



An
Bord
Pleanála

Inspector's Report ABP-300530-17

Development	Single storey extension to rear of existing house, new raised roof to accommodate a master bedroom, construction of a house, alterations to existing access, boundary walls and all associated works.
Location	Cooltray, Carrickbrack Road, Sutton, Dublin 13, D13 RV09.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F17A/0601
Applicant(s)	Martin Dufficy of Denali Holdings Ltd.
Type of Application	Permission
Planning Authority Decision	Grant
Type of Appeal	Third Party
Appellant(s)	Ree and Michael Cullen
Observer(s)	None
Date of Site Inspection	23 rd March 2018
Inspector	Niall Haverty

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.08 ha, is located on the southern side of Carrickbrack Road (R105), c. 1km south east of Sutton Cross which is the main village centre for Sutton. While the address of the property is Sutton, it is located on the Howth Peninsula, with Dublin Bay located c. 100m to the west.
- 1.2. The site is irregularly shaped, and currently accommodates a detached single storey cottage style house with a dashed finish, pitched slate roof, projecting porch and detached garage structure. A number of mature deciduous trees, coniferous trees and hedging are located along the roadside boundary and there is no footpath in front of the property, in contrast to the adjacent properties to east and west.
- 1.3. The adjacent houses to east and west comprise detached dormer style bungalows of differing designs, and the wider Carrickbrack Road area comprises a mix of house types and sizes.
- 1.4. A laneway runs to the rear (south) of the appeal site, with an opening into the site. On the date of my site inspection there were a variety of construction materials and construction fencing within the site.

2.0 Proposed Development

- 2.1. The proposed development, as described in the statutory notices, consists of:
 - Construction of a single storey extension with associated roof light to the rear of the existing single storey bungalow and demolition of an existing blockwork shed to the rear.
 - The construction of a new raised roof with associated dormer and 2 No. roof lights to accommodate a master bedroom suite to the existing single storey bungalow.
 - The construction of a detached 4 bedroom dormer bungalow comprising two levels of accommodation with 2 No. roof lights and 2 No. dormers.
 - The relocation of the existing vehicular access and provision of one new vehicular access onto Carrickbrack Road.

- A new 1.8m wide footpath to Carrickbrack Road with the removal of boundary trees to accommodate the new footpath.
 - Modifications to boundary walls, removal of the existing vehicular access to the rear boundary lane, all landscaping works, boundary treatments and all associated site works.
- 2.2. The existing house has a stated gross floor space of c. 102 sq m, which would increase to 137 sq m as a result of the proposed development. The proposed new house would have a stated gross floor space of c. 177 sq m.
- 2.3. The application was accompanied by a cover letter addressing planning matters, an Environmental Services Report, and a letter of consent from the landowner, Tumstone Investments Ltd.

3.0 Planning Authority Decision

3.1 Decision

- 3.1.1. Fingal County Council decided to grant planning permission and the following summarised conditions are noted:
- C4: The proposed development shall be amended as follows:
 - Reduce ridge height of the gable fronted portion of the proposed dwelling by 500mm and alter the roofslope accordingly.
 - Reduce ridge height of proposed pitched roof over the existing dwelling by 500mm and alter the roofslope accordingly.
 - Rooflight to rear roofslope of existing dwelling to be opaque.
 - Front boundary walls to be set back by c. 400mm to align with boundary walls of Gypsy's Acre and Casablanca.
 - C5: Specified boundary hedgerow and tree planting.

