



An
Bord
Pleanála

Inspector's Report

ABP 319323-24

Development	Dormer roof extension to side and rear
Location	113 Ardilaun, Portmarnock, Co. Dublin
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F24A/0021
Applicant(s)	Colin and Victoria Healy
Type of Application	Permission
Planning Authority Decision	To refuse permission
Type of Appeal	First Party v Decision
Appellant(s)	Colin and Victoria Healy
Observer(s)	Dublin Airport Authority
Date of Site Inspection	15 th May 2024
Inspector	Brendan McGrath

1.0 Site Location and Description

- 1.1. The proposal concerns a 2-storey, semi-detached, hipped-roof house in a suburban estate. The house has a parking area at the front and a private space to the rear. The plot backs onto a shelter belt of trees and golf course. There is only a circa. 70cm. separation distance between the proposal and the adjacent semi-detached house. The submitted documentation does not include an accurate site layout plan. A site inspection reveals a garden room which is not shown on drawings submitted. In addition a permanent canopied area to the rear is not shown on the block plan submitted.

2.0 Proposed Development

- 2.1. The proposal is for an enlarged attic, the entirety of it labelled as 'storage' in the submitted plans. It incorporates a 4.7m wide dormer extension to the rear with two windows, and a 3.5m wide dormer to the side with a window. The proposed dormers extend to just below the main ridge of the roof. The submitted documentation does not include details of materials to be used or details of external finishes and fenestration.

3.0 Planning Authority Decision

3.1. Decision

Refusal

The proposed dormer extension would be considered dominant upon the roof slope of the dwelling to the side and rear, would be visually obtrusive and would negatively impact upon the level of residential amenities of the surrounding area. The development would materially contravene Objective SPQH045 and Section 14.10.2.5 of the Fingal Development Plan 2023-2029 and contravene the RS zoning objective of the area which seeks to provide for residential development and protect and improve residential amenity and as such would be contrary to the proper planning and sustainable development of the area.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The planning report is the basis for the local planning authority decision. The planner considers that the scale of the roof-top extensions proposed is excessive and would therefore be contrary to the objectives, policies and guidance of the adopted development plan.

3.2.2. Other Technical Reports

none

3.3. **Prescribed Bodies**

Dublin Airport Authority

Requiring a condition relating to noise insulation in the event of a grant or permission as the site is located within designated Noise Zone B

3.4. **Third Party Observations**

None

4.0 **Planning History**

None

5.0 **Policy Context**

5.1. **Development Plan**

5.2. The relevant plan is the Fingal Development Plan 2023-2029. The subject site is in an area zoned RS with the objective to 'provide for residential development and protect and improve residential amenity'. The plan contains policy and guidance on the design of residential extensions. The relevant policies are SPQ HP41 Residential Extensions, and SPQ HO45 Domestic Extensions. The relevant guidance statement is in Section 14.10.2.5. of the Written Statement.

SPQ HP41 Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities

SPQ HO45 Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area

The guidance in 14.10.2.5 includes the following:-

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 the 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.

5.3. **Natural Heritage Designations**

None relevant

5.4. **EIA Screening**

Screening is not required for this class of development

6.0 **The Appeal**

6.1. **Grounds of Appeal**

The appeal letter states that 'there are plenty of similar approved planning permissions in the Fingal Catchment.'

6.2. **Planning Authority Response**

The local planning authority has reiterated its reasons for refusing the proposal.

6.3. **Observations**

None

6.4. Further Responses

The Dublin Airport Authority (DAA) has reiterated its advice in respect of noise insulation.

7.0 Assessment

7.1. Having examined the application and appeal documentation on file I consider that the main issues in this appeal are those raised in the planning authority's reasons for refusal. However, the quality of the documentation submitted and Appropriate Assessment also need to be considered.

7.2. Quality of documentation submitted

In my opinion, both in respect of the existing situation and the proposed design, there are serious shortcomings in the documentation submitted by the applicant. The submitted drawings do not adequately represent existing development to the rear of the site and do not show, in sufficient detail, the proposed development. I am also sceptical that the intended use of the additional floor space is for storage only as indicated.

7.3. Protection of residential amenity

The large dormer structure proposed will significantly unbalance the symmetry of the existing pair of semi-detached dwellings and will impact negatively on the aesthetic character of 112 Ardilaun, the other half of the building. As far as I could see there is no existing comparable development in the street. Overlooking is not a critical issue because there are no dwellings backing onto the site. However, in most respects, I consider that the design guidance in Section 14.10.2.5 of the development plan is relevant and should be followed.

7.4. Appropriate Assessment (AA)

Having regard to the nature and scale of the proposed development, the nature of receiving environment as a built up urban area and the distance from any European site/the absence of a pathway between the application site and any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an EIA at an initial stage.

8.0 Recommendation

I recommend that planning permission be refused for the reasons and considerations set out below.

9.0 Reasons and Considerations

1. Having regard to the zoning objective, RS, of the Fingal Development Plan 2023-2029 and the relevant guidance in respect of residential extensions, set out in Section 14.10.2.5 of the Written Statement of the Plan, it is considered that the proposed development, by reason of its scale and bulk, would seriously injure the residential/visual amenities of property in the vicinity, set an undesirable precedent, and would be contrary to the proper planning and sustainable development of the area.
2. The site layout plan submitted is inaccurate and there is insufficient detail submitted of the proposed development.

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.

Brendan McGrath
Planning Inspector

4th September 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	319323-24		
Proposed Development Summary	Dormer roof extension to side and rear		
Development Address	113 Ardilaun, Portmarnock, Co. Dublin		
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	<input checked="" type="checkbox"/>	
	No	No further action required	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes		Class.....	EIA Mandatory EIAR required
No	<input checked="" type="checkbox"/>		Proceed to Q.3
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)
		Conclusion	
No	<input checked="" type="checkbox"/>	N/A	No EIAR or Preliminary Examination required
Yes		Class/Threshold.....	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	<input checked="" type="checkbox"/>	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____