



An  
Bord  
Pleanála

## Inspector's Report

### ABP 308363-20

<b>Development</b>	Demolition of front single storey entrance porches and construction of two storey extension to the front.
<b>Location</b>	7 & 9 All Saints Park, Raheny, Dublin 5
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	3067/20
<b>Applicant(s)</b>	James O'Hara & Mairead Monaghan; Claire O'Regan & Richard Butler
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party v. Decision
<b>Appellant(s)</b>	James O'Hara & Mairead Monaghan; Claire O'Regan & Richard Butler
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	22 <sup>nd</sup> January 2021
<b>Inspector</b>	Louise Treacy

## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 250 m<sup>2</sup> and is located at Nos. 7 and 9 All Saints Park, Raheny, Dublin 5. The existing development comprises a pair of mid-terrace, 2-storey dwellings which form part of a terrace of 8 no. dwellings at this location. The subject properties are set-back from the street on the north-eastern side of All Saints Park, with mature trees located on either side of the public footpath to the front of the site. Each of the properties has a single-storey porch to the front. An existing passageway extends between the porches and provides access to the rear of the site.
- 1.2. The neighbouring lands on the opposite side of All Saints Park and to the south at Watermill Drive are also residential in nature. The site of Scoil Áine Girls School abuts the northern end of the terrace.

## **2.0 Proposed Development**

- 2.1. The proposed development consists of the demolition of the front single-storey entrance porches and the construction of a 2-storey extension to the front, together with associated siteworks.
- 2.2. The footprint of the proposed extension matches that of the existing porch structures to the front of the dwellings. The extension has an overall height of 5.862 m, with the parapet projecting 1 m above the eaves level. The parapet is proposed to be capped with granite. The existing archway between the dwellings is to be retained. The entrance to each dwelling will be located on the side elevation of the proposed extension as per the existing entrance arrangements. The existing windows and doors are to be reused.
- 2.3. The proposed extension will accommodate an entrance hallway at ground floor level and an extended bedroom at 1<sup>st</sup> floor level for each dwelling, with the floor area of each dwelling increased by 6.2 m<sup>2</sup>.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. Notification of the Decision to Refuse Permission issued on 11<sup>th</sup> September 2020 for 1 no. reason as follows:

“The proposed development of a two-storey front extension shared between this pair of houses, would, in its height, scale and appearance, be visually incongruous and obtrusive and would have a detrimental impact on the visual amenities of this terrace, contrary to Development Plan policy contained in Section 16.10.12 which states, inter alia, that such development should “not have an adverse impact on the scale and character of the dwelling”. The proposed development, in itself and by the precedent it would establish for incongruous two-storey front extensions in the vicinity, would cause serious injury to the residential amenities of the area and therefore the proposed development would be contrary to the policies and objectives of the current Dublin City Development Plan and the proper planning and sustainable development of the area”.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

- 3.2.2. Basis of Planning Authority’s decision.

#### **3.2.3. Other Technical Reports**

- 3.2.4. **Engineering Department Drainage Division:** No objection subject to conditions.

### **3.3. Prescribed Bodies**

- 3.3.1. **Irish Water:** No response received.

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

- 3.4.1. None.

## 4.0 Planning History

- 4.1. **Planning Authority Reg. Ref. 1296/08:** Planning permission granted on 29<sup>th</sup> April 2008 for a dormer roof attic conversion to the rear, raising the existing ridge height, velux window to the front and all associated internal, site and drainage works at **No. 7 All Saints Park**, Raheny, Dublin 5.
- 4.2. **Planning Authority Reg. Ref. WEB1750/19:** Planning permission granted on 21<sup>st</sup> April 2020 for the demolition of the existing out buildings and the construction of a part single-storey, part-2-storey extension to the rear of the dwelling, together with skylights, boundary treatments and associated site works at **No. 9 All Saints Park**, Raheny, Dublin 5.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2016-2022

### 5.2. Land Use Zoning

- 5.3. The site is subject to land use zoning “Z1” (Sustainable Residential Neighbourhoods) which has the objective, “to protect, provide and improve residential amenities”. Residential land uses are permissible under this zoning objective.