3.2 Planning Authority Reports

- 3.2.1. The Planning Officer's report can be summarised as follows:

- Proposed development is acceptable in principle within the zoning objective for the area.
- The roof is 'top heavy', in light of the increased floor level to minimise flood risk, and should be reduced in height. Roof height could be lowered without compromising the achievement of habitable space in the first floor bedrooms.
- Proposed dormer window on the front of the proposed dwelling is large but is not considered to be a dominant feature and is acceptable.
- Proposed alterations to existing house are appropriately sized and designed.
- Both the proposed dwelling and renovated cottage comply with Development Plan requirements in terms of minimum floor area, room sizes, private open space and side separation distances.
- With regard to the separation distance with Gypsy's Acre, it is noted that the existing extensions extends to the boundary wall and the proposed extension is in the same location. The small increase in height is not considered to create an overbearing structure and there is no change to the separation distance.
- No overlooking is generated. Rooflight serving landing area should be opaque.
- There is sufficient separation distance to avoid significant overlooking or overshadowing to the adjacent property to the north.
- Replacement trees should be planted in accordance with Objective DMS84.
- The retention of the existing rubble stone wall within the site will avoid any works in the root zone of the adjacent trees within Gypsy's Acre. A condition to hoard this wall during construction should be included.
- With regard to the boundary wall with Casablanca, the issue of encroachment and oversailing is a civil matter.
- Footpath will improve connectivity and pedestrian movement, but Planning Authority is concerned that the link with the existing footpaths is staggered and the boundary should be set back to align with the adjacent properties.

- Finished floor level of proposed dwelling is at 4.0m OD Malin to minimise the risk of flooding, and Water Services Section has no objection subject to conditions.
- CCTV survey of existing 225mm foul sewer should be undertaken to ensure no other connections are plumbed into it.
- Proposed development would not give rise to any significant adverse direct, indirect or secondary impacts on the integrity of any Natura 2000 sites.

3.3. Other Technical Reports

3.3.1. Water Services Section:

- No objection, subject to conditions.

3.3.2. Transportation Planning Section:

- No objection, subject to conditions.

3.3.3. Parks Planning Section:

- No objection, subject to conditions. (Special contribution in lieu of public open space and replacement hedgerow).

3.4. Prescribed Bodies

3.4.1. Irish Water:

- No objection.

3.5. Third Party Observations

3.5.1. Four third party observations were made. Two observations were in support of the proposed development and two objected to it. The issues raised in the observations objecting to the proposed development were generally as per the appeal, as well as the following:

- Proposed footpath is narrower than existing footpaths at neighbouring properties. This inconsistency will produce a disjointed effect and look out of place.

- The size of the roof and overall height of House 2 is excessive. This could be reduced with use of 8 foot ceilings and reduced ground floor level.
- The raised ground level is not accurately represented in relation to Casablanca on the front elevation drawing. The actual ground level of Casablanca is lower than shown.
- Proposed dormer window of House 2 is excessive and out of keeping.
- The existing wall between the site and Casablanca is not a boundary wall. It was constructed by the owners of Casablanca entirely on their property. Any wall would need to be amended to locate it entirely on the appeal site.

3.5.2. The two observations in support of the proposed development noted the provision of a footpath and a commitment by the applicant not to use the rear laneway for construction or use by the future occupants of the houses.

4.0 Planning History

4.1. Appeal Site

4.1.1. **Reg. Ref. F98A/1056:** Permission refused for a house due to deficient private open space provision and visual impact of a two storey house.

4.2. Surrounding Area

4.2.1. **PL06F.128348 (Reg. Ref. F01B/0555):** Permission granted in 2002 to raise existing roof to form two dormer bedrooms and bathrooms at Gypsy's Acre.

5.0 Policy Context

5.1. Fingal Development Plan 2017 – 2023

5.1.1. The appeal site and surrounding area are zoned 'RS', Residential, under the Fingal Development Plan 2017-2023. This zoning objective seeks to provide for residential development and protect and improve residential amenity. The 'Vision' for the zoning objective is to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity.

5.1.2. An indicative cycle/pedestrian route is indicated along Carrickbrack Road in front of the site. The zoning map includes an objective to preserve views along Carrickbrack Road, and the site is also located within an area identified as a 'Highly Sensitive Landscape'.

