



An  
Bord  
Pleanála

## Inspector's Report

### ABP-320138-24

<b>Development</b>	Alteration to roof, attic conversion, dormer and rooflights
<b>Location</b>	19 Glen Easton Gardens , Leixlip , Co. Kildare
<b>Planning Authority</b>	Kildare County Council
<b>Planning Authority Reg. Ref.</b>	24/134
<b>Applicant(s)</b>	Barry Harrington.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant with Conditions
<b>Type of Appeal</b>	First Party Appeal
<b>Appellant(s)</b>	Barry Harrington.
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	6 <sup>th</sup> September 2024.
<b>Inspector</b>	Heidi Thorsdalen

## **1.0 Site Location and Description**

- 1.1. The appeal site is located within the Glen Easton residential estate, c. 1.9 km west of Main Street, Leixlip. The appeal site lies c. 1.2 km to the north of Junction 6 of the M4 and the R449, and c. 140 m south of the Royal Canal. Access is via internal estate roads and Green Lane, a two-lane carriageway with bus service and segregated cycle lanes. The surrounding area is residential, predominately two-storey detach and semi-detached housing with some recent 3 to 4 storey apartment developments along the R449.
- 1.2. The appeal site gently slopes towards the rear boundary and has a stated area of 0.0303 ha. It consists of a semi-detached, two-storey house with a stated gross floor space of 210 m<sup>2</sup>. The dwelling is orientated in a south north direction, with private parking to the front and north facing private amenity space to the rear. The front boundary is defined by the vehicular entrance and a low brick wall, and rendered block walls along the sides. Unrendered block walls define the walls surrounding the rear garden. The house has brick and render finishes with brown roof tiles.

## **2.0 Proposed Development**

- 2.1. Planning permission was sought for alterations to existing hip roof to create extended ridge line with gable roof to side (west), a dormer and 2 no. roof windows to the rear (north) and 3 no. roof windows to the front (south), all to accommodate an attic conversion into a non-habitable storage space and attic stairs.
- 2.2. The stated proposed attic floor area is 39 m<sup>2</sup>, and the internal floor to ceiling height at the main ridgeline and for the dormer area is noted as 2,325 mm.
- 2.3. The rear dormer extends from the ridge line by 3 m, it is 4.3 m in width and with a window opening measuring 1 m by 2 m as per proposed rear elevation. The dormer is to be metal clad and incorporates a skylight, 700mm by 1,300 mm.
- 2.4. The two roof lights at the rear elevation, located either side of the dormer, measure 800 mm by 700 mm each. The three roof lights at the front elevation measure between 800 mm by 700 mm (located to the east) and 1,100 mm by 700 mm (located in the centre and to the west).

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. The Planning Authority decided to grant permission for the proposed development on 13<sup>th</sup> June 2024, subject to 8 no. conditions, and generally standard in nature.
- 3.1.2. Condition No. 2 is directly relevant to this appeal, and it states (emphasis as per condition):

*“The development shall be **revised** as follows:*

*The proposed dormer **shall not extend from the ridge line of the dwelling and shall be located at least 500mm below the ridge line of the dwelling and the width shall not exceed 3m.***

***Reason:** In the interest of visual and residential amenity.”*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- Planning Report (signed 11<sup>th</sup> June 2024): Concerns regarding the dormer extending from and obscuring the ridge line, appearing overly dominant on the rear roof profile and was considered excessive given the use at attic level. The proposed development was found not to comply with Section 15.4.12 and should be revised. Concluded that the proposed development would not seriously injure the amenities of the area.

#### 3.2.2. Other Technical Reports

- Transport, Mobility and Open Spaces Department (14<sup>th</sup> April 2024): No objection.
- Area Engineer (21<sup>st</sup> May 2024): No objection subject to conditions.
- Kildare Fire Service (28<sup>th</sup> May 2024): No objection.

### **3.3. Prescribed Bodies**

- None.

### **3.4. Third Party Observations**

- None.

## **4.0 Planning History**

### **4.1. Appeal Site:**

- PA ref. 06/2690: Permission granted for the applicant to construct a first floor side extension.

