



An
Bord
Pleanála

Inspector's Report

ABP-318026-23

| | |
|-------------------------------------|---------------------------------------|
| Development | Attic conversion and associated works |
| Location | 73 Ashcroft, Raheny, Dublin 5 |
| Planning Authority | Dublin City Council |
| Planning Authority Reg. Ref. | WEB1536/23 |
| Applicant(s) | Ide and Eamon Doherty |
| Type of Application | Permission |
| Planning Authority Decision | Grant Permission |
| Type of Appeal | First Party v Condition |
| Appellant(s) | Ide and Eamon Doherty |
| Observer(s) | None |
| Date of Site Inspection | 9 th January 2024 |
| Inspector | John Duffy |

1.0 Site Location and Description

- 1.1. The appeal site, located on the southern side of a residential street, towards the end of a cul-de-sac, has a stated area of 181 square metres and accommodates a two-storey end of terrace house (4 house terrace), with a rear two storey rear extension, and a stated floor area of 123 square metres. There is a front garden and driveway for off street parking, a side passage, and a relatively shallow rear garden. The DART line runs to the rear (south) of the property. The floor levels of the dwellings and their corresponding stepped heights roughly correspond to the slope in the ground level of the street.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
- Conversion of the attic for non-habitable use with a stated floor area of 18 sqm to be accessed by a new staircase.
 - Installation of a rear dormer structure with a total width of 3.82m and height of 2.39m.
 - Removal of the existing Dutch hip to facilitate the building up of the gable end up to the roof ridgeline, which itself is to be increased in height from 7.745 m to 8.18m.
 - Provision of new circular window in gable roof serving attic staircase.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority issued a Notification of Decision to grant permission on the 18th of August 2023, subject to 9 no. conditions.

Condition No. 3 is relevant for the purposes of this appeal and states the following:

3. The proposed development shall be amended as follows:

a) The raising of the main ridge shall be omitted and the ridge shall be retained as existing save for the replacement of the Dutch hip with a gable end.

b) The proposed rear dormer shall have a maximum width of 2.6m and shall be centrally placed on the rear roof plane as much as possible. The dormer shall not extend above the main ridge of the dwelling.

c) All elevations; fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a complementary colour so as to blend with the existing roof.

d) The rear dormer shall not accommodate solar panels whether or not they would be exempted development under the Planning & Development Act 2000(as amended).

Reason: in the interests of visual and residential amenity

3.2. Planning Authority Reports

3.2.1. Planning Report

The report of the Planning Officer includes the following comments regarding the proposed development;

- Noted that the proposal accords with the 'Z1' zoning objective;
- Provision of a full gable to the house would not result in a significant transition which would be harmful to the dwelling or the visual amenity of the streetscape;
- The existing roof ridge to be maintained as is and the rear dormer shall not project above it;
- The dormer should have a maximum width of 2.6m to ensure it remains visually subordinate to the rear roof slope as per Appendix 18 of the Development Plan.

The report of the Planning Officer (dated 17th August 2023) reflects the decision to grant permission for the proposed development.

3.2.2. Other Technical Report

- Drainage Division report (dated 20th July 2023) - no objection subject to standard conditions (re. surface water).

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

4.1 Subject site

Planning Authority Reg. Ref. 4086/09 – Permission granted in 2009 for a two storey extension to rear of house and new porch to front of house and associated site works to include new windows to gable end of house.

Relevant condition:

2. Development shall not commence until revised plans, drawings and particulars showing the following amendments have been submitted to, and agreed in writing by, the Planning Authority, and such works shall be fully implemented prior to the occupation of the building:

a) The first floor of the rear extension shall be reduced in length to be an overall maximum external length of 3.5m,

b) All new windows to the side elevation shall be omitted,

c) The proposed front porch extension shall be omitted,

d) The internal layout of the first floor shall be amended as appropriate; however, bedroom 4 in the current configuration is substandard and shall not be used as habitable space unless amended.

REASON: In the interests of orderly development and residential and visual amenity.

4.2 Vicinity of subject site

Planning Authority Reg. Ref. 3481/22 – Permission granted in 2022 for conversion of existing attic space comprising modification of existing roof structure, new access stairs and flat roof dormer to the rear at No. 69 Ashcroft.

Condition No.6(a) limited the width of the dormer structure to 2.6 and required, inter alia, that it shall not extend above/beyond the side Dutch-hip roof plane and shall fit within the existing rear roof plane.