5.1.3. Strategic Policy 6 of the Development Plan seeks to consolidate development and protect the unique identities of a number of settlements, including Sutton. Sutton is also identified as a 'Consolidation Area' within the Settlement Strategy for Fingal. The Development Plan includes the following Objectives in respect of such areas:

- **SS15:** Strengthen and consolidate existing urban areas adjoining Dublin City through infill and appropriate brownfield redevelopment in order to maximise the efficient use of existing infrastructure and services.
- **SS16:** Examine the possibility of achieving higher densities in urban areas adjoining Dublin City where such an approach would be in keeping with the character and form of existing residential communities, or would otherwise be appropriate in the context of the site.

5.1.4. The development strategy for Sutton is to strengthen and consolidate the role of the existing centre while promoting the retention and provision of a range of facilities to support the existing and new populations. This is supported by the following Objective:

- **SUTTON 1:** Improve and consolidate the village of Sutton including the retention and protection of local services.

5.1.5. Chapter 3 of the Development Plan relates to Placemaking and the following Objectives are noted:

- **PM39:** Ensure consolidated development in Fingal by facilitating residential development in existing urban and village locations.
- **PM41:** Encourage increased densities at appropriate locations whilst ensuring that the quality of place, residential accommodation and amenities for either existing or future residents are not compromised.
- **PM44:** Encourage and promote the development of underutilised infill, corner and backland sites in existing residential areas subject to the character of the area and environment being protected.

- **PM45:** Promote the use of contemporary and innovative design solutions subject to the design respecting the character and architectural heritage of the area.
- **PM64:** Protect, preserve and ensure the effective management of trees and groups of trees.

5.1.6. Chapter 12 of the Development Plan sets out development management standards, and the following Objectives are noted:

- **DMS28:** A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy. In residential developments over 3 storeys, minimum separation distances shall be increased in instances where overlooking or overshadowing occurs.
- **DMS29:** Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units.
- **DMS39:** New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.
- **DMS44:** Protect areas with a unique, identified residential character which provides a sense of place to an area through design, character, density and/or height and ensure any new development in such areas respects this distinctive character.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A third party appeal was submitted on behalf of Ree and Michael Callan of Gypsy's Acre (the property adjoining the appeal site to the west) by PMK Architects. The grounds of appeal can be summarised as follows:

- The appellants were led to believe that the existing bungalow was being demolished and replaced by a dormer bungalow towards the centre of the site.
- Proposed provision of two houses is overdevelopment of a small site.
- All existing properties have considerable space surrounding them. One dormer bungalow would be sufficient for this site.
- The existing bungalow is set back from the boundary to form a side passage. The proposed extensions would be tight against the shared boundary wall. There should be a distance commensurate with the distance between the second new built and the existing neighbouring property.
- Appellants are concerned that the existing mature trees of Gypsy's Acre will be affected.
- Drawing showing how close the raising of the roof, as proposed, would be to the appellants' house are attached. Plans supplied to Fingal included an inaccurate drawing of the front elevation.
- Increasing the height of the roof would overlook appellants bungalow with windows directly looking into their kitchen, breakfast area and dining room, thereby invading their privacy.
- Rear velux rooflight would overlook appellants' living area.
- Opening up of an additional entrance onto this very busy main road beside a major junction is an unsustainable and dangerous traffic hazard.
- This is the signposted scenic route to Howth Head and is seasonally one of the busiest local traffic routes in or out of Howth.
- Proposed two storey building would overshadow and oppressively overlook appellants' home by virtue of its height and its closeness to the boundary. It would have a visually detrimental, privacy compromising and property devaluing effect on the appellants' home.
- Appellants feel that the right planning decision would be to revise the application for the construction of one large dormer bungalow in the centre of

the site or to revamp and extend the existing bungalow, with the omission of the dormer extension. The appellants' preference is for the second option.

