

To: The SECRETARY,
An Coimisiun Pleanala
64 Marlborough Street,
Dublin 1
D01 V902

Colman & Nicola Mac Cionnaith
17 Rosmeen Park
Dun Laoghaire

Re Planning Application Ref; D26A/0481

Proposed Development letter of Appeal to An Coimisiun Pleanala

1. Demolition of Existing rear Single storey extension & Conservatory at 18 Rosmeen Park, Dun Laoghaire, Co. Dublin
2. Construction of New Single storey 31.8m² rear extension
3. Conversion of existing attic space with New Dormer extension to rear & front of existing semi-detached 2 storey dwelling totalling 67.8m² together with velux windows to the front. All together with associated site works and services connections necessary to complete this development

Dear Sir, Madam,

My wife and I wish to appeal the Decision by Dun Laoghaire County Council to Grant Permission for the above. We attached herewith a cheque in the sum of €220, being the appropriate fee for making this appeal. We also include a copy of the acknowledgement letter of our original observation submission from DLRCC.

We own and live in No.17 Rosmeen Park, immediately adjoining No.18, the application site, forming the 2nd half of this semi-detached house and sharing a party wall and roof to the proposed development. This development has an enormous impact on our house.

We are very disappointed with the Local Authority decision, who appeared to have ignored most of the points we had raised in our observation letter and would ask the Board to take the following into account;

In the 1st instance we have no objection in principle to our neighbours extending their house on the ground floor or for that matter, into the attic roof space.

Whilst we believe that the dormer window to the front is out of context with the rest of the street, it is relatively small in scale in comparison with what is being described as a "dormer" window to the rear. In contrast, the rear extension to

the roof is not a “dormer” window. It is disproportionate in scale, rising vertically, directly from the back wall and our party wall, and springs directly from the existing ridge line. It is effectively a full additional 3rd storey to the house with a small ill-considered gap to the south side of the roof on the opposite side of our party wall.

Planner’s Report conflicts:

The Planner’s report is contradictory, as it states on P.8;

Having regard to *Section 12.3.7.1 Extensions to Dwellings, (iv) Alterations at Roof Attic Level* of the Dun Laoghaire Rathdown County Development Plan, “

“Dormer extensions should be subordinate to the existing roof profile and should not read as an additional storey or detract from the character of the dwelling or streetscape and *dormer extensions shall be set back from the eaves, gables and/or party boundaries*”

This may be applicable to the front dormer window which aligns with the criteria but is entirely contradictory to the rear extension dormer size and profile. It is certainly not subordinate to the existing roof as it leaves none of the existing roof visible, other than a small un-dimensioned width to the south gable (which varies in width from the plans and elevations) and is most definitely not set back from the eaves; gable (our party wall) or the ridge.

Dimensions

The Planners Report continues on P.8 with reference dimensions to both front and rear “dormers” that do not correspond with dimensions shown on the plans, elevations or sections submitted. The Planning Report does not make reference whether the dimensions being stated are internal or external.

The height internally to the dormer is shown on the drawings at 2.4m and therefore assume that the c.2.55 and 2.58m height stated is an external dimension. On this basis, the other dimensions stated as also being external, do not correspond with dimensions on drawings. If the dimensions are taken as internal, there are equally numerous discrepancies, raising doubt about the accuracy of drawings or stated dimensions which are being used in Condition No.4 of the Decision to grant.

The front dormer is stated as c 3.16m in width yet the dimensions on drawings show the external width as 2.6m for the dormer (c.1.8m internal) or 5.147m internally within the sloping pitch of the roof excluding the c.1m wide stairs. This leads to question the accuracy of drawings or stated dimensions and the Planner’s interpretation.

The depth of the front dormer is stated as c.3.35m, noting that dimensions on the roof plan are not legible, opening to question and interpretation when being built. Assuming the depth dimension referred to is from the central ridge line to the front wall of the dormer, the dimension would correspond with the internal dimensions given on drawings, leading to question whether dimensions quoted are internal or external.

The dimensions to the rear, supposed, “dormer” is even more questionable. The height as noted above would lead to the dimensions being stated as external.

The width is stated as c.5.2m yet there is no dimension shown on the drawings for the roof void space to the south of the “dormer” to establish this. Internally the cumulative dimension is 5.06m with a 402mm external wall thickness as for the front dormer, giving an external dimension of 5.87m. Neither dimension corresponds with the stated width. We cannot find a dimension for the depth of the rear “dormer” at c.4.09m other than what might be on the roof plan where the dimensions are illegible as mentioned previously.