ABP Ref. PL29N.247851 / Planning Authority Reg. Ref. 3971/16 – Permission granted on appeal in 2017 for conversion of attic space for non-habitable use, including raised ridge height, removal of existing Dutch hip, construction of rear dormer, 2 no. Velux rooflights to front and associated works at No. 89 Ashcroft.

The appeal submission included revised plans indicating a rear dormer structure with a reduced width of 2.98m compared with 3.935m in the application.

In terms of the roof ridge height, the appeal included two options as follows:

Option 1: The height of the dormer to match the roof ridge at +107.395

Option 2: The height of the dormer eaves at +107.545 (exceeding the pre-development height of the roof by 150mm).

Condition No. 1 of the Board Order confirmed that the development be carried out in accordance with the plans and particulars lodged with the application, as amended by those lodged with the appeal (except as may otherwise be required in order to comply with the conditions of the Board Order).

Condition No. 2 of the Board Order confirmed that the development be carried out in accordance with Option 2 as submitted with the appeal.

Planning Authority Reg. Ref. 3260/16 – Permission granted in 2016 for a proposed dormer roof to the rear of the existing house roof to facilitate the attic for storage/office, a new Velux window to the front and rear of the existing house roof and a proposed new window in the existing side gable wall to the house and all associated works.

Condition No.3(a) limited the width of the dormer structure to be no more than 50% of the existing rear roof plane.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The relevant development plan is the Dublin City Development Plan 2022-2028, under which the appeal site/property is zoned 'Z1' - Sustainable Residential

Neighborhoods' (Map C refers) with a stated objective 'to protect and/or improve residential amenities.'

5.1.2. The following policy is relevant to the proposal for an attic conversion:

Appendix 18 – Ancillary Residential Accommodation

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

The following criteria will be considered in assessing alterations at roof level:

- *Careful consideration and special 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*

Section 5.0 Attic Conversions / Dormer Windows

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.

Where it is proposed to extend the ridge height to accommodate an increased floor-to-ceiling height, the design should avoid an overly dominant roof structure. The proposed scale of the roof should retain similar proportions to the building where possible.

Table 18.1 Dormer Window Guidance

5.2. Natural Heritage Designations

The proposed development is not located within or immediately adjacent to any European site. The nearest European sites are North Dublin Bay and North Bull Island SPA located c 1 km to the east.

5.3. EIA Screening

Having regard to the nature and type of development proposed, it is not considered that it falls within the classes listed in Part 1 or Part 2 of Schedule 5 of the Planning and Development Regulations as amended, and as such preliminary examination or an environmental impact assessment is not required.

6.0 The Appeal

6.1. Grounds of Appeal

The first party appeal relates to condition numbers 3(a) and 3(b) of the planning authority's decision to grant permission. The grounds of appeal may be summarised as follows:

Proposed raised height of roof ridgeline

- There are two dormer developments in the vicinity which have roof heights above the ridge line. These relate to No. 70 Ashcroft and No. 89 Ashcroft (ABP Ref. PL29N.247851 /Reg. Ref. 3971/16). In terms of the latter proposal, it was considered that the visual impact of the raised roof ridge height was minimal and acceptable.
- The difference in the floor levels of the houses correspond to the sloped ground levels and therefore the slight increase in the roof line is visually marginal as seen in the attached Google Map Streetview images.
- The location of the dwelling, which is at the end of a terrace of houses, along with the shared chimney stacks further reduces any visual intrusion. Furthermore, the property is located along a cul-de-sac where there is no through traffic.
- No third-party objections were made in relation to the proposed development.

Proposed dormer

- Planning permission has been granted on numerous occasions previously for dormers which have a width of 3 metres.

- The occupants require additional internal space, the proposed attic conversion is the most cost-effective solution and a dormer width of 3 metres is required. In this regard No. 70 Ashgrove appears to have a similar sized dormer.
- The railway line directly to the rear of the subject property means that no overlooking or direct viewing of the dormer is possible.

6.2. **Planning Authority Response**

None received.

6.3. **Observations**

None received.

7.0 **Assessment**

7.1. I consider the main issues in determining this appeal are as follows:

- Scope of Appeal
- Condition 3 (a)
- Condition 3 (b)
- Appropriate Assessment.

7.2 **Scope of Appeal**

7.1.1. This is a first-party appeal against Condition Nos. 3 (a) and 3 (b) as set out in the Notification of Decision of the planning authority to grant permission for the proposed development. As detailed at section 3.1 above, Condition 3(a) requires the raising of the ridgeline to be omitted, while Condition 3(b) limits the width of the rear dormer to a maximum of 2.6 metres.