6.2. Applicant Response

6.2.1. A response to the appeal was submitted on behalf of the applicant by O'Neill Town Planning and can be summarised as follows:

- Proposed development is in full compliance with the CDP.
- Proposed development will not compromise any specific Objective and the protected views will not be blocked or interfered with.
- Planning gain from new footpath.
- Quantitative standards have been fully complied with.
- Proposed development is connected to public services and a full AA of the project is not required.
- All properties around the site are well screened and any potential overlooking impact is mitigated by screening, obtuse angles between windows, and the intervening distances.
- Applicant fully endorses the conditions included by the Planning Authority and has included the reduced height on the drawings submitted with the appeal response.
- Site is more than adequate for two houses. Densification of suburban areas is central to the Government and Planning Authority's objectives and policies for housing in the future.
- The character and pattern of development in the area is commensurate with the proposed development.
- Appellants concerns with regard to natural boundaries are misplaced. The existing bungalow is to be retained and the proposed extension is to the side of the house, on the southern side, furthest away from the appellants' property.

- The height of the dormer extension is approximately one metre below the height of the appellants' dormer dwelling.
- The footprint of the building will be no closer to the appellants' property than it is at present.
- There is no proposal to create new foundations on the side closest to the appellants' property and the trees on the appellants' property will not be affected.
- Proposed development will not affect residential amenities of the appellants in any significant way. There will be a slight increase in roof height of 1.5 metres, and it will be a metre lower than the appellants' roof. Due to orientation there will be a minimal increase in overshadowing and little overlooking of the appellants' internal spaces. The appellants' side window is naturally screened by shrubs and trees, which taken together with the obtuse angle and use of the room as a bedroom will result in no significant loss in residential amenity due to overlooking.
- The Board might feel that some further amelioration might be required to eliminate overlooking, and drawings of a revised dormer window design are submitted, should the Board deem it appropriate.
- Velux roof light is a high level window over a stairwell and overlooking from it is not possible.
- Access to the sites is on a straight section of Carrickbrack Road where the speed limit is 50km/h and sight distances in excess of 70m in both directions are achievable. The site is also close to a traffic light controlled junction which limits speed and car numbers. Transportation Planning Section had no objection subject to conditions.
- Appellants preferred approach for an extension to the rear of House 1 rather than a dormer extension would result in sub-optimal private open space. Proposed development has been carefully designed to sit into the site without any loss of residential amenity.
- Planning Authority's reduction in height of House 2 affects the architectural composition of the house without achieving any of the visual improvements

suggested. It results in an odd shaped roof and the Board is asked to omit condition 4(a) in any final order.

- 6.2.2. The response to the appeal was accompanied by a series of drawing showing proposed revisions to the dormer window of House 1 and the revised roof heights as per Condition 4 of the Planning Authority's decision.

6.3. **Planning Authority Response**

- 6.3.1. It is considered that the matters raised were addressed in the assessment and the Planning Authority has no further comment.

6.4. **Observations**

- 6.4.1. None.

6.5. **Further Responses**

- 6.5.1. None.

7.0 **Assessment**

- 7.1. I consider that the key issues in determining the appeals are as follows:

- Principle of proposed development.
- Design and layout.
- Residential amenity.
- Traffic hazard.
- Other issues.
- Appropriate Assessment.

7.2. **Principle of Proposed Development**

- 7.2.1. The appeal site and surrounding area are zoned 'RS', Residential, under the Fingal Development Plan 2017-2023. This zoning objective seeks to provide for residential development and protect and improve residential amenity. The Development Plan

also includes numerous Objectives to encourage consolidation of areas such as Sutton, infill development and the provision of increased densities.

- 7.2.2. Since the proposed development seeks to provide infill residential development on residentially zoned lands, I therefore consider the proposed development to be acceptable in principle, subject to consideration of the planning issues identified in Section 7.1 above.

