



An
Bord
Pleanála

Inspector's Report

ABP-322013-25

Development	Attic conversion including a new dormer to the rear and a new rooflight to the front and all associated site works.
Location	12 Shandon Crescent, Phibsborough, Dublin 7
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB2676/24
Applicant(s)	Ulrike and Rolan Vollmer & Gropmair
Type of Application	Permission.
Planning Authority Decision	Grant
Type of Appeal	First Party
Appellant(s)	Ulrike and Roland Vollmer & Gropmair
Observer(s)	Eileen McManus Siobhan Fay
Date of Site Inspection	28 th April 2025.

Inspector

Robert Keran

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1.0 Site Location and Description

- 1.1 The appeal site is located on the eastern side of Shandon Crescent. Shandon Crescent is a street of two storey dwellings. No. 12 Shandon Crescent is a mid-terrace house.
- 1.2 The appeal dwelling is two storeys, with a pebble dash external appearance with some red brick banding to the door and to window cills.

2.0 Proposed Development

- 2.1 The proposed development comprises of an attic conversion and a rear facing dormer window and front facing roof light.
- 2.2 The proposed dormer is triangular in shape and is proposed to be situated principally circa c.500mm below the ridgeline with a projection upwards bringing the top of the dormer to be in line with the existing ridgeline.
- 2.3 In terms of the rooflight, the dimensions of this as submitted with the application were 2000 x 1000 mm.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1 A notification of decision to grant planning permission was issued by Dublin City Council on the 7th February 2025. There was no request for further information before the decision was issued.

3.2 Conditions

- 3.2.1 The notification of decision was subject to no. 7 conditions.
 - Condition 1 requires the development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application and at further information stage.

- Condition 2 requires amendments to be submitted to and agreed in writing with the planning authority, such amendments being
 - The proposed front facing rooflight will be reduced in scale and shall be no greater than 750mm x 750mm
 - The rear dormer opes shall be fitted with permanently obscure glazing and shall be permanently maintained as such.
 - Any window openings proposed for the dormer shall be bottom hung inward tilting window sections Reason: In the interest of visual amenity and in order to safeguard the amenities of adjoining residential occupiers.
- Condition 3 requires that the attic space shall not be used for human habitation unless it complies with the current building regulations.
- Condition 4 relates to hours of construction.
- Condition 5 requires the development to comply with Codes of Practice from the Drainage Division, the Transportation Planning Division and the Noise & Air Pollution Section.
- Condition 6 relates to control of noise during construction and operation.
- Condition 7 requires development works and construction works to be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material.

3.3 Planning Authority Reports

3.3.1 Planning Reports

- The City Council's Planners Report of the 7th February 2025 resulted in a request for further information. The key points of the Planners Report are as follows:
 - The report finds that on balance, the proposed dormer does comply with the dormer guidelines set out in Appendix 18, Section 5 of the Development Plan 2022-2028, in that it allows a large proportion of the roof to be visible, has been set back from the ridgeline and eaves, however does not conform to the existing shape size and position of the existing windows to the rear.

- The report finds that the proposed dormer can only be considered acceptable with the provision that the windows are finished in obscure glazing.
- It is further stated that the main concern arises from the provision of the rear dormer windows and the precedent such a style of window will set. It is considered that the windows proposed are overbearing and infringing on the neighbouring dwellings providing a lateral view of numerous rear private amenity spaces.
- The report finds that in the event of a grant of permission the applicant shall be conditioned to ensure the rear glazing is fully obscure.
- The report finds that there is no objection in principle to a front rooflight, however the scale of the roof light is of concern. It is considered excessive for the front of the roof plane. It is noted there are only two other properties in the immediate vicinity with the provision of rooflights (which have the benefit of planning permission). Most recently permission was granted to number 29 (reg. ref. WEB1892/24) for one rooflight to be no wider than 550mm and 1 meter in length. The scale of the proposed rooflight is of concern and it is considered in the event of a grant of permission the rooflight should be scaled back to no greater.....
- It is further stated in the report that the use of the room would not be fit for habitable purposes.

3.4 Prescribed Bodies

- 3.4.1 A submission by TII (undated) states that the development falls within the area to which the Section 49 development contribution scheme for Luas Cross City applies, and requests that a condition to any grant requires the payment of a Section 49 levy under this scheme, unless the development is exempt.

