



An
Bord
Pleanála

Inspector's Report

ABP-320858-24

Development

Alterations to the existing hip roof to create a gable roof to accommodate an attic stairs to allow conversion of the attic into a non-habitable storage space with dormer window to the rear roof along with two windows to the front and gable windows to the front and gable window to the side with all associated ancillary works.

Location

33 Giltspur Wood, Bray, Co. Wicklow.

Planning Authority

Wicklow County Council.

Planning Authority Reg. Ref.

2460410

Applicant(s)

Ciara Murphy.

Type of Application

Permission.

Planning Authority Decision

Grant Permission.

Type of Appeal

Third Party.

Appellant(s)

Barry Clarke.

Observer(s)

None.

Date of Site Inspection

31st January 2025.

Inspector

Aiden O'Neill

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Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The proposed development site, c. 0.022ha in area, is a semi-detached 2-storey 3-bedroom dwelling (c. 102.66m²) with single-storey kitchen/dining room with roof lights, hip roof, and front and back gardens in Giltspur Wood in a row 6no. semi-detached dwellings in a suburban estate to the west of Bray Town Centre.
- 1.2. The proposed development site, which is south-west facing, looks out onto an area of public open space that serves the estate. To the north-east, to the rear of no. 33, are 5no. 2-storey detached dwellings. Further north-east is the extensive grounds of Oldcourt House (Protected Structure (B63) and Recorded Monument (WI008-041---)).
- 1.3. Giltspur Wood is accessed via Oldcourt Park which connects to the R767 Killarney Road.

2.0 Proposed Development

- 2.1. The proposed development will consist of alterations to the existing hip roof to create a gable roof to accommodate new attic stairs, to facilitate the conversion of the attic into a non-habitable storage space c. 2.2m in height, with flat-roofed dormer window to the rear roof finished in a metal cladding; 2no. roof lights to the front; 1no. obscured gable window to the side (north-west) elevation; and roof tiles, soffit and fascia to match existing. There are no changes to the ground floor plan.
- 2.2. The existing hipped roof is proposed to be raised to match the existing ridge line in order to include a new rear dormer and 2 no. front roof lights, to provide a non-habitable storage space within the existing attic. The proposed storage area is stated to be 24.47m².

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority decided to grant conditional planning permission on 29th August, 2024.

3.1.1. Conditions

The permission was subject to 3no. conditions, including:

Condition no. 2: The window in the proposed north-western elevation at 1st floor level shall be in manufactured obscure glazing.

Reason: In the interests of ensuring the privacy of adjoining property.

Condition no. 3. The attic space shall be used for storage space only and shall not be used for human habitation.

Reason: To safeguard the residential amenities of adjoining properties.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Assistant Planner dated 27th August 2024 notes that the new roof profile of the dormer to the rear and modified hipped roof will be in line with the existing ridge line of the dwelling and stepped in on every other side of the roof space.
- It is not considered that the proposed development will have any adverse impact on light in relation to neighbouring dwellings.
- The proposed rear dormer will allow for an internal floor to ceiling height of 2.2m which is considered acceptable in this instance as the proposed attic extension is for extended storage space.
- However, the planner raises concerns with regards to the overall design and scale of the proposed rear dormer extension, and that the proposed development would be considered excessive.
- On this basis, the planner recommends that further information is sought in relation to justification for the excessive attic storage space extension.
- In relation to neighbourhood amenity, the planner acknowledges that a degree of overlooking is already present in this built up urban area.
- However, the planner also considered that the proposed dormer window to the rear would effectively be a third floor and therefore the applicant has not

clearly demonstrated that the new dormer roof extension would not significantly increase overlooking or perceived overlooking possibilities. Further information is recommended to demonstrate that the new rear dormer roof extension does not significantly increase overlooking or perceived overlooking possibilities.

