



An
Bord
Pleanála

Inspector's Report ABP317123-23

Development	Attic conversion, rear dormer, gable wall and front roof light.
Location	59 St Mochta's Green, Clonsilla, Dublin 15.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW23B/0020
Applicant(s)	Niamh Malone
Type of Application	Permission
Planning Authority Decision	Grant permission with conditions.
Type of Appeal	Applicant v Condition 2.
Appellant(s)	Niamh Malone
Observer(s)	None
Date of Site Inspection	22 nd July 2023
Inspector	Hugh Mannion

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	3
3.1. Decision	3
3.4. Planning Authority Reports	3
4.0 Planning History.....	3
5.0 Policy and Context.....	4
5.1. Development Plan.....	4
5.2. Natural Heritage Designations	5
5.3. EIA Screening	5
6.0 The Appeal	5
6.1. Grounds of Appeal	5
6.2. Planning Authority Response.....	6
6.3. Observations.....	6
7.0 Assessment	6
8.0 Recommendation.....	8
9.0 Reasons and Considerations.....	8

1.0 Site Location and Description

- 1.1. The application site comprises the end house of a terrace of 4 houses at 59 St Mochta's Green, Clonsilla, Dublin 15. The subject house and its neighbours are two storey houses with front and rear gardens. They address the access road for the wider St Mochta's housing development. The application site and its immediate neighbours back onto a small duplex apartment development at Stationcourt View.

2.0 Proposed Development

- 2.1. The proposed development comprises an attic conversion, rear dormer, gable wall and front roof light at 59 St Mochta's Green, Clonsilla, Dublin 15.

3.0 Planning Authority Decision

3.1. Decision

- 3.2. Grant permission with conditions

- 3.3. Condition 2 – The proposed dormer attic shall be set down 300mm from the roof ridge and shall have a maximum width of 3m.

Reason: In the interests of visual amenity.

3.4. Planning Authority Reports

3.4.1. Planning Reports

The planner's report recommended a grant of permission subject to conditions as set out in the Executive Manager's order.

3.4.2. Other Technical Reports

None.

4.0 Planning History

The original permission for this housing development was granted under F00A/1162 for 152 houses.

5.0 Policy and Context

5.1. Development Plan

The site is zoned Z1 in the Fingal County Development Plan 2022 – 2028 with the objective “to protect, provide and improve residential amenities”.

In relation to dormer extensions the Plan states-

14.10.2.5 Roof Alterations including Attic Conversions and Dormer Extensions 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

- Not relevant.

5.3. EIA Screening

- 5.4. Having regard to the nature and modest scale of the proposed development, its location in a built-up urban area and the likely emissions therefrom it is possible to conclude that the proposed development is not likely to give rise to significant environmental impacts and the requirement for submission of an EIAR and carrying out of an EIA may be set aside at a preliminary stage.

6.0 The Appeal

6.1. Grounds of Appeal

- The application was submitted before the adoption of the County Development Plan 2023-2029 and should have been considered under the 2017 CDP.
- Such dormer windows and attic conversions are very common in the area.
- The extension is not overly dominant within the roof plane being 1.6m high within an overall roof plane height of 2.55m.
- The Board granted a similar development at 11 St Mochta's under ABP314516-22. The width of the dormer compares favourably with those cases.
- The proposed extension will not give rise to daylight/sunlight impacts.
- Materials will match/harmonise with existing materials on site.
- The width of the windows reflects the existing windows on site.

- The location of the dormer extension on the rear of the roof will ensure that it is not visible from the front of the houses.

6.2. Planning Authority Response

- The provisions in relation to domestic extensions are as set out in section 14.10.2.5 of the County Development Plan and the application was assessed against these criteria.
- The overall objective is to limit the impact on the amenity of the area while facilitating appropriate development.
- All applications are assessed on their merits.
- The planning authority requests that its decision is upheld.

6.3. Observations

- None

7.0 Assessment

- 7.1. The appeal is confined to Condition 2 as included in the planning authority's decision to grant planning permission. Having regard to the nature and scale of the proposed development and the material on file I conclude that no other planning issues arise, and I recommend that the Board consider the appeal under section 39 of the Planning and Development Act 2000, as amended.
- 7.2. The appeal makes several points – that the application was assessed under the wrong plan, that there is a history of similar applications being granted permission (including on appeal) in the area and that the proposed development will not unreasonably impact on the amenity of the area.
- 7.3. The planning authority made its decision within the lifetime of the 2023-2029 County Development Plan and therefore that is the appropriate plan against which to assess the application. The reference to other applications in the area is noted but each application must be considered in its own merits.

- 7.4. The net issue here is if the proposed dormer extension were left un-amended and not subject to condition 2 would it seriously injure the visual or residential amenity of the area.
- 7.5. Condition 2 is as follows – “the proposed dormer attic shall be set down 300mm from the roof ridge and shall have a maximum width of 3m” and the reason given is “in the interests of visual amenity”.
- 7.6. The existing house is the end house in a terrace of four and it has a pedestrian side access to a rear garden. The rear garden is 11.75m deep and the subject house and its neighbours back onto the duplex units houses on Stationcourt View which are due south of the application site.
- 7.7. The development plan at 14.10.2.5 makes clear that harmony with the existing house and impacts on adjoining property is a main concern in relation to dormer extensions.
- 7.8. I am satisfied that the combination of rear garden in the application site and the rear gardens within the development at Stationcourt View and existing boundary screening will adequately protect the amenity of that development.
- 7.9. The proposed dormer is 3.8m wide. The planning authority would reduce that by 0.8m. The issue here is striking a balance between the utility of the additional accommodation with the necessity to respect the existing character of the house and the amenity of adjoining uses. I consider that this change is not required to protect the amenity of adjoining property or the character of the house but would, unnecessarily impact on the utility of the additional space being provided.
- 7.10. In relation to the requirement to drop the dormer 300mm below the roof ridge height I do not agree that this is necessary to protect the amenity of the wider area. The dormer will be marginally visible from the public realm, but visibility does not meet the test of serious injury to the visual amenity of the area. Additionally, I see no necessity to so reduce the utility of the additional space being created by dropping the ceiling height by 300mm thereby undermining the objective of the overall attic conversion.

7.11. Appropriate Assessment Screening

- 7.12. Having regard to the nature and scale of the proposed development, the nature of the foreseeable emissions therefrom, the nature of receiving environment as a built up urban area and the distance from any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an AA at an initial stage.

8.0 Recommendation

- 8.1. I recommend that the appeal be treated under Section 139 of the Planning and Development Act 2000, as amended, and that condition 2 and the reason therefor be removed.

9.0 Reasons and Considerations

The proposed development comprises a modest dormer extension to an existing house in an area zoned for residential development in the Fingal County Development Plan 2023 to 2029. Balancing the necessity to protect the visual and residential amenity of the area and the utility of the proposed dormer extension in improving the residential accommodation on-site it considered that the amendments required in condition 2 are not necessary to protect the visual and residential amenity of the area and would unnecessarily diminish the utility of the proposed dormer extension. Accordingly, condition 2 should be removed.

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.

Hugh Mannion
Senior Planning Inspector

22nd July 2023