



An  
Bord  
Pleanála

## Inspector's Report

### ABP-316249-23

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| <b>Development</b>                  | Alterations to existing dwelling and all ancillary works necessary to facilitate development. |
| <b>Location</b>                     | 'Dar Nearah', Hillcrest Road, Dublin 18, D18 N8X8   |
| <b>Planning Authority</b>           | Dun Laoghaire Rathdown County Council   |
| <b>Planning Authority Reg. Ref.</b> | D23B/0032   |
| <b>Applicant(s)</b>                 | Johnny & Nadia Quinn  |
| <b>Type of Application</b>          | Permission  |
| <b>Planning Authority Decision</b>  | Refuse  |
| <b>Type of Appeal</b>               | First Party   |
| <b>Appellant(s)</b>                 | Johnny & Nadia Quinn  |
| <b>Observer(s)</b>                  | None on file  |
| <b>Date of Site Inspection</b>      | 03 June 2023  |
| <b>Inspector</b>                    | Gillian Kane  |

## 1.0 Site Location and Description

- 1.1.1. The subject site is located on the southern side of Hillcrest Road, a mature residential road leading from Kilgobbin Road to the Blackglen Road in the south Dublin suburb of Sandyford.
- 1.1.2. Currently on site is a single storey detached dwelling that is undergoing works.

## 2.0 Proposed Development

- 2.1. On the 30<sup>th</sup> January 2023, planning permission was sought for alterations to an existing dwelling comprising:
- Extension of the existing rear dormer and the provision of a new dormer to the front
  - Change of existing roof profile from hipped to gable roof
  - Removal of 2 no. chimneys
  - Provision of 5 no. rooflights
  - Internal alteration resulting in an extended first floor (87sq.m.)

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 16<sup>th</sup> March 2023 the Planning Authority issued a notification of their intention to REFUSE permission for the following reason:

- 1 By reason of the massing, scale and form of the proposed dormer windows to the front and rear of the existing dwelling, the proposed development would be unduly dominant and imposing, resulting in a significant negative visual impact on the public road and also significantly detracting from the visual amenity of the adjoining houses and from the character of the surrounding area in terms of visual amenity. The proposed development would not be in accordance with section 12.3.8.1 of the Dun Laoghaire Rathdown County Development Plan 2022-2028 and therefore not in accordance with the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

- 3.2.1. **Drainage Planning:** No objection

3.2.2. **Planning Report:** Previous decision on site refused permission for attic level changes. Proposed development has not amended or reduced in height, size or scale. It is visually obtrusive. Planning Authority remains concerned that the overall scale and form of both dormer are visually dominant and do read as subordinate to the extended hipped roof. Front dormer reads as excessive and heavy on a simple form roof and the rear dormer is excessive in scale and depth. Proposed development has not addressed previous refusal. Recommendation to refuse permission.

### 3.3. **Prescribed Bodies**

3.3.1. None on file

### 3.4. **Third Party Observations**

3.4.1. None on file

## 4.0 **Planning History**

4.1.1. Planning Authority reg. ref. **D22A/0426**: An application for development to an existing dwelling resulted in a split decision; GRANT of permission for internal alterations, single storey extension and REFUSE permission for roof changes, removal of chimneys, dormer window to front and modifications to existing dormer.

## 5.0 **Policy Context**

### 5.1. **Dun Laoghaire Rathdown Development Plan 2022-2028**

5.1.1. Under the 2022 development plan, the subject site is zoned Objective A Residential zoning, which has the stated objective ‘to provide residential development and improve residential amenity while protecting the existing residential amenities’. Residential use is permitted in principle in such zones.

5.1.2. Section 12.3.7.1 of the development plan refers to extension to dwellings. Part 9i) refers to extensions to the front and part **(iv)** refers to alterations at roof / attic level. Regarding dormer extensions to roofs, the section states: “Dormer extensions to roofs, i.e. to the front, side, and rear, will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling

and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear. The proposed quality of materials/finishes for dormer extensions will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. However, regard should also be had to size of fenestration proposed at attic level relative to adjoining residential amenities. Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of adjacent properties. Excessive overlooking of adjacent properties should be avoided.

## **5.2. EIA Screening**

- 5.2.1. Having regard to nature and scale of the proposed development and the urban location of the site 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**

- 6.1.1. An agent for the applicant has submitted an appeal against the decision of the Planning Authority to refuse permission. The grounds of the appeal can be summarised as follows:
- The Planning Authority have not provided a justification for refusing the proposed development.
  - The proposed development has been designed to have regard to neighbouring structures and the character of the area.
  - The proposed development is fully compliant with national regional and local planning policy. Permission was granted in the immediate vicinity for a similar proposal.