- A new window with obscure glazing has been included as part of this application at attic level on the North West side elevation of the existing dwelling which is considered acceptable.
- The existing residential estate is defined by semi-detached hipped roof dwellings which are largely consistent throughout the estate. However, given the proposed dwelling is located within a build-up residential area. Noting the provisions of the Plan which allow a flexible approach to overall design within urban areas, it is considered that the proposed lifting of existing hipped roof on site can be considered acceptable in this instance.
- The planner recommended the following Further Information:
 1. The Planning Authority would have concerns in relation to the overall design and scale of the proposed rear dormer as the proposed development would be considered excessive for an extension of existing storage space and therefore justification is needed in relation to the proposed rear dormer extension. Please Address.
 2. Given that the attic extension as presented, would result in the modification of the overall roof design to accommodate the new rear dormer roof at what would effectively be a new third floor height, you are requested to examine the proposed development and make a submission demonstrating the new rear dormer roof extension does not significantly increase overlooking or perceived overlooking of the private amenity space of the surrounding dwellings to the rear. Please address.
- However, in her report dated 28th August, 2024, the Senior Executive Planner recommended a grant of permission having regard to the following:
 - the ground levels of the dwellings in the application site row of dwellings and those to the rear are similar.

- There is an existing hip to gable (with dutch hip) conversion, permitted under application register reference 17/1040, at No.77 Giltspur Wood, which is in the same estate, though not visible from the application site.
- While noting the concerns of the planner in relation to the scale of the extension proposed for storage space, a condition can be attached to any permission limiting the use of the space to storage.
- It is also noted that the submitted section drawing indicates a floor to ceiling height of 2.2m, which would not meet building standards for habitable rooms.
- A grant of permission is recommended having regard to the position, scale and external treatment of the dormer window and hip to gable extension.

The Senior Executive Planner's report is the basis for the Planning Authority's decision to grant planning permission.

3.2.2. Other Technical Reports

- The Report of the Chief Fire Officer dated 12th August, 2024 states that all works are to comply with Appendix D of Technical Guidance Document Part B, Volume 2, Fire Safety, Dwelling Houses (2017) in the event that the attic room was used at some future date as a temporary or permanent bedroom.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

2no. third party observations were submitted on the application, raising the following points:

- The proposed application is inconsistent with the character, style and design of all surrounding houses in the estate, to the front and rear of the property.
- Sunlight will be negatively impacted.
- The proposed development will directly affect privacy.

- It will adversely affect the valuation of property.
- Queries the need for 4no. windows.
- Other properties to the left and right of the property concerned have added flat roof windows to meet the stated purpose of non-habitable attic storage and changes of this nature would be in-line with existing roof windows.
- The proposed dormer window however is not in keeping with the current roof lines of the entire row and seems superfluous to the stated purpose.

4.0 **Planning History**

None on file.

5.0 **Policy Context**

5.1. **Development Plan**

The applicable Plan is the Wicklow County Development Plan 2022-2028. Bray is designated as a Key Town in the Plan.

The proposed development site is zoned 'RE - Existing Residential' in the Bray Municipal District Local Area Plan 2018

Policy Objective CPO 6.21 in section 6.4 of the Plan states that in areas zoned 'Existing Residential' house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted.

Section 1 in Appendix 1 Development and Design standards of Volume 3 of the Plan sets out the applicable policies in for House Extensions.

A new LAP is currently being prepared for Bray Municipal District (including Enniskerry and Kilmacanogue).

5.2. **Natural Heritage Designations**

The Bray Head SAC (Site Code: 000714) and Bray Head pNHA (Site Code: 000714) are located c. 1.53km to the east.

5.3. EIA Screening

5.3.1. Having regard to the limited nature and scale of development and the absence of any significant environmental sensitivity in the vicinity of the site, 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

- The third party's property is located directly to the north-east of the proposed development site.
- The proposed development will detrimentally affect both the visual amenities of the area and the residential amenities of the adjoining properties.
- The applicant's architect references in Skerries, 26 Giltspur Wood and 10 Oldcourt Park, both in Bray, as precedent. However, Skerries is in north county Dublin. 26 Giltspur Wood is a detached house with a hipped roof and no dormer windows. 10 Oldcourt Park is a stand-alone detached house, not within a housing estate, with no dormer windows. More relevant would be Giltspur Wood, Giltspur Brook and Miller Wood, all hipped roofs with no dormer windows. Dormer windows are not a feature of the neighbourhood's architectural character.
- The proposed development is out of harmony with the existing character of Giltspur Wood. The introduction of a gable roof and/or dormer window would conflict with the estate's uniformity of design.
- The proposed development will significantly reduce the natural light available at the appellant's property and others nearby.
- The proposed dormer will directly overlook key living spaces of the appellant's home, leading to a severe loss of privacy to his property and those surrounding it.

