



An
Bord
Pleanála

Inspector's Report ABP-318695-23

Development

Conversion of existing attic space comprising of modification of existing roof structure, raising of existing gable c/w window, new access stairs and flat roof dormer to the rear,.

Location

40 Ravenswell, Rush, Co. Dublin, K56 EH42.

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F23B/0089

Applicant(s)

Patrick Hayden

Type of Application

Permission

Planning Authority Decision

Grant

Type of Appeal

First Party

Appellant(s)

Patrick Hayden

Date of Site Inspection

04th February 2024

Inspector

Colin McBride

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.02053 hectares, is located within the housing development of Ravenswell located to the north of Rush town centre and to the west of the R128 (Skerries Road). The appeal site is occupied by no. 40, which is a two-storey semi-detached dwelling. To the south is no. 39, which is the other dwelling forming a pair of semi-detached dwellings with the dwelling on the appeal site. To the north and running along the side of the site is service road with the existing dwelling adjacent a cul-de-sac. To the east is the rear boundary of a detached dwelling fronting onto Skerries Road.

2.0 Proposed Development

- 2.1 Permission is sought for the conversion of existing attic space comprising of modifications of existing roof structure, raising of existing gable c/w window, new access stairs and flat roof dormer to the rear. The extension to the roof profile matches the ridge height and roof profile of the existing roof and the provision of a window in the extended gable at second floor level.
- 2.2 In response to further information the design was revised with the extension to the roof to the side reduced in scale and form. This extension is now dormer style window on the side roof profile lower than the ridge height of the existing dwelling and stepped back from the side gable wall. The dormer extension to the rear was also reduced in both width and height.

3.0 Planning Authority Decision

3.1. Decision

Permission granted subject to 7 conditions. Of note is the following condition.

Condition no. 2: The development shall accord with plans and particulars submitted on the 27th October 2023 (incorrect date, should be the 17th), save for the omission

of the dormer structure to the rear roof slope. Prior to the commencement of development, the developer shall submit revised drawings for the written approval of the Planning Authority detailing the omission of the rear dormer.

Reason: In the interests of clarity.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Planning Report (03/10/23): Further information required including details of intended use of the attic space and submission of revised proposals according with the requirements of Section 14.10.2.5 of the Development Plan regarding roof alterations.

Planning Report (22/11/23): The revised design in response to further information was regraded to be acceptable in relation to the scale of the side dormer extension. The rear dormer extension was considered excessive in scale and size with a failure to address the concerns raised by the PA in the further information request. A grant of permission was recommended subject to the conditions outlined above.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

No planning history.

Adjoining site

F16B/0007: Permission granted for attic conversion including a new dormer window to the side at no. 39 Ravenswell.

F21B/0355: Permission granted for attic conversion including a new dormer window to the side at no. 38 Ravenswell.

F20B/0280: Permission granted for attic conversion including a new dormer window to the side at no. 37 Ravenswell.

5.0 Policy Context

5.1. Development Plan

The relevant Development Plan is the Fingal Development Plan 2023-2029.

The appeal site is zoned 'RS'-Residential with a stated objective to 'provide for residential development and protect and improve residential amenity'.

Policy SPQHP41 – Residential Extensions Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

Objective SPQHO45 – Domestic Extensions Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

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

None within the zone of influence of the project.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal has been lodged by 4bes Design Services on behalf of Patrick Hayden, 40 Ravenswell, Rush, Co. Dublin. The grounds of appeal are follows...

- The appellant highlights the fact that the design was revised to address concern raised by way of further information.
- The appellant point to the fact there are numerous examples of attic conversions throughout the Fingal area including increase in gable heights, side and rear dormer extensions and that there are numerous examples of side dormer extensions within Ravenswell.
- The appellants highlight there were no third party observations regarding the proposal and the conditions applied do no consider the applicant's/appellant's requirements.

6.2. Planning Authority Response

6.2.1 Response by Fingal County Council.

- The PA refer to the planning report associated with the application and request that the Board uphold the decision of the Planning Authority.

7.0 Assessment

7.1 At the outset, I wish to point out that following consideration of the documentation on the appeal file and the site location and context, I am satisfied consideration of the proposal on a de novo basis, (that is as if the application had been made to the Board in the first instance), is unwarranted and that it is appropriate to determine the appeal in accordance with the provisions of Section 139 of the Planning and

Development Act, 2000 as amended. Having examined the associated documentation, the following are the relevant issues in this appeal.

Condition no. 2

7.2 Condition no. 2:

7.2.1 Condition no. 2 states...

The development shall accord with plans and particulars submitted on the 27th October 2023 (incorrect date, should be the 17th), save for the omission of the dormer structure to the rear roof slope. Prior to the commencement of development, the developer shall submit revised drawings for the written approval of the Planning Authority detailing the omission of the rear dormer.

Reason: In the interests of clarity.

7.2.2 The appeal raises concerns regarding the nature of the conditions and although it does not specify which condition/conditions, it is clear that this is the condition in question as it entails omission of the rear dormer window extension. The original proposal was for an extension to the side roof profile including a new gable window and a dormer extension to the rear. The proposed design was revised in response to further information with the extension to the side roof profile reduced in scale to a side dormer window and the dormer extension to the rear reduced in width and height. The reduced scale of the side dormer window is in keeping with a number of existing dormer windows that have been added and authorised to existing dwellings within the same housing development including no. 39 immediately adjacent the site.

7.2.3 The PA raised concerns regarding the scale and design of the rear dormer window in the context of Section 14.10.2.5 of the Development Plan, which is outlined under the policy section. This policy requires that 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” as well as being satisfactory in term of overall visual impact. In reducing the size of the side roof extension the ridge height of the rear dormer has been altered so as it is level with the ridge height of the side dormer window as well as the reduced width. I would be of the view that the revised proposal for the rear dormer window is not excessive in size and is setback sufficiently from ridge height, eaves, gable/or party boundary. I would also be of the view that given its size and scale relative to the existing roof profile the proposed dormer would not have a significant or adverse visual impact in the area. I am satisfied that the proposal complies with Development Plan policy and the applicant made reasonable adjustments to design to address the concern of the Planning Authority at the further information stage. I would recommend that condition no. 2 be amended as follows...

Condition no. 2

The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 17th day of October 2023, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

8.0 **Appropriate Assessment**

- 8.1 Having regard to the nature and scale of the proposed development and its proximity to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a

significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

9.1 I recommend that condition no. 2 be AMENDED as follows...

2. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 17th day of October 2023, 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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination.

Reason: In the interest of clarity.

10.0 Decision

I would recommend the following Draft Order

DESCISION

Having regard to the nature the subject of the appeal regarding application of conditions, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND Condition No 2.

REASON AND CONSIDERATIONS

(a) Having regard to the design and scale of the revised proposals in response to further information on the 17th day of October 2023, the overall design and scale of the rear dormer extension is not excessive in scale and has sufficient regard to the provisions of Section 14.10.2.5 of the Fingal Development Plan 2023-2029 regarding roof extensions. The proposal would be satisfactory in the context of the visual amenities of the area and in accordance with the proper planning and sustainable development of the area.

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.

Colin McBride
Senior Planning Inspector

06th February 2024