3.5 Third Party Observations

- 3.5.1 There were no observations on the planning application.

4.0 Planning History

Appeal Site

4.1 There is no recent planning history on the appeal site.

Surrounding Area

- No 29 Shandon Crescent was granted planning permission in October 2024 under WEB1892/24 to convert the attic into a non-habitable storage space with dormer window and roof window to the rear roof along with roof windows to the front roof with all associated ancillary works.
- No 30 Shandon Crescent was granted planning permission in January 2024 under WEB1793/23 for the conversion of the existing house attic space to a bedroom & ensuite toilet, a roof dormer window to the rear elevation (east), a roof dormer window to the side elevation (south) & widening of an existing first floor window to the side elevation (south)
- No 27 Shandon Crescent was granted planning permission in August 2020 under Reg. Ref: 2972/20 for the addition of a flat roof dormer to the rear of the existing roof and associated internal alterations.

5.0 Policy Context

Development Plan

5.1 The operative Development Plan is the Dublin City Development Plan 2022 – 2028.

5.2 The following are the key provisions of the Development Plan relating to the appeal site and appeal:

- The subject site is located on lands zoned Z1 (Sustainable Residential Neighbourhoods), with a land use zoning objective 'To protect, provide and improve residential amenities'.
- The proposed development comprising of a residential extension is permissible in this zoning.
- Appendix 18 relates to 'Ancillary Residential Accommodation Alterations at Roof Level/ Attics/ Dormers/ Additional Floors' it is stated that the roofline of a building is one of its

most dominant features and it is important that any proposal to change the shape, pitch or cladding of a roof is carefully considered.

- It further states that alterations at roof level can include the conversion of an attic space and inclusion of dormer windows and that 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.
- In terms of attic conversions and dormer windows, it is further stated that the use of an attic space for human habitation must be compliant with all of the relevant design standards, as well as building and fire regulations.
- It goes on to state that dormer windows should complement the existing roof profile and be sympathetic to the overall design of the dwelling.
- It is also set out that the use of roof lights to serve attic bedrooms will be considered on a case-by-case basis and that the proposed scale of the roof should retain similar proportions to the building where possible.
- Further specific criteria for attic conversions and dormer windows are included. Amongst these are:
 - Be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.
 - Relate to the shape, size, position and design of the existing doors and windows on the lower floors.
 - 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.

5.1. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

- 5.1.1 There are no specifically relevant policies or objectives in national or regional guidance for a development of this type and scale.

5.2. Natural Heritage Designations

- 5.2.1 The appeal site is located at 12 Shandon Crescent, Phibsborough, Dublin 7, approximately 3.3 kilometers to the west of South Dublin Bay and River Tolka Estuary SPA.

6.0 EIA Screening

- 6.1 The proposed development is not a class for the purposes 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.

7.0 The Appeal

7.1. Grounds of Appeal

- 7.1.1 There is a first party appeal against Condition 2 of the notification of decision to grant permission by Dublin City Council.
- 7.1.2 In terms of condition 2(a), the appeal includes a revised drawing which offers a rooflight to the front of 1500 x 950mm, which the appellant states is in line with precedents in the surrounding area.
- 7.1.3 The appellant states that condition 2(b), which requires that the dormer be fitted with permanently obscure glazing, is overly onerous. It is stated that the design intent of the dormer set at 45 degrees to the main house axis is to open the attic space to the oblique views towards Glasnevin and the skyline generally, and that the geometry of the dormer encourages views up to the sky and not down towards the adjoining gardens. The appellant proposes the use of external louvres on the south-eastern side of the dormer and

permanently obscure glazing to both dormer faces up to a height of 1500mm from the attic finished floor level. This approach is illustrated on drawings submitted with the appeal, and 3D views of same.

- 7.1.4 With regard to condition 2(c), the appellant states that the attic is proposed to be habitable and will need to comply with Building Regulations. It is stated that in order to comply with Building Regulations, a means of escape with openable sections is required and as such the openings need to be side hung. The windows are also required to be side hung to allow for maintenance.

7.2 Applicant Response

- 7.2.1 Not applicable.