In addition to the dimensions query, the width is stated as being “*positioned on the boundary of No.17 Rosmeen Park’s roof plane*” in the Planner’s Report. This is equally questionable as the plans and elevations do not correspond. The “dormer” to the rear is asymmetrical, being off to one side and bearing down on the party wall of No.17 with insufficient width for the construction of a 402mm external wall thickness shown for the front dormer. This is not possible to correspond with the plans or elevations shown in their different alignments.

Condition No.4 of the decision does not address this matter with any clarity as 20cm (4inches) is of no consequence to allow this to be constructed without affecting the party wall and is visually insignificant to have any impact on the 3-storey impact over No.17

The Planner’s report goes on to say that “*both dormer sections are shown to be set down from the ridge line of the existing roof*”. This is not the case, as the section clearly shows the dormer to the rear springing from the ridge line and does not show the front dormer at all (this is also incorrect as the section should show the new sky-light and at least indicate the outline of the front dormer to reflect the true profile of what is being proposed.) The elevations also show the dormers springing from the ridge line as both should be to a fall as indicated on the section.

We note at this point that there is no indication of rainwater pipes for either the main roof or the dormers that will have an impact on the visual appearance of the dormers.

This application should have been invalidated on the above discrepancies alone.

The Planning Report further refers to the fact that “*the rear dormer extension is not set in from the eaves*” yet makes no reference to correcting this to align with Section 12.3.7.1 and providing for setting back the dormer from the eaves as it should. This will have an enormous effect on the imposing vertical height of the extension and should be set back at least 1m to have any impact. No reference has been made in the Planners Report on this and at the very least should be part of the Conditions if granted.

The planner’s Report refers to overlooking from a boundary that is 25m away with windows in the same position on the 1st floor as the new windows to the additional 3rd storey proposed. The increase in height creates an overlooking situation within the 16m opposing windows distance where the 1st floor windows did not look down into the ground floor habitable room due to the low angle where the new storey height means that there will be direct overlooking into our living kitchen dining space.

We note that the Planner's Report states that the "*dormer extensions are proposed to be finished in render to match the existing dwelling*"

This is entirely incorrect as the elevations show zinc cladding. Zinc does not appear anywhere else on the street elevations and is out of context and character with the rest of the dwellings. Whilst zinc might be seen as an appropriate material for a dormer where it sits within a tiled roof matching the rest of the roofscape, it is not appropriate to have the entire roofscape altered for the full width and height of one house in the context.

Condition No.4 is wholly inadequate in addressing the above issues.

If An Coimisiún Pleana were to consider granting permission for this development, Condition No.4 should be clarified to describe more accurately a significant reduction in the size of the extension to the roof to align with *Section 12.3.7.1 Extensions to Dwellings, (iv) Alterations at Roof Attic Level* of the Dun Laoghaire Rathdown County Development Plan.

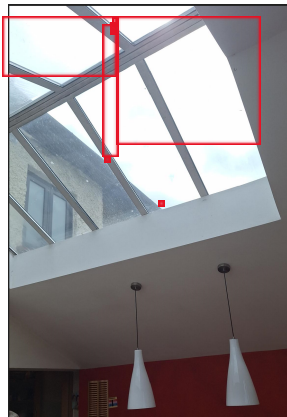
The dormer part of the rear roof should be similar to the character of the front dormer, where it set back from the eaves, should be stepped down from the ridge, and should be set in equally on both side of each gable party wall to sit comfortably within the slope of the existing roof plane (not overtake it).

The dormer should not be pushed to one side where it impacts unfairly on one neighbour over another on the opposite side. Dimensions should be specific to being external, with at least 1.2m distance externally from the party wall as indicated on rear elevation drawings submitted for the south side of the dormer (this is similar to the distance shown for the front dormer) The dimensions should be to the inside face of the party wall to avoid any disruption to the structure or roof tile finish to No.17.

We would equally like An Coimisiún to consider our original submission below which may repeat some the points raised above;

1. The rear windows to the new 3rd floor of the described "dormer" window of No.18 overlooks directly down into the roof light window of our ground floor rear extension of No.17. This ground floor room is a habitable room and the main living, dining, kitchen of the house, in use at all times of the day.

