



An
Bord
Pleanála

Inspector's Report ABP316099-23

Development	A new attic level conversion and rear dormer roof extension.
Location	97 Mount Prospect Drive, Clontarf, Dublin 3.
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	5474/22.
Applicant(s)	Mr. Stephen Foley
Type of Application	Permission.
Planning Authority Decision	Grant subject to conditions.
Type of Appeal	First party against condition 3
Appellant(s)	Mr. Stephen Foley.
Observer(s)	None.
Date of Site Inspection	31 May 2023.
Inspector	Anthony Abbott King.

1.0 Site Location and Description

- 1.1. The subject site is located on north side of Mount Prospect Drive, Dublin 3, to the south of St. Anne's Park within a linear streetscape defined by terraces of two-story red-brick houses with front and back gardens. no. 97 Mount Prospect Drive is a mid-terrace property located at the western end of Mount Prospect Drive within a terrace of eight houses (nos. 87-101 Mount Prospect Drive).
- 1.2. There is a laneway to the north of the rear garden of no. 97 Mount Prospect Drive and adjoining properties. It is noted that the rear roof plane of the houses on the north side of Mount Prospect Drive in the vicinity of no. 97 Mount Prospect Drive is punctuated by a number of roof lights.

2.0 Proposed Development

- 2.1. A new attic level conversion and rear dormer roof extension at no.97 Mount Prospect Drive, Dublin 3.

3.0 Planning Authority Decision

3.1. Decision

Grant of Planning Permission subject to condition number 3, which states:

The development shall be revised as follows-

The dormer structure shall have a maximum external width of 2.85 metres and shall be centred as much as possible on the roof plane. The glazing panels to the window openings of the amended dormer structure shall retain a vertical emphasis and shall be no taller or wider than the largest first floor rear elevation window below.

Reason: in the interests of visual amenity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dublin City Council reflected the recommendation of the planning case officer.

3.2.2. Other Technical Reports

None relevant

4.0 Planning History

Planning permission was granted for the creation of a vehicular access and off-street parking space in the front garden under Dublin City Council Reg. Ref: 3325/06 at no. 97 Mount Prospect Drive.

5.0 Policy and Context

5.1. Development Plan

The relevant landuse zoning objective is Z1- (Map F): *to protect, provide and improve residential amenities*. The proposed development is a permissible use.

Appendix 18, Section 1 and Section 5 of the Dublin City Development Plan 2022-2028 are relevant:

Appendix 18, Section 1.1 (General Design Principles) *inter alia* states:

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 respected, and the development should integrate with the existing building through the use of similar or contrasting materials and finishes.

Applications for extensions to existing residential units should:

- *Not have an adverse impact on the scale and character of the existing dwelling*
- *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight*
- *Achieve a high quality of design*
- *Make a positive contribution to the streetscape (front extensions)*

Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028 *inter alia* states:

The conversion of attic spaces is common practice in many residential homes. The use of an attic space for human habitation must be compliant with all of the relevant design standards, as well as building and fire regulations. Dormer windows, where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling. The use of roof lights to serve attic bedrooms will be considered on a case-by-case basis.

Dormer windows may be provided to the front, side or rear of a dwelling. Guidelines for attic conversions and the provision of dormer windows is set out as follows:

✓	✗
Use materials to complement the existing wall or roof materials of the main house.	Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.
Meet building regulation requirements.	Avoid extending the full width of the roof or right up to the gable ends.
Be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.	Avoid dormer windows that are over dominant in appearance or give the impression of a flat roof.
Relate to the shape, size, position and design of the existing doors and windows on the lower floors.	Avoid extending above the main ridge line of the house.
Be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.	Side dormer windows shall not be located directly on the boundary of adjoining/ adjacent property.
In the case of a dormer window extension to a hipped/ gable roof, ensure it sits below the ridgeline of the existing roof.	
Where a side dormer is proposed, appropriate separation from the adjoining property should be maintained.	
Side dormers should be set back from the boundary.	

5.2. Natural Heritage Designations

Not relevant

5.3. EIA Screening

The development is not in a class where EIA would apply.

6.0 The Appeal

6.1. Grounds of Appeal

- The appellant does not accept the rationale for the planning officer's report for the attachment of condition no.3 arguing that the proposed dormer is subordinate to the main roof given its location on the rear roofscape and that a 1.6 metres reduction in width is too onerous providing for an incongruous design solution.
- The reduction in the width of the dormer will limit the internal office space, which will have a negative impact on residential amenity of the dwelling;
- The appellant is aware of the existing level of amenity and privacy enjoyed by neighbouring residents and the dormer extension has been designed to protect the visual amenity of adjoining properties. It is argued that the dormer would integrate well with the existing dwelling and surrounding properties. In this regard the proposed development is consistent with the Z1 (residential) zoning objective;
- The proposed development is similar to surrounding precedents for 4 metre wide dormers within Mount Prospect, the environs of Clontarf and more generally. Examples are cited to illustrate this ground of appeal.

6.2. Planning Authority Response

The Planning Authority request the Board to uphold their decision to grant permission and that a Section 48 condition be applied.

6.3. Observations

None

6.4. Further Responses

N/A

7.0 Assessment

- 7.1. Having reviewed the application, the appeal and conducted a site visit, I consider that the only planning matter at issue in this case is Condition number 3 (the sole subject of the appeal) and that no other planning matters need to be considered by the Board.
- 7.2. Condition number 3 provides for revision of the development in order to reduce the width and to centre within the rear roof plane the proposed rear dormer structure. The condition also regulates the fenestration of the structure. The dormer is restricted to a maximum external width of 2.85 metres (from a proposed width of 4.55 metres) and it must be centred as much as possible on the roof plane; the dormer structure extends from the roof plane by 1.27 metres. The rationale provided in the Planner's Report for the restricted width of the dormer is that the entire width of the roof measures 5.7 metres and given the dimensions of the proposed dormer structure (4.55 x 1.27 metres) the dormer would not be subordinate to the main roof. Therefore, the size of the dormer with reference to the roof plain would be contrary to Appendix 18 (alterations at roof level should give careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures), as the rear dormer structure would measure more than 50% of the roof plane of no. 97 Mount Prospect Drive.