7.3. Planning Authority Response

- 7.3.1 There is no response on file from the local planning authority.

7.4. Observations

- 7.4.1 There are 2 no. observations on the appeal.

- An observation by Eileen McManus of a neighbouring property on Shandon Crescent is of the view that the proposed dormer window will negatively impact on her property by way of overlooking of her garden to the front of the house. It is further stated that the dormer is out of character and will negatively impact on property values.
- An observation by Siobhan Fay of a neighbouring property on Shandon Crescent acknowledges the amendments required to the development by way of condition 2 of the notification of decision to grant, and welcomes same. The observer supports the condition in terms of visual amenity, to safeguard amenities of adjoining residential occupiers, to control direct overlooking to neighbouring front gardens and rooms to the front of neighbouring houses, to protect privacy, and in the interests of not setting an undesirable precedent.

7.5. Further Responses

7.5.1 There are no further responses.

8.0 Assessment

8.1 I consider the main issues in determining this appeal are as follows:

- Principle of development
- Character, Design and Impact on Residential Amenity

8.2 Having regard to the nature of the condition the subject of the appeal, which in my view relates to elements which are central to the proposed development, namely the rooflight and the dormer window, I am satisfied that it is appropriate to consider the application de novo in this instance.

Principle of Development

8.3 The appeal site is located on lands zoned Z1 (Sustainable Residential Neighbourhoods), with a land use zoning objective 'To protect, provide and improve residential amenities'. It is located in an existing residential estate.

8.4 Having regard to the above, the principle of extension (to the attic space) and alterations associated with the existing residential use is accepted within this zoning objective subject compliance with other policies, objectives and standards of the Dublin County Development Plan 2022-2028.

Character, Design and Impact on Residential Amenity

8.5 The proposed development manifests itself externally in the form of a front rooflight and a rear dormer. I deal with each in turn below.

8.6 In terms of the rooflight, the dimensions of this as submitted with the application were 2000 x 1000 mm. Condition 2(a) of the notification of decision to grant states that "the proposed front facing rooflight will be reduced in scale and shall be no greater than 750mm x 750mm". The reason for this condition was concern that the size of the rooflight would be excessive for the front roof plane. Both observers appear to be concerned with overlooking to the front, but cite the dormer to the rear as the concern. That aside, I am not concerned about

overlooking from the proposed front rooflight, given its angle consistent with the plane of the roof. There is no opportunity for overlooking to the front.

- 8.7 In terms of character and context, there are a large number of rooflights to rear roof planes in the area, but not many to front planes. For a plot width of circa 6 metres, a rooflight of 1 metre in width does not appear excessive to either the scale of the roof, the overall dwelling nor to the surrounding area. However, combined with the height of 2 metres given an overall area of 3 sq.m, it is my view that the roof light is relatively large and would dominate the roofspace. I note that the appellant offers a reduced size rooflight in the first party appeal. I further note that Condition 2 of October 2024 grant of planning permission at No 29 Shandon Crescent under WEB1892/24 to convert the attic into a non-habitable storage space with dormer window and roof window to the rear roof along with roof windows to the front roof restricts the development to one rooflight to the front, to be no wider than 550mm. A reduction to 550mm would be excessive in my view and on balance therefore, I find that Condition 2(a) should be amended to permit a rooflight of 1500 x 950mm.
- 8.8 In terms of the proposed rear dormer, it is accurate to say that this is of a novel design. The appellants explanation of the design intent for the dormer, as set out in the first party appeal, is noted and understood, and has some merit in terms of the occupier in terms of views and vistas. However, there are two concerns with the dormer.
- 8.9 The first is with the scale relative to the roofscape. Notwithstanding that it is to the rear plane of the roof, I find that the dormer appears dominant to the roof and contrary to the guidance set out at Appendix 18 of the City Development Plan which states that a dormer window should complement the existing roof profile and be sympathetic to the overall design of the dwelling. This is not to discourage design innovation, such as that proposed, however the scale and design of the proposed dormer is considered to be out of character with the dwelling itself, and the wider area. Again, with reference to Appendix 18 of the City Development Plan, it can also be said that the proposed dormer would not be visually subordinate to the roof slope. In this respect, I do not agree with the conclusion of the local planning authority that the scale of the proposed dormer window is acceptable. Having regard to the above, I recommend that permission be refused for the proposed dormer window.
- 8.10 The second issue is overlooking. By attempting to provide a positive vista for occupiers of the attic, the design delivers splayed windows which provide the opportunity for direct overlooking of neighbouring rear gardens. In the event that the Board is minded to grant