7.3. Design and Layout

- 7.3.1. The appeal site is located within an area classified in the Development Plan as a 'Highly Sensitive Landscape' and the zoning map indicates an objective to preserve views along Carrickbrack Road. The road is also signposted at Sutton Cross as being the scenic route to Howth, although it does not appear to be a designated scenic route in the Development Plan. Having regard to these factors, it is clear that the appeal site is a visually sensitive location and I consider that the preservation of the character of the area and of visual amenities are important aspects in assessing this appeal.
- 7.3.2. The existing house on the appeal site is a single storey cottage style dwelling, which I would estimate to date from the early 20th century. It has been extended to front and rear and a detached garage has also been constructed. The house appears to be in reasonable condition, albeit I noted a small hole in the roof and that some form of construction work appeared to be underway. The dwelling is simple in design and detailing and I do not consider it to be of particular architectural or heritage merit, although when considered together with its open space and mature planting, it does form an unobtrusive element with a somewhat rural character within the suburban streetscape. Houses along Carrickbrack Road vary widely in design and size, although they are generally detached houses set within relatively generous sites. The adjacent houses to north west and south east are detached dormer style dwellings with a brick finish and render finish, respectively.
- 7.3.3. The site boundary is irregular, with the existing house located close to the north western boundary. As a result of the irregular boundary, the adjacent 'Gypsy's Acre' property boundary extends partially in front of the existing house, with the building line of the adjacent house set closer to the road. The building line of the adjacent

property to the south east, known as 'Casablanca, is further set back relative to the existing house.

- 7.3.4. I noted from my site inspection and the planning history of the area that the character of the area is evolving as it becomes more consolidated through the development of infill houses, and the demolition and replacement of existing houses. The majority of the newer houses in the area are of contemporary design and I consider that their variety in design, form and materials adds to the eclectic character of the area.
- 7.3.5. I consider that the proposed works to the existing house (House 1) and the proposed new house (House 2) will continue this established pattern of detached dormer houses of eclectic design in the area, and will result in the provision of two well-designed and suitably sized homes within this consolidating area. I would, however, share the Planning Authority's concern regarding the 'top heavy' nature of House 1, as originally proposed, due to the dormer nature of the extension at first floor. I consider that the reduction in ridge height of 500mm, as required by the Planning Authority under Condition 4 and as shown in the drawings submitted by the applicant in response to the appeal is successful in rebalancing the structure and in mitigating the visual impact of the dormer extension.
- 7.3.6. With regard to the similar reduction in the height of the gable fronted element of proposed House 2, which was imposed by way of Condition 4, the applicant contends that this affects the architectural composition of the house. I would concur with the applicant that reducing the height of the gable fronted element would negatively affect the architectural composition of the house, by reducing the roof slope of the gable section and making it less prominent relative to the main roof structure. However, having regard to the increased floor level of this house, which is proposed to mitigate flood risk, and the reduced height of House 1, I consider that it has the potential to be unduly dominant within the streetscape, and in terms of its relationship with the houses to east and west. I therefore recommend that the entire roof structure of proposed House 2 should be lowered by 500mm, which I consider would preserve the composition of the structure while reducing the impact on the visual amenities of the area. Having regard to the sections submitted, I do not consider that this change would significantly impact on floor space at first floor level.

7.3.7. With regard to landscaping, there are currently a number of mature and semi-mature trees and hedging along the roadside boundary of the site. It is proposed to remove these in order to provide a footpath, which will link to existing footpaths to either side. While I consider that the existing planting contributes to the character of the area, I also consider that the loss of this planting is acceptable, having regard to the positive public safety and accessibility benefits that will arise from the provision of a continuous footpath and subject to replacement landscaping works. I note that the Parks Planning Section of the Planning Authority recommended certain specified species for this replacement planting, and having regard to the location of the site within an identified 'Highly Sensitive Landscape' and the objective along Carrickbrack Road to preserve views, I recommend that, if the Board is minded to grant permission, a Condition be imposed requiring the submission of a landscaping and boundary plan for the agreement of the Planning Authority.