### 5.4. Alterations and Extensions

- 5.5. The policy regarding alterations and extensions is set out in Sections 16.2.2.3 and 16.10.12 and in Appendix 17 of the development plan. Section 16.10.12 states that alterations and extensions should integrate with the existing building through the use of similar finishes and windows.
- 5.6. Further guidance in relation to materials is contained in Appendix 17 which states that, ideally, the materials used should be the same as those used on the existing building and that considerable care and thought should be given to materials which harmonise with the existing building. Section 17.7 states that extensions to the front, which significantly break the building line, should be resisted. In general, extensions should be no larger or higher than the existing building.

5.7. Guidance in relation to contemporary extensions is set out in Section 17.10 wherein it is stated that Dublin City Council supports good, contemporary designs, which can offer a more imaginative contrast to a traditional building. It is noted that contemporary solutions should not detract from the character of an area and, if well designed, can make a positive contribution to the streetscape and the character of the area.

5.8. In general, applications for planning permission to extend dwellings will only be granted where the planning authority is satisfied the proposal will: (1) not have an adverse impact on the scale and character of the dwelling, and (2) not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, access to daylight and sunlight.

#### 5.9. **Natural Heritage Designations**

5.9.1. None.

### 6.0 **The Appeal**

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

6.1.1. A first-party appeal has been lodged against the Notification of the Decision to Refuse Permission, which can be summarised as follows:

- The proposal is in keeping with the principle of sustainable development and complies with relevant development plan policies;
- The proposed development is a modest extension of two-adjoining houses which would have no negative visual impact on the subject houses, the neighbouring dwellings in the terrace or the wider neighbourhood;
- The street is characterised by a diversity of built form, with a high degree of visual screening;
- The terrace of dwellings has been much modified since constructed, with most houses having front porches and one house characterised by a full width front extension. These changes are part of its character and contribute to the capacity of the terrace for change;

- The proposed development would have a benign visual effect on its receiving environment and result in a limited magnitude of change, with the development being less conspicuous than many of the single-storey front extensions in the area;
- The proposed development would set a positive precedent for sensitive over-the-porch extensions that would increase the usability of the box rooms in these dwellings.

6.1.2. In seeking to address the Planning Authority's decision to refuse permission, the appellants propose a number of amendments to the development as follows: (1) the 1<sup>st</sup> floor level windows of the extension have been brought into horizontal alignment with the existing windows; (2) the extent of the parapet protrusion above the eaves has been reduced to 0.6 m, with the overall height of the extension reduced from 5.862 m to 5.712 m.

6.1.3. Revised drawings and a photomontage of the amended development are included with the appeal.

## 6.2. **Planning Authority Response**

6.2.1. None received.

## 6.3. **Observations**

6.3.1. None.

## 7.0 **Assessment**

7.1. I am satisfied that the main issues for consideration in this case include:

- Visual Impact of the Proposed Development
- Appropriate Assessment

7.2. Each of these issues is addressed in turn below.

### **7.3. Visual Impact of the Proposed Development**

- 7.3.1. In my opinion, the key issue for consideration in this case, is the visual impact of the proposed development. Dublin City Council's Planning Officer considered that the proposed development would be a visually dominant and incongruous addition to the front of this pair of dwellings, and further, that it would set an undesirable precedent for the area.
- 7.3.2. The existing dwellings accommodate 3 no. bedrooms at first floor level. The application cover letter states that the smaller bedroom at the front of each house, is encroached on by the stairway, with one of the longer walls of the room rendered unusable due to its being staggered and sloped. It is submitted that, in its original form, this bedroom is too small to fit a single bed, wardrobe and a desk, which are identified as being the minimum requirements for a child's bedroom. In my opinion, these are reasonable requirements which should be facilitated where it can be demonstrated that no undue impacts would arise to neighbouring properties or to the character of the dwelling or streetscape.
- 7.3.3. In considering these issues, I agree with the appellant's characterisation of All Saint's Park as a street which displays a diversity of built form. This diversity is contributed to by Saint Anne's Court on the opposite side of the street, which includes 5 no. 2-storey accommodation blocks for the elderly, a modern 2-storey block within the grounds of Scoil Áine at the northern end of the street, and a modern 2/3 storey housing development located at the junction of All Saint's Park and Watermill Drive, which includes a distinctive curved façade.
- 7.3.4. In my opinion, the proposed development would not have a detrimental impact on the visual amenities of the terrace. In reaching this conclusion, I consider that the terrace itself displays variety in the style and colour of the windows and doors, and in the design of the porch structures, which have either pitched and flat roofs. I further note that the terrace is set back from the public street, with the 2 no. rows of mature trees located on either side of the public footpath serving to punctuate views of the terrace from the street.
- 7.3.5. I note that the development plan supports contemporary extensions, which make a positive contribution to the streetscape and character of an area. In my opinion, the proposed extension is a simple and elegant solution to improving the standard of

residential accommodation, which would add visual interest to the terrace, with limited impact on the character of the streetscape. I further consider that the proposed extension would have no overlooking, overbearing or overshadowing impacts on the adjoining dwellings at Nos. 5 and 11 All Saints Park.

