

An
Bord
Pleanála

Inspector's Report ABP319268-24

Development	Amendment to D22B/0330. New dormer window to the rear roof area and single-storey extension to the side and rear.
Location	1 Belmont Drive, Woodside, Dublin 18, D18WK81.
Planning Authority	Dun Laoghaire-Rathdown County Council.
Planning Authority Reg. Ref.	D23B/0581.
Applicant(s)	Susan Guiney.
Type of Application	Permission.
Planning Authority Decision	Split decision
Type of Appeal	First Party
Appellant(s)	Susan Guiney.
Observer(s)	None.
Date of Site Inspection	23/04/2024.
Inspector	Anthony Abbott King.

1.0 Site Location and Description

- 1.1. No. 1 Belmont Drive is located in a streetscape of 4 identical 2-storey 3-bay semi-detached houses with pitched roofs (1-4 Belmont Drive), which form part of a suburban residential network of cul-de sacs accessed via Belmont Drive from Village Road.
- 1.2. No.1 Belmont Drive is located in a prominent elevated location in the streetscape with both the gable and rear elevation visible from the access approach road from Village Road. There is a large lean-to extension to the rear of the house also partly visible from the public road.
- 1.3. No. 14 Loftus Lane is a two-storey 3-bay house with 3 attic dormers located to the south-west of no.1 Belmont Drive. The front elevation of no.14 Loftus Lane is prominently located and elevates onto the access road to the rear of no. 1 Belmont Drive.
- 1.4. Site area is given as 0.0244 hectares.

2.0 Proposed Development

- 2.1. New dormer window to the rear roof area and single-storey extension to the side and rear.

3.0 Planning Authority Decision

3.1. Decision

Split decision

Grant permission for the side extension subject to 7 conditions.

And to refuse permission for the proposed attic / dormer structure to the rear of the subject dwelling for the following reason:

- (1) *The proposed rear dormer extension by reason of its size, sale and bulk fails to comply with Section 12.3.7.1 (iv) of the Dun Laoghaire-Rathdown County Development Plan (2022-2028). It is considered overly dominant on the roof and would be out of character with the existing dwelling and dwellings in the*

immediate area. In addition, the proposed rear dormer would appear visually intrusive when viewed from the neighbouring properties. This would seriously injure the amenity and depreciate the value of the property in the vicinity and would be contrary to the proper planning and development of the area

3.2. Planning Authority Reports

3.2.1. Planning Reports

The CEO of Dun Laoghaire-Rathdown County Council reflects the recommendation of the planning case officer.

3.2.2. Other Technical Reports

No objection subject to conditions.

4.0 Planning History

There is a complex planning history on this site in the matter of the extension of the dwelling house. The recent planning history is summarised below:

- Under register ref: D23B/0174 planning permission was refused for amendment to existing planning permission reg. ref: D22B/0330 for the construction of a dormer window to the rear roof plane and construction of a single-storey extension to the side and rear for two reasons.

(1) The proposed rear dormer extension by reason of its size, scale and bulk fails to comply with Section 12.3.7.1 (iv) of the Dun Laoghaire-Rathdown County Development Plan (2022-2028). It is considered overly dominant on the roof and would be out of character with the existing dwelling and dwellings in the immediate area. In addition, the proposed rear dormer would appear visually intrusive when viewed from the neighbouring properties. This would seriously injure the amenity and depreciate the value of the property in the vicinity and would be contrary to the proper planning and development of the area.

(2) The proposed side / rear extension by reason of its siting, design and the removal of soft landscaping serving the wider public sphere, would fail to contribute towards healthy place making, would be out of character with

the area and would fail to contribute towards urban greening, contrary to Sections 3.4.4.1 CA18, 4.4 Place, 12.3.7 Additional Accommodation in Built-up Areas (ii) and (iii), and 12.8.7.2 Boundaries of the Dun Laoghaire-Rathdown County Development Plan (2022-2028). The precedent set would also undermine the landscaping scheme for the wider estate, contrary to the proper planning and development of the area.

- Under register ref: D22B/0330 planning permission was granted for attic conversion for 2 extra bedrooms with full width dormer to rear, 3 dormer windows to the front, single-storey extensions to the side and rear, roof windows to the side, removal of the front small gable and 2 ground floor side windows. Condition 2 is relevant and states:

The proposed rear dormer is to be omitted in its entirety.

Reason: In the interests of visual amenity, in light of the particularly high visibility of the rear roof plane, given the adjacent road layout.

5.0 Policy and Context

5.1. Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

- Chapter 13 (Land Use Zoning Objectives) Table 13.1.1 (Development Plan Zoning Objectives) and Zoning Map 6 are relevant.

The area zoning objective is “A”: *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Residential is a ‘permitted in principle’ land use.

Urban Consolidation

- Chapter 4 (Neighbourhood-People, Homes and Place), Policy Objective PHP19 (Existing Housing Stock-Adaptation) is relevant and states:

It is a policy objective to:

- *Conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with NPO 34 of the NPF.*
- *Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.*
- Chapter 12 (Development Management) Section 12.3.7.7 is relevant and *inter alia* states:

In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County.