The planning officer in terms of residential amenity did not raise concerns in regard to overlooking of adjoining properties noting that there were no directly opposing windows within close proximity.

- 7.3. No.97 Mount Prospect Drive is a mid-terrace house in a terrace of eight houses (nos.87-101 Mount Prospect Drive inclusive) sharing a continuous rear roof plane. There is no definition between the rear roof plane of no. 97 Mount Prospect Drive

and the rear roof planes of the adjoining houses in the terrace. It is noted that there are a number of roof lights visible at the western end of the rear roof plane of the terrace. A number of these light the attic of no. 97 Mount Prospect Drive. Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028 *inter alia* requires that dormer windows be visually subordinate to the roof slope providing for a large proportion of the original roof to remain visible.

- 7.4. The proposed dormer structure is set back from the ridge line and the eaves. In the instance of the proposed development the expanse of the rear roof plane of the terrace would remain visible with the proposed dormer punctuating the roof plane above no. 97 Mount Prospect Drive. I consider that the proposed dormer would be visually subordinate within the rear roof plane of the terrace and applicant site, as there would be a large expanse of the original roof visible with no distinction between the residual roof of no. 97 Mount Prospect Drive and the adjoining continuous roof surface of the terrace.

The proposed material finish of the dormer structure would be a metal clad finish with selected A-rated glazing. I consider that the contemporary design solution proposed would create a clear distinction between the existing dwelling and the new build attic level extension as required by Appendix 18, Section 1.1, which encourages innovative contemporary design.

- 7.5. Appendix 18, Section 5 (Attic Conversions / Dormer Windows) requires that dormer windows relate to the shape, size, position and design of the existing doors and windows on the lower floors. Condition number 3 also regulates the fenestration of the dormer providing that the glazing panels to the window openings of the amended dormer structure shall retain a vertical emphasis and shall be no taller or wider than the largest first floor rear elevation window below. It is considered that the proposed dormer structure (4.55 x 1.27 metres) would without revision satisfy the criteria and that on balance the proposed dormer (4.55 x 1.27) would successfully relate to the shape, size, position and design of the existing windows on the lower floors of no. 97 Mount Prospect Drive.

I consider that the proposed dormer structure would satisfy the requirements of Appendix 18, Section 1.1, which requires that the design of residential extensions should have regard to the amenities of adjoining properties and in particular, the

need for light and privacy. In the instance of the proposed development the form of the existing building would be respected and the dormer structure would integrate with the existing building through the use of contrasting materials.

- 7.6. The dormer extension would accommodate an office at attic level. The attic level as shown on the submitted drawings is presently a bedroom space. The appellant has stated that the reduction in the width of the dormer by way of condition will limit the internal office space, which will have a negative impact on residential amenity of the dwelling. In this regard the appellant considers that the 1.6 metres reduction in width of the dormer is too onerous providing for an incongruous design solution. The appellant has submitted an alternative design option (Drawing no. 2022-46-PA-100 dated 15/03/23) that would accommodate the internal office space while providing for a reduced dormer dimension (approximately 3.45 metres in width) that would be centrally positioned on the roof plane. It is considered that the revised drawings do not constitute a material change from the proposed development as advertised. However, it is my opinion that the proposed dormer structure (4.55 x 1.27) as submitted to Dublin City Council under Reg. Ref: 5474/22 (Drawing 2022-46-PA-100 dated 15/12/22) is acceptable in principle and in detail.
- 7.7. In conclusion, the proposed dormer structure would be located in the rear roof plane of no. 97 Mount Prospect Drive at attic level. The rear gardens of no. 97 Mount Prospect Drive and adjoining houses back onto a lane way to the north of Mount Prospect Drive - all located to the south of the expanse of St Anne's Park. In terms of residential amenity, there is no overlooking of adjoining properties as the proposed development would be located to the rear of no. 97 Mount Prospect Drive with no opposing window distance with property in the vicinity. In terms of visual amenity, no. 97 Mount Prospect Drive is a mid-terrace house that shares a continuous rear roof plane with seven other adjoining houses in the terrace. It is considered that the proposed development would be visually subordinate within the rear roof plane of the terrace and would result in the retention of a large expanse of visible original roof in accordance with Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028. Furthermore, the proposed dormer structure would be contemporary in design, creating a clear distinction between the existing dwelling and the new-build attic level extension, as required by Appendix 18, Section 1.1, which encourages innovate contemporary design. I conclude on balance

having regard to the rationale for the attachment of condition number 3, the grounds of appeal and the policy framework provided by the Dublin City Development Plan 2022-2028 that the subject condition should be removed.

7.8. **Appropriate Assessment Screening:**

The proposed development comprises a dormer extension within an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

8.0 **Recommendation**

8.1. For the reasons and considerations set out below I recommend the removal of condition number 3.

9.0 **Reasons and Considerations**

Having regard to the location of the site in an area zoned for residential development in the Dublin city Development Plan 2022-2028 and to the absence of directly opposing windows facing the amended dormer window structure, it is considered that the proposed development is a reasonable improvement of the accommodation on site, will not give rise to overlooking of adjoining property in a manner that would seriously injure the residential amenity of the property and would otherwise accord with the proper planning and sustainable development of the area.



Anthony Abbott King
Planning Inspector

2nd June 2023