### **4.2. Adjacent Site(s):**

- PA ref. 22/551: Permission Granted for first floor extension, extending existing main ridge line, attic conversion with rear dormer and rooflights, and front porch extension at 2 Glen East Woods, Leixlip.
- PA ref. 23/478: Permission Granted for rear dormer window at 23 Glen Easton Way, Leixlip.
- PA ref. 23/507: Permission Granted for alterations to existing hip roof to create gable roof to side to accommodate attic conversion with dormer to the rear, new window to side gable, and porch extension to the front at 3 Glen Easton Green, Leixlip.

## **5.0 Policy Context**

### **5.1. Kildare County Development Plan 2023-2029**

5.1.1. The current Kildare County Development Plan came into effect on 28<sup>th</sup> January 2023.

5.1.2. Section 15.4.12 Extensions to Dwellings is specifically applicable to the appeal and provides basic design principles, as follows:

- *“The extension should be sensitive to the appearance and character of the house and the local area (urban or rural).*
- *The extension shall have regard to the form and scale of the existing dwelling and should not adversely distort the scale or mass of the structure.*
- *The design and scale should have regard to adjoining properties.*
- *A flexible approach will be taken to the assessment of alternative design concepts and high-quality contemporary designs will be encouraged. A different approach may apply in the case of a Protected Structure, structures with significant heritage or within an Architectural Conservation Area.*
- *The extension should not provide for new overlooking or loss of privacy below reasonable levels to the private area of an adjacent residence.*
- *The cumulative impact of the existing extent of overlooking and the overlooking that would arise as a result of any proposed extension need to be considered.*
- *The extension should not have an overbearing impact on neighbouring properties. Large extensions, particularly if higher than one storey, should be moved away from neighbouring property boundaries.*
- *New extensions should not overshadow adjacent dwellings to the degree that there is a significant decrease in daylight or sunlight entering into the house.*
- *An adequate area of private open space, relative to the size of the dwelling should be retained, generally not less than 25sq.m.*
- *Where required, it will be necessary to demonstrate that the existing on-site wastewater treatment system serving the main dwelling can facilitate the additional loading from the proposed extension. Where this cannot be demonstrated, it will be necessary for the on-site wastewater treatment system to be upgraded as part of the development proposal.”*

## **5.2. Leixlip Local Area Plan 2020-2023 (as amended and extended to March 2026)**

- 5.2.1. The Leixlip Local Area Plan 2020-2023 (LAP) came into effect on 5<sup>th</sup> February 2020, and the extended plan as amended came into effect on 6<sup>th</sup> May 2024. The appeal

site is located within zoning objective “B: Existing/Infill Residential: To protect and enhance the amenity of established residential communities and promote sustainable intensification.”

### 5.3. Natural Heritage Designations

- Royal Canal Proposed NHA, c. 135 m to the north.
- Rye Water Valley/Carlton SAC, c. 760 m to the northeast.

### 5.4. EIA Screening

- 5.4.1. Having regard to the nature and small scale of the proposed development, which is for a roof extension and attic conversion to an existing dwelling within a fully serviced urban area, and its proximity to the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

- 6.1.1. The First Party appeal relates solely to Condition No. 2 of the Notification of Decision to Grant under PA ref. 24/134 for development at 19 Glen Easton Gardens.
- 6.1.2. The main grounds of the appeal as submitted by Hughes Planning (dated 10<sup>th</sup> July 2024) on behalf of the applicant can be summarised, as follows:
- It is submitted that there are multiple properties with similar dormer developments within the residential estate and surrounding area, reference to: 23 Glen Easton Way (PA ref. 23/478); 3 Glen Easton Green (PA ref. 23/507); 29 The Park, Westfield (PA ref. 24/60139); 2 Rye River Park (PA ref. 24/32); and 49 Leixlip Park (PA ref. 23/236).
  - It is submitted that reducing the width of the dormer will undermine the visual interest, limit internal storage and reduce the residential amenities for the applicant.

- It is submitted that relocating the dormer 500 mm below the roof ridge line will limit internal space and have a negative impact on the residential amenities of the dwelling.
- It is stated that the proposed development accords with Section 15.4.12 of the Development Plan, noting that the dormer is relative to the overall extent of the roof; there will be no adverse visual impacts; no overlooking of adjoining properties; it will not distort the streetscape or the structure; it will be sympathetic and match the design of surrounding properties; and material will match the existing roof.
- It is submitted that the proposed is a standard approach to the expansion of a residential dwelling to ensure sufficient space for growing families.
- It is stated that the proposed development is consistent with Leixlip LAP zoning objective under B: Existing/Infill Residential.
- Requests that Condition 2 is omitted in its entirety.