Extensions to Dwellings

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (iii) (Extensions to the Side) is relevant and *inter alia* states:

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.

First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect. External finishes shall normally be in harmony with existing.

- The Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) is relevant and *inter alia* states roof alterations / expansions to main roof profiles will be assessed against a number of criteria including:

- 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.

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.

5.2. EIA Screening

5.3. The proposed development is not within a class where EIA would apply.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are summarised below:

- The purpose of the appeal is to present compelling reasons why the development proposal for a new dormer window to the rear roof plane and a single-storey extension to the side of the existing dwelling house should be reconsidered and granted planning permission;
- The decision to partially refuse planning permission is based on the perceived size, scale, and bulk of the proposed rear dormer and the consequent visual and residential impact. However, the proposal is analogous with several nearby attic conversions and dormers, which have obtained planning permission. It is claimed that these precedents and local context confirm that

the proposal aligns with the character of the surrounding area and will not adversely impact neighbouring properties.

- The appeal statement includes photographs of no. 1 Fernhill Road (D19B/0152- rear dormer / attic conversion), no. 2 Fernhill Road (rear dormer / attic conversion) and no. 22 Belmont Drive (rear dormer / attic conversion). In the instance of no. 10 Fernhill Road works have yet to commence to implement a similar development proposal (D21B/0594-rear dormer / attic conversion).
- The example of 12 Thornberry Close (D21B/0351) is cited as an instance of the refusal of a dormer by the planning authority that was subsequently granted planning permission by An Bord Pleanála.
- The proposed dormer complies with Section 12.3.7.1 (Extensions to Dwellings (iv) of the Dun Laoghaire-Rathdown County Development Plan, as the rear dormer is set back from eaves, gables, and party boundaries.
- The rear dormer is an essential element of the extension of the dwelling house that would allow more natural light and provide additional floor space. It is claimed that the proposal is directly in accordance with national and local policy objectives including National Policy Objective 34 (Support Lifetime Adaptable Homes) and Section 4.3.1.2 PH19: Existing Housing Stock – Adaption of the development plan.

6.2. Planning Authority Response

The planning authority refer the Board to the previous planner's report. The grounds of appeal do not raise any new matter that would justify a change of attitude to the proposed development.

6.3. Observations

None to date.

7.0 Assessment

7.1. I have examined the file, the submissions of all parties and inspected the site. I have assessed the proposed development and there are no new substantive matters for consideration. The elements of the proposal to be assessed are as follows:

- The rear dormer extension.
- The side single-storey extension.

Rear dormer extension planning history

- 7.2. No. 1 Belmont Drive is located in a streetscape of 4 identical two-storey 3-bay houses with pitched roofs (nos. 1-4 Belmont Drive). No.1 Belmont Drive is the first house in the streetscape in a prominent location with a visible gable and rear elevation, as viewed from the access road to the residential network of streets in the vicinity.
- 7.3. The substantive matter under appeal is the construction of a full width dormer extension to the rear of the house. The rear dormer was refused permission by the planning authority registering a split decision and is now the subject of appeal.
- 7.4. The full width rear dormer was previously refused permission under register reference D23B/0174, itself an amendment of the permitted development the subject of this appeal under D22B/0330. The permission for the attic conversion under register reference D22B/0330 omitted the rear full width dormer by way of condition (Condition 2).
- 7.5. The permitted development granted an attic conversion to the house, comprising two bedrooms and a shower room, accommodated within the pitch of the roof and lit by 3 dormer windows to the front roof plane (D22B/0330). The permission permitted the extension of the centrally located stairwell to attic level in order to facilitate access to the attic conversion. It is noted that the extension of the stair to attic level would breach the rear roof plane externally to form a dormer projection. The permission has not been fully implemented to date, as on the day of my site visit the permitted attic level works were not visible.
- 7.6. The planning authority have consistently refused permission for the proposed rear full width dormer by reason of its size, scale and bulk, which the planning authority

consider would fail to comply with Section 12.3.7.1 (iv) of the Dun Laoghaire-Rathdown County Development Plan (2022-2028) given the highly visible rear roof plane as viewed from the adjacent road network.

Rear dormer extension proposal

- 7.7. The rear dormer extension would have three number window openings and would facilitate extension of the permitted attic level bedrooms of the house. The rear dormer extension would exhibit one continuous horizontal dormer extension located within the rear roof plane, which would be set back from the eaves and the roof ridge. The dormer visually would when viewed externally be marginally set back from the property boundary with the adjoining house at no. 2 Belmont Drive and the gable.
- 7.8. The planning case officer in the assessment of the full width rear dormer under D22B/0330, subsequent to an additional information request, recommended within the text of the planning assessment the amendment of the dormer by way of condition. The case officer would have reduced the rear dormer by increasing the distance from the party boundary and gable by 0.5m stating visual and residential amenity concerns. However, the recommendation to grant permission included a condition for the omission of the dormer in its entirety (Condition 2).
- 7.9. Chapter 4 (Neighbourhood-People, Homes and Place), Policy Objective PHP19 (Existing Housing Stock-Adaptation) of the Dun Laoghaire-Rathdown Development Plan 2022-2028 provides for densification of the existing built-up areas in the County *inter alia* through adaptation of the existing housing stock and small scale infill development having due regard to the amenities of existing established residential neighbourhoods. I consider that the proposed attic conversion and rear dormer extension would be consistent with the objectives of PHP19.
- 7.10. Section 12.3.7.1 (Extensions to Dwellings) (iv) (Alterations at Roof / Attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 states that roof alterations / expansions to the main roof profile will be assessed *inter alia* against a number of criteria including: the character and size of the dormer structure; roof variations on the streetscape and positioning and; harmony with the rest of the structure, adjacent structures and prominence.
- 7.11. The appellant claims that the proposal is analogous with several nearby attic conversions and dormers, which have obtained planning permission. It is claimed

