



An  
Bord  
Pleanála

## Inspector's Report ABP-302222-18

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<b>Development</b>	First floor side extension to dwelling
<b>Location</b>	76 Oak Road, Donnycarney, Dublin 9
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	2985/18
<b>Applicant(s)</b>	Deirdre McRory
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Deirdre McRory
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	17/11/2018
<b>Inspector</b>	Anne Marie O'Connor

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## 1.0 Site Location and Description

- 1.1. The site comprises a 2-storey dwelling on a corner plot facing open space in an established residential area, at 76 Oak Road, Donnycarney, Dublin 9. The dwelling is located at the end of a terrace of 4 dwellings and is set back from the public road by public open space to the front. The triangular form of the plot results in large front and side garden areas, with a small rear garden area. There is an existing ground floor extension to the side of the house, and a small garage slightly to the rear.
- 1.2. Many of the houses in the area have been extended over the years, including a similar extension to the proposed on the opposite corner plot (47 Oak Road).

## 2.0 Proposed Development

- 2.1. Planning permission is sought for the construction of a first floor extension to the side of the dwelling (above the existing ground floor extension).

## 3.0 Planning Authority Decision

### 3.1. Decision

**Refuse.** Proposed development does not complement the character of the existing dwelling and would be visually incongruous in the streetscape, and would set an undesirable precedent.

### 3.2. Planning Authority Reports

- 3.2.1. Planning Reports - The planner's report reflects the decision to refuse planning permission.
- 3.2.2. Other Technical Reports  
Drainage: No objection

### 3.3. Prescribed Bodies

None

### 3.4. **Third Party Observations**

None

### 4.0 **Planning History**

None

### 5.0 **Policy Context**

#### 5.1. **Development Plan**

The Dublin City Development Plan 2016-2022 is the County Development Plan for the area. The site is located within Zoning Objective **Z1** “To protect, provide and improve residential amenities”.

Section 16.10.12 Extensions and Alterations to Dwellings

Appendix 17 Guidelines for Residential Extensions

#### 5.2. **Natural Heritage Designations**

None relevant

### 6.0 **The Appeal**

#### 6.1. **Grounds of Appeal**

The grounds of appeal are submitted by the applicant. The issues raised can be summarised as follows:

- More space is required to avoid the need to move home. There is no potential for an attic extension or an extension to the rear. The applicant wishes to retain 3 bedrooms and have an upstairs bathroom.
- A similar extension has been carried out opposite at 47 Oak Road (3407/06) which sets a precedent that is positive in nature and not harmful to the visual and residential amenities of the area.

- The planning authority has given excessive weight to the character of the existing dwelling and neighbouring properties, which has developed organically with a variety of built forms.
- The proposed development would not detract from the character of the existing dwelling or neighbouring properties and would not appear visually incongruous.
- The modest scale and size would not give rise to overbearing, overlooking or significant overshadowing impacts on the adjoining properties and would comply with the zoning objective.
- Photographs are submitted in support of the appeal.

## 6.2. Planning Authority Response

No response received to the grounds of appeal.

## 6.3. Observations

None

## 7.0 Assessment

- 7.1. The proposed extension is located to the side of the existing dwelling and is set back some 7m from the boundary with the adjoining property. The adjoining dwelling has a single first floor window in the side elevation facing the site. The relatively modest scale of the proposal, together with the separation distance are sufficient to ensure that the extension will have little impact in terms of the residential amenity of that property. The main reason for refusal by the planning authority relates to the impact of the extension on the character of the dwelling and the streetscape.
- 7.2. I will address this as the main issue in this case, and the matter of appropriate assessment also needs to be addressed.
- 7.3. The appeal site is located in an established residential area. The original houses in the area were part of the Dublin Corporation-built inner suburbs of the mid-20<sup>th</sup> century period. Many of the houses have been extended over the years in various

architectural forms and designs. All of this change is reflected in the character of the area, which remains a very pleasant residential environment.

- 7.4. The existing ground floor extension to the side of the house comes forward of the original building line of the house. It is proposed to build a first-floor extension directly above.
- 7.5. Although the roof form and positioning of the extension forward of the existing dwelling is not ideal, the corner nature of the site, size of the plot, and angled building line of the terrace provides greater scope to accommodate forms of development that would otherwise negatively affect the character and amenities of an area. This is demonstrated by the existing similar extension opposite the appeal site which does not appear out of place or visually jarring within either the group of terraced dwellings or the streetscape in general.
- 7.6. I am satisfied, therefore, that scale, form and design of the proposed development is appropriate to the visual context of the site, and would not appear overly dominant or incongruous in the streetscape so as to negatively affect the visual amenities of the area.
- 7.7. Having regard to the nature and scale of the proposed development, its location in a serviced urban area, the distance to the nearest European sites, and the lack of a pathway to those sites, I am of the view that no **appropriate assessment** issues arise, and that the proposed development would not 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 nature and scale of the proposed development and the existing pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would, therefore, 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, 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 external finishes of the proposed extension including roof tiles/slates shall be the same as those of the existing dwelling in respect of colour and texture.

**Reason:** In the interest of visual amenity.

3. Water supply and drainage arrangements, including the 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 and to ensure a proper standard of development.

4. The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developer's expense.

**Reason:** To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interest of orderly

development.

5. . Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

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Anne Marie O'Connor

Planning Inspectorate

18 November 2018