7.4. Residential Amenity

7.4.1. With regard to the impact of the proposed development on residential amenity, I consider that the only residential properties with the potential to experience a significant adverse impact are the adjacent properties known as 'Gypsy's Acre' to the north west (the appellants' property) and 'Casablanca' to the south east. Having regard to the orientation of the existing and proposed houses and the separation distances between the proposed development and the houses on the opposite side of Carrickbrack Road and to the south, I consider that no significant overlooking, overshadowing or overbearing impacts will arise in respect of those houses.

7.4.2. The existing house, House 1, is located towards the boundary with 'Gypsy's Acre'. It is proposed to extend this house by increasing its height to provide a dormer first floor level and to extend it to the rear. There is currently a single storey extension to the rear of the house, and it appears from the drawings and the applicant's response to the appeal that the intention is to retain this extension, increasing its height by c. 0.35m and adding additional floor space to the south east. The rear extension will therefore be no closer to the appellant's property than the existing extension, and I do not consider that the marginal increase in height would result in any significant level of additional overshadowing or overbearing impacts or that the proposed development would impact upon existing planting within the appellants property. No

windows are proposed along the western elevation of the house, and there will therefore be no direct overlooking. The roof light on the rear roofslope is at a high level over a half landing and will not result in any significant overlooking, while the roof light on the front roofslope is over an en suite bathroom and will be opaque. With regard to the dormer window on the front elevation, while I do not consider that any significant overlooking would arise as a result of the originally proposed development, I consider that the revised proposal as submitted with the response to the appeal is preferable, as it will eliminate any potential for overlooking and provides a more vertical emphasis to the dormer windows, which is more consistent with the character of the existing dwelling.

7.4.3. The appellants' house is a relatively deep plan dormer dwelling, while the proposed dormer element of House 1 is entirely within the shallow plan existing cottage structure. The extent of blank gable wall that will be presented towards the appellants' property is therefore limited in extent and is lower in height than the appellants house. In light of the above, I am therefore satisfied that the proposed extension and redevelopment of the existing house will not have a significant detrimental impact on residential amenity in terms of overlooking, overshadowing, loss of privacy, overbearing or depreciation of property values in the area.

7.4.4. With regard to the proposed new house, referred to as House 2, I do not consider that it would impact on the residential amenities of the appellants due to distance, design and orientation. With regard to the adjacent property to the south east known as 'Casablanca' I consider that, subject to the reduction in ridge height as outlined above, and the proposed increase in height of the boundary treatment between the two properties, it would not result in any significant level of additional overlooking, overshadowing, overbearing or other impacts on the residential amenities of the occupants of that property.

7.5. **Traffic Hazard**

7.5.1. The appellants contend that the proposed addition of a second vehicular access point from Carrickbrack Road would result in a traffic hazard due to the busy nature of the road, as a result of it being designated as the scenic route to Howth.

- 7.5.2. Carrickbrack Road is a suburban road with a 50km/hr speed limit and a very large number of direct accesses onto it from the detached houses which line the road on both sides. Having regard to the established character of the road and the limited number of additional traffic movements that will arise from the one additional residential unit, I do not consider that an additional access point would result in the creation of a traffic hazard at this location.
- 7.5.3. With regard to pedestrian movements, the appeal site is currently the only part of Carrickbrack Road in the vicinity which does not have a footpath. This requires pedestrians to either walk on the road or to cross to the northern side of the road, where there is a continuous footpath. I consider that the provision of a footpath at this location, aligned with and tying into the existing footpath is a welcome element of the proposed development that will enhance pedestrian connectivity and be beneficial to public safety. In this regard, I concur with the Planning Authority that the roadside boundary wall should be set back by c. 0.4m in order to align with the boundaries of the adjacent properties, in the interests of orderly development and improving sightlines in the vicinity.