7.1.2. I consider that a de novo assessment of the proposed development is not warranted in this instance. I am satisfied that the proposal is otherwise in accordance with the proper planning and sustainable development of the area. As such and in accordance

with section 139 of the Planning and Development Act 2000, as amended, the assessment of the proposed development will be confined to conditions 3(a) and 3(b).

7.3 Condition 3 (a)

7.3.1 Part of the proposal involves changing the roof profile from a Dutch hipped roof to a full gable roof and increasing the height of the roof ridgeline by 435 mm to facilitate the attic room. I note that the Ashcroft residential estate comprises a mix of dwellings with a variety of roof types including both Dutch hipped and full gable roofs and as such I have no objection to the proposed altered roof profile.

7.3.2 However, in my view the extent of the proposed increase in the height of the roof ridgeline by 435mm is significant and excessive. If permitted this aspect of the proposal would be out of character with the dwelling, the terrace of which it forms part of and the streetscape. As a result, in my opinion, the significantly higher ridgeline would be injurious to the visual amenities of the area.

7.3.3 While the appeal notes there is precedent in the immediate area for this type of development, I did not observe during the site inspection increased roof heights in the vicinity of the appeal property to the extent proposed. Furthermore, following a review of the relevant and recent planning history in the immediate area, it is apparent that although increased ridgeline heights have been permitted, such increases are well below the height proposed in this application.

7.3.4 In my view, there is scope to increase the roof ridgeline to a more modest level which would not unduly impact on the visual amenity of the area. In this regard I consider that an increased height of 150mm in the roof ridgeline would be acceptable at this location.

7.4 Condition 3 (b)

7.4.1 The total width of the proposed rear dormer structure as set out in the submitted plans is stated as 3.82m, while the width of the window opening within the dormer measures c 2.5m. Table 18.1 of Appendix 8 provides guidance in terms of provision

of dormer windows. One of the criteria therein is that dormer windows should be visually subordinate to the roof slope. In my opinion the dormer structure as proposed, by reason of its excessive width, would dominate the rear roof plane of the dwelling. To address this issue, I consider that the dormer structure should have a maximum width of 3 metres. This measure along with a requirement to position the dormer centrally on the roof slope will assist in ensuring that the proposed dormer would not form an overly dominant feature on the rear roof plane of the dwelling.

7.5 Appropriate Assessment

7.5.1 Having regard to the nature and limited scale of the proposed development, to the serviced nature of the site, the developed nature of the landscape between the site and European sites and the lack of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect either individually or in combination with other plans or projects on any European site.

8.0 Recommendation

8.1 Having regard to the assessment above and based on the reasons and considerations set out below, I recommend that the Planning Authority be directed to

amend Condition Nos.3 (a) and 3 (b) as attached to the decision to grant permission to read as follows:

3. The proposed development shall be amended as follows:

a) The ridge of the roof shall be raised by a maximum of 150mm, and the Dutch hip shall be replaced with a gable end.

b) The proposed rear dormer shall have a maximum width of 3m and shall be centrally placed on the rear roof plane as much as possible. The dormer shall not extend above the raised ridge of the dwelling.

9.0 Reasons and Considerations

Having regard to the design and scale of the proposed development and its relationship to surrounding properties, it is not considered that other aspects of the proposed development would have a significant impact on residential or visual amenity and that they are in accordance with the proper planning and development of the area. It is therefore considered appropriate in accordance with section 139 of the Act, that the appeal should be considered against conditions only.

Having regard to Appendix 18 of the Dublin City Development Plan 2022-2028, the design of the proposed development, and the pattern of development in the area, it is considered that Condition Nos. 3 a) and 3 b) should be amended to facilitate (i) an increased ridge of 150mm and (ii) a rear dormer width of 3m. These amendments would not be injurious to the visual and residential amenity of the area and would accord with the proper planning and sustainable development of the area.

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

John Duffy

Planning Inspector

18th January 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

| | | | |
|---|--|------------------|----------------------------------|
| An Bord Pleanála Case Reference | ABP-318026-23 | | |
| Proposed Development Summary | Attic conversion and associated works. | | |
| Development Address | 73 Ashcroft, Raheny, Dublin 5 | | |
| 1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings) | | Yes | X |
| | | No | |
| 2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class? | | | |
| Yes | | | |
| No | X | | |
| 3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]? | | | |
| | | Threshold | Comment (if relevant) |
| No | X | N/A | |
| Yes | | | Proceed to Q.4 |

| 4. Has Schedule 7A information been submitted? | | |
|--|--|----------------------------------|
| No | | Preliminary Examination required |
| Yes | | Screening Determination required |