



An  
Bord  
Pleanála

## Inspector's Report ABP-321339-24

### Development

*Retention/permission: the development consists of an additional storey at second floor that is dormer roof extension that extends to the front, side and rear of the original roof. Planning permission is sought to modify the dormer extension to add a gable end and extend the ridgeline and change the finish of the dormer from render to standing seam metal cladding.*

### Location

*243 Phibsborough Road, Dublin 7, DO7 AH5V*

### Planning Authority Ref.

*4255/24.*

### Applicant(s)

*Carolyn Brennan.*

### Type of Application

*Retention/Permission*

### PA Decision

*refuse.*

### Type of Appeal

*First*

### Appellant

*Carolyn  
Brennan*

### Observer(s)

*None*

### Date of Site Inspection

*13/03/25*

### Inspector

*Ian Doyle*

**1. Site Location/ and Description.** No. 243 Phibsborough Road, end of terrace of three located on the eastern side of the R135 near its junction with Western Way. The area is generally residential in character with traditional brick fronted terraces to the north and Broadstone Hall student accommodation located to the

south. The roof structure over the three terrace properties is designed and implemented to consist of one coherent distinct hipped roof. Three large dormer window have been constructed to the front site and rear of the subject property.

**2. Proposed development.** *Retention permission is sought for an additional storey at second floor formed by a dormer roof extension that extends to the front, side and rear of the original roof. Planning permission is sought to modify the dormer extension to add a gable end and extend the ridgeline in addition to proposed alterations to the finish from render to standing seam metal cladding.*

**3. PA's Decision** Refuse Permission for the following reason on the 31/10/24:

- 1. The subject development which seeks to retain and amend a wrap-around second floor level dormer extension to the front, side and rear of the existing two-storey end or terrace house would be contrary to the provisions set out in the current Dublin City Development Plan (2022-2028), including in particular Section 15.3.3 and the standards for such development set out in Volume 2, Appendix 18 in respect of roof extensions. The extent of the amendments to the roof profile would result in the existing house appearing visually incongruous and out of character with the existing terrace and, by itself and by the precedent it would set for other developments of this type, would be seriously injurious to the visual amenities of the area and would, therefore, be contrary to the proper planning and sustainable development of the area.*

#### **4. Planning History.**

ABP-314283-22 - RETENTION: Refused. Development consists of setback additional storey at second floor bedroom, modified flat roof and three additional windows at front, side and rear for the following reason:

- 1. It is considered that the development sought under this application would be inconsistent with the provisions of the Dublin City Development Plan 2022-2028, Section 15.3.3 concerning Extensions and Alterations to Dwellings, and the design standards for such development under Volume 2 Appendix 18; that the proposed development would not be obtrusive and out of character with the host dwelling, the terrace group it forms part of and the visual amenities of the area, it would seriously injure the amenities of property in the vicinity by way of overlooking and*

*loss of privacy, it would be consistent with the zoning objective pertaining to the site and its setting, that is to say 'Z1 – Sustainable Residential Neighbourhoods' which seeks "to protect, provide and improve residential amenities and by way of the undesirable precedent it would set for similar developments of this type. The development sought under this application would therefore be contrary to the proper planning and sustainable development of the area.*

330715 - RETENTION: of a 25sq.m second level attic bedroom conversion with the addition of two dormer window extensions to the side and rear of the property GRANTED on the 02<sup>nd</sup> of November 2015 by Dublin City Council.

### **5.1. National/Regional/Local Planning Policy**

- The Dublin City Development Plan, 2022-2028, came into effect on the 14th of December, 2022, under which the site is zoned 'Z1 – Sustainable Residential Neighbourhoods'.
- Section 15.5.3 of the Development Plan deals with alterations and extensions.
- Volume 2 Appendix 18 of the Development Plan provides detailed guidance on side and rear extensions as well as dormer extensions at roof level.
- Applications for extensions to existing residential units should:
  - Not have an adverse impact on the scale and character of the existing dwelling
  - Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight
  - Achieve a high quality of design
  - Make a positive contribution to the streetscape (front extensions)
- The following criteria will be considered in assessing alterations at roof level:
  - 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.

Table 18.1 of Appendix 8 consists of guidance regarding the design of Dormer windows which states the following:

- Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.
- Avoid dormer windows that are over dominant in appearance or give the impression of a flat roof.
- Avoid extending the full width of the roof or right up to the gable ends.

## **5.2 Natural Heritage Designations**

- *South Dublin Bay SAC/SPA (000206)* located circa 3km east of the site.

## **6. The Appeal**

### **6.1 First Party Appeal. Grounds:**

- *Applicant disagrees with the reasoning of DCC as there are many developments in the surrounding Dublin area that have front and rear dormers and also have changed from hipped roof to gable ends.*
- *Precedent is long established in the area for similar development. The appeal statement includes photographic evidence of same.*
- *The adjacent development at no. 244 consists of a 4 storey building which altered the character and appearance of the street and area and has a variety of roof lines, shapes and colours.*
- *The subject dwelling is located within a terrace of three architecturally unremarkable residential properties which are not protected structures.*

### **6.2 P.A. Response**

- Section 48 and 49 Development Contribution Schemes, that both Section 48 and Section 49 financial contributions are applicable to any grant of retention permission in the event of a grant of permission.

## **7. EIA Screening**

*The proposed development is not a class for the purposes of EIA, as per the class for the purpose of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.*

## **8. AA Screening**

I have considered the proposed extension for retention in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located 3km for the nearest European Site.

The proposed development comprises retention of an attic conversion and dormer windows.