7.6. **Other Issues**

7.6.1. **Flood Risk**

- 7.6.2. The appeal site is located c. 100m from the coastline, and therefore I consider that the issue of flooding should be considered. Whilst a detailed Flood Risk Assessment was not submitted with the application, the issue of flooding was addressed within the submitted 'Environmental Services Report'. The OPW flood maps indicate that the property is at risk from coastal flooding for the 0.1% AEP (i.e. 1 in 1,000 year), but is not at risk of flooding for the 0.5% AEP (i.e. 1 in 200 year). The applicant is proposing to provide a finished floor level of 4.0m AOD in the new house, while the finished floor level in the existing house, which it is proposed to extend, is 3.41m AOD. As a mitigation measure for the existing house, the applicant is proposing that all power sockets are to be positioned above the 4.0m AOD level and to be powered by cable brought down from above.

- 7.6.3. The 4.0m AOD Malin level for the proposed house is consistent with the Greater Dublin Strategic Drainage Study's recommendation for a strategic long-term flood level, which takes account of climate change.
- 7.6.4. With regard to the existing house, I note that Section 5.28 of the Flood Risk Management Guidelines for Planning Authorities 2009 states that "applications for minor development, such as small extensions to houses are unlikely to raise significant flooding issues, unless they obstruct important flow paths, introduce a significant additional number of people into flood risk areas or entail the storage of hazardous substances. Since such applications concern existing buildings, the sequential approach cannot be used to locate them in lower-risk areas and the Justification Test will not apply. However, a commensurate assessment of the risks of flooding should accompany such applications to demonstrate that they would not have adverse impacts or impede access to a watercourse, floodplain or flood protection and management facilities. These proposals should follow best practice in the management of health and safety for users and residents of the proposal."
- 7.6.5. Having regard to the location of the existing house and the characteristics of the appeal site, I do not consider that the proposed development would interfere with flowpaths, watercourses or flood protection facilities.
- 7.6.6. Finally, I note that the Water Services Section of the Planning Authority raised no objection to the proposed development on the basis of flood risk.
- 7.6.7. In conclusion, I consider that the proposed development is acceptable from a flood risk perspective, and I do not consider that it will affect flow paths or otherwise exacerbate flood risk in other areas.

7.7. Appropriate Assessment

- 7.7.1. Having regard to the nature and scale of the proposed development, which relates to the extension of an existing house and the construction of a new house on a suitably zoned and serviced suburban site that is not within or immediately adjacent to any Natura 2000 sites, I am satisfied that no appropriate assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions as set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Fingal Development Plan 2017-2023, it is considered that subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or property in the vicinity, would be acceptable in terms of traffic impact and would be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars received by An Bord Pleanála on the 31st day of January, 2018, 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.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The ridge height of the proposed new dwelling shall be reduced by 0.5m, from 10.5m as shown on drawing number (P)301 Rev. A to 10.0m.
 - (b) The proposed front boundary walls shall be set back by c. 0.4m to align with the adjacent boundary walls to east and west. The resultant area

outside the boundary walls shall be incorporated within the proposed footpath.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of visual and residential amenity.

3. Each premises shall be used as a single dwelling unit apart from such use as may be exempted development for the purposes of the Planning and Development Regulations, 2001, as amended.

Reason: To prevent unauthorised development

4. Details of the materials, colours and textures of all the external finishes to the proposed dwellinghouses shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. All bathroom/ensuite windows shall be fitted and permanently maintained with obscure glass. The use of film is not permitted.

Reason: in the interest of residential amenity

6. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

7. Prior to the commencement of development, the developer shall conduct a CCTV survey to confirm that no other connections are plumbed into the 225mm foul sewer that traverses the site. The developer shall submit the results for the written agreement of the planning authority.

Reason: In the interests of public health.

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation

from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

9. A comprehensive boundary treatment and landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-
 - (a) details of proposed boundary treatments with adjacent properties and along the roadside, including heights, materials and finishes;
 - (b) proposed replacement hedging along the front boundary, and tree planting and other landscape planting within the front gardens of each house within the development, including details of proposed species and settings;

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

10. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the

Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Niall Haverty
Planning Inspector

10th April 2018