- The planning history of the site informs the proposed development. the development as permitted under D22A/0426 provides only three bedrooms. All ground floor works are permitted.
- Changes at first floor level increase the ridge height by c. 0.017m, 5 no. rooflights and a decrease in the size of 2 no. dormer windows to provide a more cohesive design.
- The proposed development complies with the zoning objective for the site, with Policy PHP35 regarding high design standards and with PHP19 regarding improvements to housing stock.
- The proposed development complies with section 12.3.7.1 of the development plan as it will have no negative impact on the area, has due regard to the existing landscape and is not over development of the site. the proposed first floor development doesn't cause overlooking overshadowing of adjoining properties.
  - Roof profiles in the area have changed and adapted with time – aerial images submitted. The proposed development is contiguous with the existing streetscape.
  - The proposed development provides for significant separation distances, is in harmony with the adjoining structures.
- The proposed development is in keeping with policy objective PHP 18 on residential density, with section 12.8.3.3 regarding private open space, with section 12.4.5 regarding car parking provision.
- Permission was granted for a similar development at Innisfree, Hillcrest Road (D21A/0546), at Hazelcroft, Hillcrest Road (D16B/0146 and D19B/0102), and at Torc, Hillcrest Road (D08A/0206).
- It is clear that dormer accommodation has a precedent along the road.
- The Board is requested to grant permission.

## 6.2. Planning Authority Response

- 6.2.1. The Board is referred to the previous planners report. It is considered that the grounds of appeal do not raise any new matter which in the opinion of the Planning Authority would justify a change of attitude to the proposed development.

## 7.0 Assessment

7.1.1. I have examined the file and the planning history, considered national and local policies and guidance, the submissions of all parties and inspected the site. I have assessed the proposed development and I am satisfied that the issues raised adequately identify the key potential impacts and I will address each in turn as follows:

- Principle of development
- Residential Amenity

### 7.2. Principle of Development

7.2.1. The subject site is located in an area zoned to protect and / or improve residential amenity. The principle of the proposed development is acceptable, subject to other planning considerations.

### 7.3. Residential Amenity

7.3.1. I note that the Planning Authority's reason for refusal refers to section 12.3.8.1 of the 2022-2028 Dun Laoghaire Rathdown County Development Plan. Section 12.3.8.1 of the development plan refers to Age Friendly Housing. Section 12.3.7.1 of the plan refers to extensions to dwellings.

7.3.2. The existing dwelling is single storey with attic level accommodation, with a dormer at the rear (facing south). Permission is sought to extend the attic / first floor to provide additional accommodation within a floor area facilitated by an extended dormer to the rear, a new dormer to the front and a change in the roof profile.

7.3.3. Under the 2022-2028 development plan, section 12.3.7.1(iv) refers to alterations at roof / attic level. The plan requires dormer to be considered with regard to impacts on existing character and form, and the privacy of adjacent properties.

7.3.4. Assessing the proposed development against section 12.3.7.1(iv), I note the detached nature of the subject dwelling and the new three storey dwellings to the south that are visible over the ridge line of the subject dwelling. A number of the dwellings in the immediate vicinity have been altered, with the result that there is no uniformity in design to which the subject proposal must reflect. The detached dwelling sits on a relatively large plot, with significant separation distances to the

surrounding dwellings. I am satisfied that no overlooking or overshadowing will occur from the proposed dwelling.

7.3.5. With regard to the ability of the existing dwelling to absorb the proposed dormers at attic / roof level, the proposed change from hipped to gable roof profile allows the dormer to sit below the ridge line, and centrally within the roof extent. The scale of the dormer is minimised visually, and being set down from the ridge allows it to be read as a subservient structure rather than a third storey, as required by the development plan policy.

7.3.6. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear.

7.3.7. I am satisfied that the proposed dormer to an existing attic level will not cause overlooking of or injury to the residential amenity of adjoining properties and is considered to be in accordance with section 12.3.7.1(iv) of the Dun Laoghaire Rathdown County Council development plan 2016 -2022.

#### 7.4. **Appropriate Assessment**

7.5. Having regard to the nature and scale of the proposed development to be retained in a fully serviced built-up urban area, no appropriate assessment issues arise, and it is considered that the proposed development 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. I recommend permission be GRANTED for the following reasons and considerations and subject to the following conditions:

### 9.0 **Reasons and Considerations**

9.1. 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 conditions below, the proposed dormer window, would not seriously injure the visual amenities of the area or residential amenity of

property in the vicinity. The proposed development for which permission is sought would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

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| 1. | <p>The development shall be carried out and completed 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> |
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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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Gillian Kane  
Senior Planning Inspector

06 June 2023