that these precedents and local context confirm that the proposal aligns with the character of the surrounding area and will not adversely impact neighbouring properties.

- 7.12. I note on the day of my site visit the pattern of development in the immediate vicinity, which includes dormer windows in the front roof plane of neighbouring properties including at no. 14 Loftus Lane to the rear of the applicant site. I also note the prominent location of the proposed rear dormer extension, which will be visible from the public road at the entrance to the residential network of streets that are accessed via Belmont Drive.
- 7.13. I consider that the scale and horizontal form of the dormer is atypical in design given the dominance of vertical and diminutive dormer windows to the front roof plane of properties in the vicinity. I would concur with the planning case officer that precedents cited by the applicant are considered to be less visually obtrusive forms of development given their respective site specific contexts.
- 7.14. Furthermore, Section 12.3.7.1 (iv) (Alterations at Roof / Attic Level) requires dormers extensions to set back from the eaves, gables and/or party boundaries and to be set down from the existing ridge level so as to not read as a third storey extension at roof level. I consider that the proposed full width rear dormer extension would not satisfy the above criteria as submitted to the planning authority given the full width of the rear dormer.
- 7.15. On balance it is considered that the proposed rear dormer extension would not have a significant adverse impact on residential amenities subject to modification. I consider that the reduction in dormer size by requiring a 0.5m set back from the property boundary with no. 2 Belmont Drive and the gable of the subject property would mitigate the negative visual impact of the rear dormer extension. This can be dealt with by way of condition.
- 7.16. Finally, I consider that the material finish of the rear dormer should harmonise with the material finish of no. 1 Belmont and the adjoining streetscape (1-4 Belmont Drive). This can be dealt with by way of condition.

Side single-storey extension

- 7.17. The planning authority registered a split decision granting permission for the side extension. The planning case officer states that the proposed ground floor side

extension does not give rise to any issues related to overshadowing, overlooking or overbearing appearance. I would concur with the planning case officer. I consider that the proposed side extension is acceptable in principle and in detail.

Conclusion

- 7.18. In conclusion, the rear roof plane dormer subject to modification is acceptable in principle. The reduction in size and visual impact of the dormer can be achieved by providing a minimum 0.5m set back from the property boundary with no. 2 Belmont Drive and the gable of the subject property. I consider that the redesign of the rear dormer is justified in the instance of the proposed development given the visible of the rear roof plane of the subject house from the public road at the entrance to the residential network of streets that are accessed via Belmont Drive.
- 7.19. I conclude, subject to condition, that the proposed rear dormer would be consistent with Section 12.3.7.1 (Extensions to Dwellings) (iv) (Alterations at Roof / Attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- 7.20. I conclude that the proposed side extension is consistent with the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and, as such, the overall development is consistent with the proper planning and sustainable development of the area.

7.21. **Appropriate Assessment Screening**

The proposed development comprises a domestic extension in 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. I recommend a grant of planning permission subject to condition for the reasons and consideration outlined below.

9.0 Reasons and Considerations

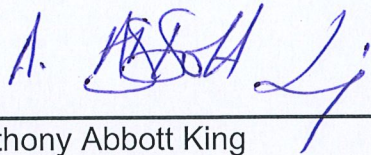
Having regard to the grounds of appeal, the reason for refusal, the residential zoning objective and the policy framework provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including Policy Objective PHP19, which *inter alia* provides for the adaptation of the existing housing stock through supporting improvement and adaptation of homes, it is considered that the proposed development, subject to condition, would provide a reasonable level of accommodation on site, would be consistent with Section 12.3.7.1 (Extensions to Dwellings) (iv) (Alterations at Roof / Attic Level) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and, as such, would be consistent with the proper planning and sustainable development of the area.

10.0 Conditions

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.</p> <p>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>Reason: In the interest of clarity.</p>
2.	<p>Prior to the commencement of development the applicant is requested to submit for the written agreement of the Planning Authority revised drawings providing for the following modifications:</p> <p>(i) The redesign of the rear roof plane dormer in order to provide a minimum set back of 0.5m from the party boundary with no. 2 Belmont Drive and the eastern gable of the subject dwelling house.</p>

	Reason: In the interest of residential and visual amenity.
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
5.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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.



Anthony Abbott King
Planning Inspector

03 May 2024