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:

- Small scale nature of the proposed works for retention.
- Distance from nearest European site and lack of connections

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.

## **Assessment**

### **1.2. Introduction**

- 1.2.1. I have examined the application details and all other documentation on file including planning history and I have inspected the site and have had regard to relevant local development plan policies and guidance.
- 1.2.2. I am satisfied the substantive issues arising from the grounds of this first party appeal relate to the following:
- Visual Impact/Overlooking
  - Compliance with Development Plan Policy
  - Response to the precedent examples identified by the appellant.

### **1.3. Visual Impact/Overlooking**

- 1.3.1. The subject proposal seeks to alter the existing unauthorised modifications which have been the subject of a previous application for retention refused permission by the Board under ref. no. ABP-314283-22.
- 1.3.2. The proposed alterations consist of forming a new gabled end to the existing dormer window at the side elevation of the subject property. The proposed alterations will increase the bulk of the dormer window on the side elevation increasing its visual prominence when viewed from street level.
- 1.3.3. The previous application for retention was refused on the basis that it was considered obtrusive and out of character with the host dwelling, the terrace group it forms part of and the visual amenities of the area.
- 1.3.4. The revised proposals do little to address the previous reasons for refusal and in contrast would serve to increase the extent to which the dormer windows impact on the host dwelling and the associated terrace as a result of its increase in size and bulk.
- 1.3.5. The planners report states the following with regards to the proposed modifications:  
*“The amended development will still remain an incongruous feature within the streetscape and more so with the formation of the new end gabled elevation which*

*emphasises the three storey nature of the development more than ever. The proposed amendments to the finishes - will not disguise the fact that this is a de facto third story development”.*

- 1.3.6. I agree with the above assessment and further note that the vertical emphasis of the proposed cladding in contrast to the existing horizontal roof tiles will have further negative impact on the remaining original roof planes.
- 1.3.7. Under the previous application the Board Inspector noted that a distinct third floor level to the rear with two clear glazed windows would give rise to unacceptable levels of overlooking of adjoining and neighbouring properties in its vicinity. In particular to the east and north east.
- 1.3.8. The revised proposals do not include any modifications to these windows and I agree with the assessment that they give rise to unacceptable levels of overlooking of adjoining and neighbouring properties in its vicinity including the rear gardens of 241 and 242 Phibsborough Road and rear gardens associated with properties at Royal Canal Bank.

#### **1.4. Compliance with Development Plan Policy**

- 1.4.1. In terms of policy, the proposed development is contrary to the provisions of Section 15.5.3, Table 18. Appendix 8 of the Dublin City Development Plan 2022-2028 (as outlined in Section 5.1 above) as the dormer windows proposed for retention and modification are over dominant in appearance, give the impression of a flat roof, and extend the full width of the roof right up to the gable end.
- 1.4.2. In addition it is considered that the proposed development for retention and modification will have an adverse impact on the scale and character of the existing dwelling and associated terrace, constitute an unacceptable visual impact on the streetscape, and will adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy and overlooking.

## **1.5. Response to the precedent examples identified by the appellant**

- 1.5.1. The appeal statement includes a number of examples of occurrences within the locality, where varying architectural styles with opposing roof profiles meet, including the adjacent four storey student accommodation building to the south of the subject property. A number of examples of extensions which increase the height of buildings by adding additional floors are also included.
- 1.5.2. In response it is noted that the majority of the examples provided are stand-alone buildings within a streetscape defined by a variety of roof profiles and do not form part of an identifiable terrace. The proposed examples are not considered as representing a like for like scenario.
- 1.5.3. Examples of dormer windows provided are in accordance with table 18. Appendix 8 of the Dublin City Development Plan 2022-2028.

## **10. Recommendation**

*On the basis of the above, I recommend that permission for the development be Refused for the following reason.*

### **Reasons & Considerations**

1. It is considered that the development sought for retention and modification under this application would be inconsistent with the provisions of the Dublin City Development Plan 2022-2028, Section 15.3.3 concerning Extensions and Alterations to Dwellings, and the design standards for such development under Volume 2 Appendix 18. The proposed development for retention and modification would be obtrusive and out of character with the host dwelling, the terrace group it forms part of and the visual amenities of the area, it would be inconsistent with the zoning objective pertaining to the site and its setting, that is to say 'Z1 – Sustainable Residential Neighbourhoods' which seeks "to protect, provide and improve residential amenities and by way of the undesirable precedent it would set for similar developments of this type. The

development sought under this application would therefore be contrary to 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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Name

*Planning Inspector/Senior Planning Inspector*

*Date: 12<sup>th</sup> May 2025*

## **Form 1**

### **EIA Pre-Screening**

<b>An Bord Pleanála Case Reference</b>	ABP-321339-24		
<b>Proposed Development Summary</b>	<i>Retention/permission: the development consists of an additional storey at second floor that is dormer roof extension that extends to the front, side and rear of the original roof. Planning permission is sought to modify the dormer extension to add a gable end and extend the ridgeline and change the finish of the dormer from render to standing seam metal cladding.</i>		
<b>Development Address</b>	243 Phibsboro Road, Dublin 7, DO7 AH5V		
<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>	x	
	<b>No</b>		
<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)?</b>			
<b>Yes</b>			Proceed to Q3.
<b>No</b>	x		Tick if relevant. No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>			Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	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)
<b>5. Has Schedule 7A information been submitted?</b>			
<b>No</b>	Tick/or leave blank	Screening determination remains as above (Q1 to Q4)	
<b>Yes</b>	Tick/or leave blank	Screening Determination required	

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

**Date:** \_\_\_\_19<sup>th</sup> March 2025\_\_