



An  
Bord  
Pleanála

## Inspector's Report ABP-315295-22

### Development

Alterations to existing hip roof to side to create a Dutch 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.

### Location

2 Tourmakeady Road, Whitehall,  
Dublin 9

### Planning Authority

Dublin City Council

### Planning Authority Reg. Ref.

WEB1865/22

### Applicant(s)

Laura Brouder

### Type of Application

Permission

### Planning Authority Decision

Grant

### Type of Appeal

Third Party

### Appellant(s)

Brian Golden and Others

### Observer(s)

None

### Date of Site Inspection

22/03/2023

**Inspector**

Lorraine Dockery

## 1.0 **Site Location and Description**

1.1. The subject site, which has a stated area of 190 square metres, contains a two-storey, end-of-terrace dwelling within this established residential area.

## 2.0 **Proposed Development**

2.1. Permission is sought for alterations to existing hip roof to side to create a Dutch 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.

## 3.0 **Planning Authority Decision**

### 3.1. **Decision**

Permission GRANTED subject to 7 no. conditions

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

#### 3.2.1. Planning Reports

The main points of the planner's report include:

- Recommends grant of permission, similar to that which issued from the planning authority

#### 3.2.2. Other Technical Reports

Drainage Planning: No objections, subject to conditions

### 3.3 **Prescribed Bodies**

None

## 4.0 **Planning History**

None

## **5.0 Policy and Context**

### **5.1 Development Plan**

The Dublin City Development Plan 2022-2028 is the operative City Development Plan.

Zoning- 'Objective Z1' which seeks 'to protect, provide and improve residential amenities'.

Appendix 18: Ancillary Residential Accommodation

4.0 Alterations at Roof Level/Attics/Dormers/Additional Floors

5.0 Attic Conversions/Dormer Windows

### **5.2 Natural Heritage Designations**

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

### **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 The Appeal**

### **6.1 Grounds of Appeal**

The main points of the third party appeal are:

- Substantial loss of privacy due to acute overlooking

- Change to character of the neighbourhood
- Disagree with planning authority regarding overlooking over and above that currently associated with the existing rear view windows at first floor level
- Request changes which modify proposal without substantially curtailing the development

## **6.2 Planning Authority Response**

None

## **6.3 Observations**

None

## **6.4 Further Responses**

A response was received on behalf of the first party which refutes the grounds of appeal. No new planning matters raised.

## **7 Assessment**

7.1 I have read all the documentation attached to this file including inter alia, the appeal and the report of the Planning Authority and further response received, in addition to having visited the site.

7.2 The primary issues, as I consider them, are the impact on the visual and residential amenity of the area arising from the proposed works, in particular the rear dormer.

7.3 The operative County Development Plan 2022-2028 is generally favourable to such extensions, subject to normal planning criteria and I note Appendix 18, section 5 in this regard. I highlight to the Board that a new City Development Plan has been adopted, since the decision of the planning authority issued.

7.4 In terms of visual amenity, I do not have issue with the extent or scale of the proposed development and I consider that the proposed works would integrate satisfactorily with the existing dwelling and other properties in the vicinity. Varying house designs are evident in the wider area. I consider that any impacts on the

visual amenities of the area are not so great as to warrant alteration to the design submitted. I agree with the planning authority when they state that the character of the area has been subjected to incremental changes as occupiers extend and alter their dwellings to create improved levels of residential amenity. Details relating to materials could be adequately dealt with by means of condition.

7.5 I do not anticipate the proposed works to result in significant impacts on the residential amenity of the area. I also consider that levels of overlooking of adjoining properties would not increase significantly over and above that currently associated with the existing rear windows at first floor level. I do not anticipate there to be undue impacts on privacy or access to daylight. This is an urban area and any such impacts are considered reasonable and as expected, given the site location.

7.6 Having regard to the above, I am satisfied that the proposed development is in accordance with the provisions of the operative City Development Plan, is in keeping with the pattern of development in the area and is in accordance with the proper planning and sustainable development of the area.

## **8 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 Recommendation**

9.1 I recommend that permissions is GRANTED

## **10 Reasons and Considerations**

Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered

that, subject to compliance with the conditions set out below, the proposed development 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.

## 11 Conditions

1.	<p>The development shall be carried out in accordance 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.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the amenities of property in the vicinity.</p>
4.	<p>Water supply and drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and surface water management.</p>

5.	<p>Prior to the commencement of development, the developer shall enter into a water and wastewater connection agreement with Irish Water.</p> <p><b>Reason:</b> In the interests of public health</p>
6.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble, or other debris on adjoining roads during the course of the works.</p> <p><b>Reason:</b> To protect the amenities of the area</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Lorraine Dockery  
Senior Planning Inspector

24<sup>th</sup> March 2023