- There will be a detrimental impact on property values.
- There is no provision for obscure glazing for the rear-facing properties.
- The inclusion of four windows for the attic suggests that the attic space is intended for habitable use. Wicklow Fire Service also indicates a possible future use of the attic as a living space.

6.2. Applicant Response

In a letter dated 2nd October, 2024, the applicant makes the following points in response to the appeal:

- The reference to Skerries is a clerical area. The application was validated by Wicklow County Council.
- Precedence for the proposed development is established at 26 Giltspur Wood, application register reference 06/630017.
- 10 Oldcourt, application register reference 06/630217 also relevant. It is incorrect to state that it does not have a dormer.
- It is incorrect to state that all properties in Giltspur Wood have hip roofs. 77 Giltspur Wood has a hip to gable roof, application register reference 17/1040. 79 Giltspur Brook also has permission for a hip to gable roof (application register reference 23/727).
- Claren Court is a new development c. 500m from Giltspur Wood which has dormer windows.
- Properties in Giltspur Wood have been subject to alterations over time. The proposed hip to gable roof and rear dormer will not have an impact on the character of the neighbourhood.
- The dormer is stepped back from the party wall to avoid any impact on light.
- There are already existing lines of sight to the rear of 28 Giltspur. The view from the proposed development will be similar to the existing view.
- There is no factual evidence to support the ground of appeal with respect to property values.

- The attic conversion will allow an easily accessible storage area. There is very little storage area in the home. Storage space is required for work purposes (letter of confirmation from the applicant's employer is included).
- The Council's grant of permission is requested to be upheld.

6.3. **Planning Authority Response**

- None on file.

6.4. **Observations**

- None on file.

6.5. **Further Responses**

- None on file.

7.0 **Assessment**

7.1. Having examined all the application and appeal documentation on file, and having regard to relevant policy, I consider that the main issues which require consideration in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise.

7.2. The main issues are as follows:

- Out of character design
- Impact on Residential Amenity
- Other

7.3. Out of character design

7.3.1 The appellant raises a concern that the proposed development is not in keeping with the established character of dwellings in the vicinity, which have hipped roofs with no dormer windows. It is stated that dormer windows are not a feature of the neighbourhood's architectural character.

- 7.3.2 The applicant has responded to state that there is established precedence for gable roofs/dormer windows in the vicinity of the proposed development such that there will be no impact on the character of the area. It is stated that properties in Giltspur Wood have been subject to alterations over time.
- 7.3.3 It is acknowledged that the proposed development will introduce a new roof form and a dormer window at 33 Giltspur Wood that will result in a change to the character of the property. However, there is evidence of alterations to the roof profiles of dwellings in the vicinity - as close as 26 Giltspur Wood to the north-east - as homeowners adapt their properties to suit their particular needs.
- 7.3.4 The concerns raised by the appellant, and in the report of the Assistant Planner, in relation to the design and scale of the proposed rear dormer are noted. However, I would be inclined to agree with the Senior Executive Planner that the proposed raising of the existing hip roof to create a gable roof to enable the conversion of the attic into a non-habitable storage space, with a flat-roofed dormer window to the rear roof, 2no. roof lights to the front, and 1no. obscured gable window to the side (north-west) elevation, is of relatively small scale and will not result in an obtrusive feature that will negatively impact the character of the property. The rear dormer is also well set back from the extended roof edge. I also note the report of the Area Planner in which it is acknowledged that the Plan allows a flexible approach to overall design within urban areas.
- 7.3.5 Furthermore, the gable roof is to match the existing ridge line. The rear dormer is to be flat-roofed and clad in metal. The floor to ceiling height of attic is just 2.2m. Roof tiles, soffit and fascia are to match existing.
- 7.3.6 It is my opinion, therefore, that the proposed development accords with the principles of good design and has regard to the architectural amenities of the existing dwelling, while also providing for visual diversity, as endorsed by the provisions of Policy Objective CPO 6.21 of the Wicklow County Development Plan 2022-2028, which states that house improvements that are in accordance with the principles of good design will normally be permitted. I see no reason why the proposed development should not be permitted in this context.
- 7.3.7 Furthermore, and having regard to section 3.1.8 of Appendix 1 of Volume 3 of the Plan which generally encourages the construction of extensions to existing houses,

the proposed development is sensitive to the existing dwelling and will not adversely distort the scale or mass of the structure.