permission for the dormer, I find that the windows should be opaque and in this respect condition 2(b) as attached to the notification of decision to grant should be retained. For the same reason I find that condition 2(c) as attached to the notification of decision to grant should be retained, as it ensures that window opening is controlled in a manner which does not allow for overlooking of neighbouring properties.

- 8.11 In coming to the above conclusions, I have had regard to the appellants submission including the alternative design solutions offered. The principal issue, as set out above, relates to the massing and scale of the dormer and as such the issue cannot be addressed by reason of variations in clear and opaque glazing as offered by the appellant. Notwithstanding this, I would have concerns that the solution offered in part by way of external louvre would only add to the complexity of the design and further exacerbate the concerns relating to scale and character.
- 8.12 Having regard to all of the above, it is recommended that planning permission be granted with revised conditions as set out above.

Other Matters

- 8.13 I note that both the appellant and the City Council Planners Report refer to building regulations, including in the context of the use of the attic. I see no reason in planning terms to restrict the use of the attic to non-habitable. The issue of compliance with Building Regulations will be evaluated under a separate legal code and thus need not concern the Board for the purposes of this appeal.

9.0 AA Screening

- 9.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The subject site is located at 12 Shandon Crescent, Phibsborough, Dublin 7, approximately 3.3 kilometers to the west of South Dublin Bay and River Tolka Estuary SPA.
- The development comprises permission for extension and alteration to an existing dwelling
 - No nature conservation concerns were raised in the planning appeal.
- 9.3 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:

- The small scale and minor nature of the development
- The urban location in an existing residential area
- The distance to the nearest European site and lack of pathways between the development and the European Site.
- Taking into account screening determination by Dublin City Council.

9.3 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.

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

10.0 Recommendation

10.1 I recommend that permission be granted with conditions.

11.0 Reasons and Considerations

11.1 Having regard to the provisions of the Dublin City Development Plan 2022-2028, in particular the zoning objective and Appendix 18 relating Ancillary Residential Accommodation, Alterations at Roof Level/ Attics/ Dormers/ Additional Floors', and the nature, scale and design of the proposed development, it is considered that, subject to compliance with the conditions below, the development would not impact on adjoining structures or on the amenities of adjoining properties, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 9th December 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 development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
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2	<p>The proposed development shall be amended as follows:</p> <p>(a) The rear dormer shall be omitted. (b) The proposed front facing rooflight will be reduced in scale and shall be no greater than 1500mm x 950mm</p> <p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of [visual] [and residential] amenity</p>
3	<p>The entire dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.</p> <p>Reason: To prevent unauthorised development</p>
4	<p>The site development and construction works shall be carried out in such a manner as to ensure that the adjoining streets are kept clear of debris, soil and other material and cleaning works shall be carried on the adjoining public roads by the developer and at the developer's expense on a daily basis.</p> <p>Reason: To protect the residential amenities of properties in the vicinity.</p>
5	<p>Site development and building works shall be carried out only between the hours of 7.00am to 7.00pm Monday to Friday inclusive, 8.00am to 2.00pm Saturdays and no works permitted on site on Sundays and public holidays. Deviations from these times will only be allowed in exceptional circumstances where prior written approval has been obtained from the Planning Authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</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.

Robert Keran

30th April 2025

Appendix 1 - Form 1
EIA Pre-Screening

Form 1

EIA Pre-Screening

An Bord Pleanála	ABP-322013-25		
Case Reference			
Proposed Development	Attic conversion including a new dormer to the rear and a new rooflight to the front and all associated site works.		
Summary			
Development Address	12 Shandon Crescent, Phibsborough, Dublin 7		
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	✓
		No	
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			Proceed to Q3.
No	✓		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			

No			
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	✓	
Yes		

Inspector: Robert Keran

Date: 23rd April 2025