As can be seen from the below photo, the current rear window to No.18 at 1st floor level does not have an overlooking issue into the rooflight window of No.17 as it is too low to have any direct visual line of sight, but with an additional 3rd storey, the rear windows will look down into the main living space of No.17 impinging on their privacy both during the day and night.



No.17 Roof Window
roof added



No.17 rear extension looking toward No.18 before 3rd storey

Noting above photos in the **RED** line, the additional 3rd floor will be towering over this room on the south side of our house impacting the sunlight and daylight we enjoyed, and de-valuing our property.

2. The described “dormer” window to the rear of No.18 is not a dormer window, as it is nearly the full width of the rear of the house, running from the party wall of No.17 gable boundary to just short of the far gable wall of the existing roof of No.18 and also sits on the rear wall of No.18, rising vertically 3 storeys to the rear elevation onto the garden. (it raises the question why this supposed “dormer” does not extend the full width of the applicant’s house rather than imposing on the neighbour’s boundary). The “dormer” also springs from the existing ridge level, forming a full storey height above the eaves for the full depth of the rear pitch and nearly the full width of the house.

This effectively is a 3-storey structure onto the rear gardens of all surrounding houses, inappropriately out of scale and overshadowing the rear gardens and blocking sunlight, particularly on the south side of the garden of No.17.

A dormer window would typically be set back from either gable end of a roof and would be set back a distance from both the rear wall at low level and from the ridge at high level, thus creating a roofscape appropriate to the existing context both visually and for privacy.

We understand that a dormer window would be what is shown to the front of No.18 which is more in scale, creating a roofscape appropriate to the existing context. Whilst the dormer window to the front elevation is more acceptable in treatment, it is not in keeping with any other of the front of the houses and would set an undesirable precedent for other houses to follow suit.

3. the drawings submitted in the application conflict with each other, as the supporting wall of the 3rd floor forming the supposed “dormer”, sits on the shared party wall between No.18 and No.17, whereas the roof plan shows the gable wall of the 3rd floor “dormer” window sitting inside the shared party wall and does not align with the plan below.

The rear elevation of the alignment of the 3rd storey shows the supposed “dormer” aligning with the central line of the shared party wall in conflict with plans at both the 3rd storey and the roof plan noted above.

4. Apart from the misinformation related to the party wall alignment, there is a construction problem with how this can be built and a legal issue with building over another party’s property line without permission regardless of what DLRCC grant permission for.
5. The roof plan shows a small, un-dimensioned gap between the 3rd storey “dormer” roof edge to the south and the adjoining 3rd storey roof “dormer” of the house as granted planning permission Ref. No.D25A/0441 (not built) whereas the rear elevation shows a conflicting wider gap approx. 3 times the width shown on the roof plan. In the absence of dimensions and alignment, this is very misleading.
6. The impression given with the planning application showing the adjoining permission as granted is misleading as if it were built, whereas the application should be submitted reflecting the existing condition, with no new house in place in order that any permission being sought could stand in its own right if the new house was not to be built.
7. Whilst the dormer window, correctly described as such, to the front elevation is more acceptable in treatment, it is not in keeping with any other of the front of the houses and would set an undesirable precedent for other houses to follow suit
8. The elevations do not show the material finish for all elevations for the supposed “dormers”, particularly for the roof and whilst it would be assumed to be zinc as noted on only one elevation the others are open to interpretation and could be in any unacceptable material.
9. The roof profile of the front dormer and the rear dormer is different on the front and rear elevations and yet the side elevations show them to be consistent which is not possible.
10. The side elevation facing south is incorrect as it does not show the dormer to the front on No.18 which would be visible on this elevation and effectively diminishes the impact of the extended roof profile on both sides
11. Lastly; the section provided whilst correct in the location chosen, does not show the full impact of the 2 roof extensions both front and back making the existing 2-storey house, currently in scale with its neighbours, into effectively a 3-storey building dominating the immediate neighbours and out of scale in the context.

The application should be rejected on the basis of the misinformation submitted but if the Planning Authorities see fit to have the errors in information corrected in a request for additional information, the application should still be refused on the basis of the dominant over-powering scale to the rear of the house that will overlook our living dining kitchen and diminish our privacy and the daylight impacted on No.17

For all above reasons, permission should be refused

Yours faithfully,

Colmán Mac Cionnaith & Nicola Jackson