable planning and development of the area.

7.2. Design, Visual Amenity & Neighbourhood Character

- 7.2.1. The proposal seeks to modify the roof of the existing dwelling in order to facilitate the conversion of the attic to provide additional storage space. The submitted plans identify a new stairs at first floor level which lead from the first floor landing to the attic space. I would agree that this is the most practical location for a new stairs given an alternative proposal is likely to impinge on the existing first floor master bedroom and ensuite bathroom and result in a reduction of the dwelling's useable floor space. A section diagram has been submitted with the application which demonstrates a maximum floor to ceiling height of c. 2.4m at attic level. In order to provide the stairs to the attic, a half hip roof is proposed on the western side of the dwelling. I note that this is referred to as a Dutch gable roof by the Applicant and the Planning Authority. Planning permission was previously refused on site under Ref. F22B/0113 for the replacement of the existing hipped roof with a gable to facilitate a similar attic conversion. The Applicant has now submitted a modified proposal to overcome the previous reason for refusal.

7.2.2. In support of the planning application and appeal, the Applicant has referred to cases within the Somerton/Carr's Mills/Rahillion estates which they consider establish a precedent for a development of this nature. An existing and proposed streetscape photomontage has also been enclosed with the appeal submission. Within their assessment of the application, the Planning Authority have had specific regard to each precedent example and a rationale is provided as to why each case is not relevant to the development proposal. The Planning Authority indicated that there is no precedent for the proposed alterations to the roof forms along this existing cul-de-sac. It is stated that the proposed roof would appear incongruous along the street, would alter the uniformity of the house styles and would be inconsistent with the established character of the house and its adjoining neighbour. In addition, it is noted that that the extension would impact on the symmetry of the pair of semi-detached houses and would impact on the overall symmetry of the houses within the cul-de-sac.

7.2.3. I note that this section of the Somerton estate is a cul-de-sac with a length of c. 110m. The cul-de-sac is characterised by detached and semi-detached dwellings that would appear to have been constructed in the same period. The exception to this would be No. 31A Somerton, which is located to the east of the appeal site and at the end of the cul-de-sac. This is a detached, dormer style dwelling with a half hip roof on each side that is not dissimilar to the development proposal. In terms of Development Plan policy for roof alterations/expansions to main roof profiles, development proposals will be assessed against a number of criteria including:

- Consideration and regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures and prominence.

Although a new CDP has come into effect since the decision of the Planning Authority, I note that there has been no change to this specific policy. In this instance, the proposed development is located towards the eastern end of the cul-de-sac and will only be visible from within the cul-de-sac to the north and north-west due to the alignment of the road. The Planning Authority have purported that the proposed roof

extension would dominate the original building and negatively impact on the symmetry of the pair of semi-detached houses and the overall street pattern. Having reviewed the plans and particulars and having inspected the appeal site and surrounding area, I would not share these concerns. In terms of the commentary with respect to the symmetry of the pair of existing semi-detached dwellings, I would contend that this symmetry has already been lost. The dwelling to the east at No. 31 Somerton sits on a larger site and has already been extended to its side at first floor level, as permitted under Reg. F06B/0113. I note that there appears to be an error on the Applicant's contiguous elevations, which incorrectly depicts the overall width of the adjoining property. These elevations do not appear to have had regard to the extensions that were constructed to the side of this property. I note that the adjoining dwelling is almost twice the width the appeal property. It is unclear whether the Planning Authority was aware of this inconsistency, and whether this may have had an influence on their decision. Notwithstanding this, I note that the proposal does not seek to increase the ridge height of the existing dwelling. The site is not located on a corner nor is it prominently located, and I am satisfied that the proposals are not detrimental to the existing streetscape character.

7.2.4. I acknowledge that dwellings within the cul-de-sac generally display a level of uniformity and consistency in terms of their architectural style, detailing and roof profiles. This is particularly evident on the approach to the wider estate at the junction of Somerton and Portrane Road to the south. Notwithstanding this, the appeal site is located at the end of a cul-de-sac and not located within an architectural conservation area, nor is it located within close proximity of an existing Protected Structure or any building of significant architectural merit. The appeal site and the surrounding area has a traditional suburban character and although the proposal seeks to modify the existing roof profile, I do not consider the proposal to be visually incongruous within the existing streetscape context or detrimental to the character of the surrounds. I therefore consider the proposal to be acceptable having regard to visual amenity of the surrounding area and I recommend that planning permission be granted for the proposed development.

7.2.5. As noted earlier in this report, the Planning Authority have raised no concerns with respect to the proposed dormer structure on the rear roof slope. A stated separation distance of c. 29m is provided between the dormer and the rear building line of the property to the south of the appeal site. I would concur with the commentary of the Planning Authority, and I am satisfied that the design, scale and siting of dormer structure is in accordance with pertinent policy of the current CDP and is therefore acceptable having regard to the residential and visual amenity of the surrounding area.

7.3. Other Matters

7.3.1. In the Planning Authority's response to the First Party appeal, they have indicated that should the appeal be successful, provision should be made in the determination for applying a financial contribution in accordance with the Council's Section 48 Development Contribution Scheme. As per Section 11(d) (Exemptions and Reductions) of the Fingal County Council Development Contribution Scheme, 2021-2025, an exemption applies to attic conversions. In this regard, I do not consider the inclusion of a condition for a development contribution to be applicable in this instance given the nature of the proposed development.

7.4. Appropriate Assessment

7.4.1. Having regard to the nature and scale of the proposed development, and to the nature of the receiving environment, with no direct hydrological or ecological pathway to any 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

8.0 Recommendation

8.1. Grant of permission is recommended.

9.0 Reasons and Considerations

9.1. Having regard to the provisions of the Fingal Development Plan 2023-2029, including the RS objective for the site, the specific characteristics of the site and the pattern of development in the surrounds, it is considered that, subject to compliance with the

conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would be in accordance with Policy Objective SPQHO45 of the Fingal Development Plan, 2023-2029 and would constitute an acceptable form of development at this location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The proposed development shall comply 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. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Drainage arrangements, including the 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.</p>
3.	<p>Site development and building works shall be carried out only between the hours of 8am to 7pm Mondays to Fridays inclusive, between 9am to 2pm hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional 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>

Enda Duignan
Planning Inspector

13/04/2023