7.3.8 Section 3.1.8 also acknowledges that, while the form, size and appearance of an extension should complement the area, unless the area has an established unique or valuable character worthy of preservation, a flexible approach will be taken to the assessment of alternative design concepts. The proposed development site is not located in an area that is of a unique character or that is subject to any built heritage or other planning designations, and, therefore, is capable of absorbing a varied character and visual diversity.

7.3.9 I also note the examples provided by the applicant of modifications to existing dwellings in the vicinity, which are what one would expect in an existing residential area.

7.3.10 In this context, it is my opinion that the design of the proposed development is appropriate, and is not out of character, but, rather, is reflective of the evolving nature of the built form in existing residential areas, and that is contemplated in, and supported by, the provisions of the Plan.

7.4 Impact on residential amenity

7.4.1 The appellant raises a concern that the proposed development will significantly reduce the natural light available at the appellant's property and others nearby, and that the proposed dormer will directly overlook key living spaces of the appellant's home, leading to a severe loss of privacy to his property and those surrounding it. The appellant also raises a concern that no opaque glazing is proposed for the dormer windows.

7.4.2 The applicant's response states that the proposed dormer is stepped back from the party wall to avoid any impact on light, and that there are already existing lines of sight to the rear of 28 Giltspur, with the effect being that the view from the proposed development will be similar to the existing view.

7.4.3 The photos attached to the appeal, and the site inspection, confirm that there are already views between houses that back on to each other. This equally applies to the applicant as it does to the appellant.

- 7.4.4 While the proposed development will result in alterations to the roof profile and the provision of a dormer window, these are not substantial changes. They will not result in any increased overlooking of the appellant's property, or of other properties in the vicinity.
- 7.4.5 In this context, and having regard to section 3.1.8 of Appendix 1 of Volume 3 of the Plan, the proposed development will not result in new overlooking of the private area of an adjacent residence where no such overlooking previously existed.
- 7.4.6 Furthermore, noting that a degree of overlooking is already present in this existing residential area, as would be the case in any urban area, the proposed development, which has the same view of the appellant's property, does not significantly increase overlooking possibilities.
- 7.4.7 In addition, the proposed development does not overshadow the appellant's property, or properties in the vicinity, to the degree that a significant decrease in day or sunlight entering into the house comes about. The proposed development is of a scale that is unlikely to result in any reduction in natural light.
- 7.4.8 In this context, the proposed development will not result in any impacts on the residential amenities of the appellant's property.
- 7.4.9 For this reason, and noting that the applicant has provided a new window with obscure glazing at attic level on the North West side elevation of the existing dwelling to ensure the privacy of adjoining property, there is no requirement to provide obscure glazing for the proposed dormer window or other rear windows. In the event that the Board is minded to grant permission, I recommend the attachment of the same condition as Wicklow County Council that the window in the proposed northwestern elevation at 1st floor level shall be in manufactured obscure glazing.
- 7.5 Other
- 7.5.1 The appellant contends that there will be a detrimental impact on property values.
- 7.5.2 The applicant's response states that there is no evidence presented to justify this position.
- 7.5.3 It would be my opinion that the potential to expand or extend existing dwellings in an appropriate and sensitive manner in an established residential area that does not

impact on the character of the area or residential amenities would have a positive effect on property values in the area.

7.5.4 Furthermore, the appellant also raises a concern that the inclusion of four windows for the attic suggests that the attic space is intended for habitable use. Wicklow Fire Service also indicates a possible future use of the attic as a living space. The applicant has responded to state that the attic conversion will allow an easily accessible storage area, as there is very little storage area in the home. Storage space is required for work purposes.

7.5.5 I note that the purpose of the increase in attic area is to accommodate a non-habitable storage space. The plans and particulars, including the public notices, specify that the attic space is to be used as such. Notwithstanding the proposed 2.2m height of the increased attic space, in the event that the Board is minded to grant permission, I recommend the attachment of the same condition as Wicklow County Council to restrict the use of the attic.

