An Coimisiún Pleanála

Commission Order
ABP-323021-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: FW25A/0170E

Appeal by Daniel Clare care of RKAD Architects of First Floor, Unit 4, Dunboyne Business Park, Dunboyne, County Meath against the decision made on the 17th day of June 2025 by Fingal County Council to grant permission, subject to conditions, in accordance with plans and particulars lodged with the said Council.

Proposed Development: Construction of a single storey extension to the rear of the existing two storey detached dwelling comprising kitchen, dining and family area, a first-floor extension to the rear extending the existing bedrooms, increase in height of the existing first floor bedrooms to the side along with the extending of the existing entrance at ground floor level. Permission is also sought for the widening of the existing vehicular access and extension of the dishing of the existing kerb along with all other ancillary site development works, at 6 College Grove, Castleknock, Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first

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instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. The design of the extension to the east shall be amended so that it accords with the following requirements:

   (i) The front portion (approximately two-thirds) of the flat roof element on the two-story extension to the eastern side of the dwelling shall be redesigned to incorporate an A-profile pitched roof. The new pitched roof over this part of the extension shall run perpendicular to, and tie into, the existing main roof.

   (ii) The eaves and roof ridge levels of the redesigned eastern extension shall not exceed the corresponding eaves and ridge levels of the existing dwelling.

   (iii) The angle of the roof slope over the extension shall be consistent with the roof slope of the exiting dwelling.

   (iv) The remaining rear portion (approximately one-third) of the extension roof shall be designed as a flat roof element.

   Revised plans, elevations and sections reflecting the amended design, including all changes required under this condition, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of the development.

   Reason: In the interest of visual amenity ad to ensure that the development integrates appropriately with the existing house.

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Reasons and Considerations

Having regard to the residential land-use zoning of the site, the architectural character of dwellings within College Grove, it is considered that the proposed amendments to the existing eastern side extension, as revised by condition, are acceptable. By reason of the limited scale, form and design, and location of the extension and host property, the proposed development would integrate appropriately with the existing dwelling and would not detract from the character or visual amenity of the host property or other dwellings in the surrounding area. It is further considered that the proposed development, as conditioned, would not seriously injure the residential amenities of adjacent properties or of the area by reason of overlooking, overbearing impact, or loss of privacy. In arriving at its decision, the Commission had regard to the alternative design principles offered by the first party as part of the appeal. The Commission concluded that the inclusion of Condition number 2, as amended, would ensure a suitable architectural response to the redevelopment and extension of the dwelling and would, therefore, be in accordance with the proper planning and sustainable development of the area.

In disagreeing with the Inspector's recommendation to remove Condition number 2 attached by the planning authority, the Commission firstly concurred with the Inspector that the need for housing to be adaptable to changing family circumstances is recognised in Section 14.10.2 (Residential Extensions) of the Fingal Development Plan 2023-2029. The Commission noted the Inspector's view that the proposed development would impact upon the character and form of the existing dwelling and would be inconsistent, to some extent, with the architectural expression of the dwelling. The Inspector, however, considered that the overall design approach was acceptable. The Commission had concerns regarding the design, in particular the raised ridge and flat roof element at this level above the eaves of the host dwelling. The Commission considered that this element would not successfully integrate with the host dwelling, contrary to the requirements of Section

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14.10.2 of the development plan. In this regard, the Commission did not share the Inspector's view or recommendation to remove Condition number 2. The Commission noted, however, that the appellant referenced alternative design precedents for house redevelopments and extensions previously permitted by the planning authority. Having reviewed the relevant planning history, the Commission was satisfied that while the appellant did not submit a specific alternative design for the subject dwelling extension to the east, the design principles outlined in the appeal documentation by reference to examples of similar proposals permitted by the planning authority, would, if developed, result in an appropriate form and design of this extension that would successfully integrate with the host dwelling and respect the character of the surrounding houses within College Close. Accordingly, the Commission decided to direct the planning authority to amend condition number 2.

Patricia Calleary

Patricia Calleary
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 09 **day of** October **2025**