- 7.3.6. Dublin City Council's Planning Officer considered that the granting of permission for the proposed development would set an inappropriate precedent for similar developments in the area. In my opinion, each application must be adjudicated on its merits and in a site-specific context, and as such, I do not consider that a precedent would be set on foot of the proposed development.
- 7.3.7. The development plan also states that alterations and extensions should integrate with the existing building, through the use of similar finishes and windows. The plan further states that extensions to the front, which significantly break the building line, should be resisted and that, in general, extensions should be no larger or higher than the existing building.
- 7.3.8. In considering the foregoing, I note that the proposed extension will retain the footprint of the existing ground floor porches, including the passageway which facilitates rear access to each property. As such, the proposed development will not break the existing front building line. I further note that the existing windows will be retained and re-used and that the extension will be finished in render to match the existing. As such, I consider that the proposed extension would complement the materials and finishes of the existing dwellings.
- 7.3.9. The appellants have proposed to amend the development by way of the appeal submission, including reducing the overall height of the extension from 5.862 m to 5.712 m and bringing the 1<sup>st</sup> floor level windows into horizontal alignment with the existing. The amendments are illustrated on Drawing No. PL.102.0302 Rev 01 (Proposed Elevations and Section) and the photomontage (View 01 Proposed) which accompany the appeal. In my opinion, these amendments are not material and can be considered as part of this appeal. I also consider that the proposed amendments would serve to further integrate the proposed extension with the existing dwellings, and that its reduced overall height, represents a more appropriate transition in scale above the existing eaves level, compared with that originally proposed.



7.3.10. I note that the site is not subject to any conservation, Architectural Conservation Area or Protected Structure designations, which would prohibit the alterations as proposed. The site is zoned for residential purposes (Z1), and in my opinion, the proposed development, as amended, should be facilitated to enable older dwellings such as these to be improved to meet modern living requirements. As such, I consider that the proposed development would be in accordance with the proper planning and sustainable development of the area and I recommend that planning permission should be granted in this instance.

#### **7.4. Appropriate Assessment**

7.4.1. Having regard to the nature and scale of the proposed development, comprising the extension of 2 no. existing dwellings, no appropriate assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, either individually or in combination with other plans or projects, on a European site.

#### **7.5. Note**

7.5.1. Section 11 of the Dublin City Council Development Contribution Scheme 2020-2023 confirms that the first 40 m<sup>2</sup> of extensions to a residential development, will not be required to pay development contributions, with subsequent extensions charged at the residential rate per square metre. Question no. 10 of the planning application form confirms that extensions of 43.2 m<sup>2</sup> and 49 m<sup>2</sup> have been provided to Nos. 7 and 9 All Saints Park, respectively. As such, I consider that a condition requiring the payment of a S.48 development contribution should be attached, in the event the Board decides to grant planning permission in this instance.

### **8.0 Recommendation**

8.1. I recommend that planning permission be granted subject to conditions.

## 9.0 Reasons and Considerations

- 9.1.1. Having regard to the Z1 residential land use zoning of the site, which has the objective “to protect, provide and improve residential amenities”, and the nature and scale of the proposed development, 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 of property in the vicinity, would not set a precedent and would improve the standard of accommodation within 2 no. existing dwellings. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the Proposed Elevations and Section Drawing No. PL.102.0302 Rev. 01 received by the Board on 8<sup>th</sup> October 2020, 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><b>Reason:</b> In the interest of clarity.</p>
2.	<p>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</p>

	<p>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.</p> <p><b>Reason:</b> 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.</p>
3.	<p>Site development and building works shall be carried out only between the hours of 0700 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>

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Louise Treacy  
Planning Inspector  
26<sup>th</sup> January 2021