8.0 AA Screening

8.1 I have considered the proposal for alterations to the existing hip roof and the conversion of the attic into a non-habitable storage space with a dormer window to the rear roof in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located c. 1.53km to the west of Bray Head SAC (Site Code: 000714).

The proposed development will consist of alterations to the existing hip roof to create a gable roof to accommodate an attic stairs to allow conversion of the attic into a non-habitable storage space with dormer window to the rear roof along with two windows to the front and gable windows to the front and gable window to the side with all associated ancillary works.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development
- Location and distance from nearest European site and lack of connections
- Taking into account the Screening Report and Determination by Wicklow County Council.

I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend that permission for the development be granted for the following reasons and considerations.

10.0 Reasons and Considerations

Having regard to the provisions of the Wicklow County Development Plan 2022-2028, in particular Policy Objective CPO 6.21, it is considered that, subject to compliance with the conditions set out below, the proposed development is acceptable in design terms, and will not be seriously injurious to existing residential amenities. It is considered that the proposed development is in the interests of the proper planning and sustainable development of the area.

11.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 11 th July, 2024, 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 and the
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	<p>development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The window in the proposed northwestern elevation at 1st floor level shall be in manufactured obscure glazing.</p> <p>Reason: In the interests of ensuring the privacy of adjoining property.</p>
3.	<p>The attic space shall be used for storage space only and shall not be used for human habitation.</p> <p>Reason: In the interests of the proper planning and sustainable development of the area and to safeguard the residential amenities of adjoining properties.</p>

Relevant Policies

Wicklow County Development Plan 2022-2028

Policy Objective CPO 6.21 in section 6.4 of the Plan states that:

‘In areas zoned ‘Existing Residential’ house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted (other than on lands permitted or designated as open space). While new developments shall have regard to the protection of the residential and architectural amenities of houses in the immediate environs, alternative and contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity’.

Section 1 in relation to House Extensions in Appendix 1 Development and Design standards of Volume 3 of the Plan sets out the following:

3.1.8 House extensions The construction of extensions to existing houses will be encouraged generally as it usually provides a less resource intensive method of expanding living space than building a new structure. Given the range of site layouts prevailing, it is not possible to set out a set of ‘rules’ that can be applied to all extensions, but the following basic principles shall be applied:

- The extension should be sensitive to the existing dwelling and should not adversely distort the scale or mass of the structure;
- The extension shall not provide for new overlooking of the private area of an adjacent residence where no such overlooking previously existed;
- In an existing developed area, where a degree of overlooking is already present, the new extension must not significantly increase overlooking possibilities. If for example a two storey dwelling already directly overlooks a neighbour’s rear garden, a third storey extension with the same view will normally be considered acceptable;
- New extensions should not overshadow adjacent dwellings to the degree that a significant decrease in day or sunlight entering into the house comes about. In this regard, extensions directly abutting property boundaries should be avoided;
- While the form, size and appearance of an extension should complement the area, unless the area has an established unique or valuable character worthy of

preservation, a flexible approach will be taken to the assessment of alternative design concepts.

Bray Municipal District Local Area Plan 2018-2024

Chapter 11 explains that the purpose of the RE Existing Residential zoning objective is to protect, provide and improve residential amenities of existing residential areas.

The objective seeks to provide for house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity. In existing residential areas, the areas of open space permitted, designated or dedicated solely to the use of the residents will normally be zoned 'RE' as they form an intrinsic part of the overall residential development; however new housing or other non-community related uses will not normally be permitted.

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.



Aiden O'Neill
Planning Inspector

1st February, 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-320858-24		
Proposed Development Summary	Alterations to the existing hip roof and the conversion of the attic into a non-habitable storage space with a dormer window to the rear roof.		
Development Address	33 Giltspur Wood, Bray, Co. Wicklow		
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 √	Tick if relevant and proceed to Q2.	
	No	Tick if relevant. 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)?			
Yes	Tick/or leave blank	State the Class here.	Proceed to Q3.
No √	Tick or leave blank		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No	Tick/or leave blank		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	Screening determination remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: *Ad onell*

1st February, 2025

_____ Date: _____