## 6.2. Planning Authority Response

6.2.1. The Planning Authority's response (dated 6<sup>th</sup> August 2024) is summarised as follows:

- The Planning Authority confirms its decision.
- Requests that the Planning Reports, internal department reports and prescribed bodies reports in relation to the assessment of the planning application are referred to.

## 6.3. Observations

- None.

## 7.0 Assessment

7.1. The First Party appeal relates to Condition No. 2 only attached to the Planning Authority's Notification to Grant Permission, PA ref. 24/134. Having examined the application details and all other documentation on the appeal file, including the

appeal submission, and inspected the site, and having regard to relevant local policies and guidance, I am satisfied that the proposed development is otherwise in accordance with the proper planning and sustainable development of the area, and that the determination by the Board of the application as if it had been made to it in the first instance would not be warranted.

- 7.2. My assessment will, therefore, be limited to the matters raised in relation to the terms of Condition no. 2, pursuant to the provisions of Section 139 of the Planning and Development Act 2000 (as amended).
- 7.3. The dormer is located to the rear of the property, in a centred position within the extended roof profile. The dormer occupies c. 30% of the extended rear roof area. Having regard to Section 15.4.12 of the Development Plan (see Section 5.1 above), I am satisfied that the dormer would not, within the context of the extended roof profile, be visible from the front elevation or the immediate streetscape. Visibility of the dormer would be limited to the rear of adjacent properties, although this would generally be at an oblique angle. There may be some views from the local roads to the east, but these would be more distant and obscured by intervening walls, landscaping and buildings. The dormer extension appears to be consistent with other similar development in the surrounding area. Taking this into account, I do not consider that the positioning and the scale of the dormer would dominate or distort the scale or mass of the dwelling or have an overbearing impact on neighbouring properties. I note the Planning Authority's reference to use and scale, however I do not consider the non-habitable storage space use a determining factor on scale under Section 15.4.12 of the Development Plan.
- 7.4. The dormer is setback c. 2 m from rear wall at first floor, and the distance from this wall and existing windows to the rear boundary is c. 11.5 m. The non-habitable space use within the attic space and Condition 3 under PA ref. 24/134 restricting such use are noted. I am satisfied that the dormer extension of the roof would not give rise to new overlooking or result in the loss of privacy of adjacent dwellings. In this regard, I note that the Planning Authority concluded that the proposed development would not seriously injure the amenities of the area.
- 7.5. Having regard to the above, I am satisfied that the dormer proposed to the rear roof slope of the existing house on the appeal site would not adversely impact on

residential and visual amenity. I, therefore, do not consider a reposition of the dormer below the ridge line and a reduced dormer width to be necessary in the interests of proper planning and sustainable development.

## 8.0 AA Screening

- 8.1. Having regard to the nature and scale of the proposed development, which is for a roof extension and attic conversion to an existing dwelling in an established and serviced urban area, the distance from the nearest European site, no Appropriate Assessment issues arise. Therefore, 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. Having regard to the nature of the condition the subject of the appeal, 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. In accordance with section 139(1) of the Planning and Development Act 2000 (as amended), I recommend that the Planning Authority be directed to **REMOVE** Condition 2 of PA ref. 24/134 for the reasons and considerations set out hereunder.

## 10.0 Reasons and Considerations

- 10.1. Having regard to the scale and design of the dormer, it is considered that it would not affect the visual or residential amenities of the area and would accord with the provisions of Kildare County Development Plan 2023-2029, and that the proposed development, subject to compliance with all other conditions set out under PA ref. 24/134, would, therefore, be 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.

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Heidi Thorsdalen  
Senior Planning Inspector

18<sup>th</sup> September 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	320138-24		
<b>Proposed Development Summary</b>	Alteration to roof, attic conversion, dormer and rooflights		
<b>Development Address</b>	19 Glen Easton Gardens , Leixlip , Co. Kildare		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	✓
		<b>No</b>	No further action required
<b>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?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	✓		Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>Conclusion</b>			
<b>No</b>	✓	N/A	No EIAR or Preliminary Examination required
<b>Yes</b>		Class/Threshold.....	Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>		<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

Inspector: \_\_\_\_\_

Date: \_\_18<sup>th</sup> September 2024\_\_