



An  
Bord  
Pleanála

## Inspector's Report ABP 310941-21.

### Development

Demolition of the existing ground floor rear extension, the construction of a new ground floor rear extension, a new extended attic conversion consisting of a change of roof type from hipped to pitched with a half hipped finish by raising the gable wall, a new rear roof dormer and a new roof light to the front.

### Location

7 Riverside Drive, Rathfarnham,  
Dublin 14.

### Planning Authority

Dún Laoghaire-Rathdown Co. Council

### Planning Authority Reg. Ref.

D21B/0224

### Applicant

Alan Mc Crann

### Type of Application

Permission

### Planning Authority Decision

Grant permission

### Type of Appeal

Third Party

### Appellants

John & Carina Staunton

**Observers**

None

**Date of Site Inspection**

22/9/2021

**Inspector**

Siobhan Carroll

# Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	5
3.1. Decision .....	5
3.2. Planning Authority Reports .....	5
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History.....	6
5.0 Policy Context.....	6
5.1. Development Plan.....	6
5.2. Natural Heritage Designations .....	6
5.3. EIA Screening .....	7
6.0 The Appeal .....	7
6.1. Grounds of Appeal .....	7
6.2. Applicant Response .....	8
6.3. Planning Authority Response .....	8
7.0 Assessment.....	8
7.1. Design and impact on residential amenity.....	8
7.2. Appropriate Assessment Screening .....	11
8.0 Recommendation.....	11
9.0 Reasons and Considerations.....	11
10.0 Conditions .....	12

## 1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 0.0653 hectares, is located to the mature residential suburb of Rathfarnham, Dublin 14. The site is located on the southern side of Riverside Drive. Riverside Drive and surrounding residential roads are located to the south of the Braemor Road (R112) and the Dodder River. This low density suburban area is characterised by detached and semi-detached dwellings with large rear gardens.
- 1.2. The subject property no. 7 Riverside Drive is a two-storey semi-detached dwelling. The dwelling has a hipped roof profile. The original adjoining side garage was converted, and a first floor extension was built over it. The existing extensions to front also includes a bay window with lean-to roof and canopy over the front door. To the rear of the dwelling there is a single storey extension. The property is served by a relatively large mature rear garden with a length of circa 26.9m. There is a single storey shed located in the southern end of the rear garden.
- 1.3. Immediately west of the site is no.5 Riverside Drive, which is the other semi-detached dwelling of the pair. No. 9 Riverside Drive a detached two-storey dwelling adjoins the site to the east. The southern boundary of the site adjoins the rear of gardens of no. 1 Woodside Grove.

## 2.0 Proposed Development

- 2.1. Permission is sought for development consisting of the following;
  - (i) the demolition of the existing ground floor rear extension;
  - (ii) the construction of a new ground floor rear extension;
  - (iii) a new extended attic conversion consisting of a change of roof type from hipped to pitched with a half hipped finish by raising the gable wall;
  - (iv) a new rear roof dormer and a new roof light to the front.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority granted permission subject to 10 no. conditions.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

- The Planning Authority were generally satisfied with the design and scale of the proposed extension. They considered that the proposed development would not adversely impact on the residential amenity of adjacent properties by reason of overshadowing, overlooking or overbearing appearance. Furthermore, they concluded that the proposed development would not significantly detract from the character of the surrounding area and would be in accordance with the relevant policy and provisions of the development plan. Permission was therefore recommended.

#### 3.2.2. Other Technical Reports

Drainage Planning – No objection subject to condition.

### 3.3. Prescribed Bodies

- None

### 3.4. Third Party Observations

- #### 3.4.1.
- The Planning Authority received two observation/submission in relation to the application. The issues raised concerned visual impact of the proposed extension and potential overlooking from the proposed dormer. It was requested that the external finishes to the extension be consistent with the cladding fitted to the party wall on the neighbouring side. It was requested that the Planning Authority ensure that the roof of the ground floor extension not be used as a balcony.

## 4.0 Planning History

### Site

- None on site

### Adjacent Site

Reg. Ref. & PL06D.243075 – permission was granted for the demolition of a single storey extension to rear, construction of extension to rear, front and side, modifications to all fenestration, velux rooflights and external insulation at no. 9 Riverside Drive the neighbouring property to the east.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The site is governed by the provisions of the Dún Laoghaire – Rathdown County Development Plan 2016-2022.
- 5.1.2. The site at no. 7 Riverside Drive, Rathfarnham, Dublin 14 is located on Map 1 of the Dún Laoghaire Rathdown Development Plan and is identified as being Zoned Objective A 'to protect and/or improve residential amenity'.
- 5.1.3. Chapter 8 – Principle of Development
  - Section 8.2.3.4 Additional Accommodation in Existing Built-Up Areas
  - Section 8.2.3.4(i) Extensions to Dwellings

### 5.2. Natural Heritage Designations

- 5.2.1. The South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code: 004024), lies 4.6km to the east of the site.
- 5.2.2. The South Dublin Bay Special Area of Conservation (Site Code: 000210), lies 4.6km to the east of the site.

### 5.3. EIA Screening

- 5.3.1. Having regard to the nature of the proposed development extensions and alterations to an existing dwelling and its location in a serviced urban area, removed from any sensitive locations or features, there is no real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

A third party appeal was submitted by John and Carina Staunton. The issues raised are as follows;

- The appellant's home is no. 1 Woodside Grove, Castlepark, Rathfarnham, Dublin 14. Their concern primarily relates to the proposed dormer to the rear of no. 7 Riverside Drive. They contend that the proposed dormer would appear overbearing and oversized as it would sit near floor level. They consider that the proposed dormer would cause overlooking of their property.
- They expressed concern that access could be available onto the roof of the proposed single storey rear extension. They note that a condition attached by Dun Laoghaire-Rathdown County Council addressed the matter.
- The appellant's rear garden adjoins those of four houses in Riverside Drive no's 5,7,9 & 11 and one house on Woodside Grove, no. 2. They note that no. 9 and no. 11 have high level smaller dormers which they state are less imposing in appearance. The appellants state that they would have no objection to a smaller higher level dormer window in keeping with the roof size or high level rooflights.
- They note from the proposed second floor plan that the floor area would be substantially increased and proposed as attic storage.
- It is requested that should the Board decide to grant permission that they would consider the attachment of a condition which would stipulate that any

revised dormer would not be fitted with an extendable platform which could be used as a viewing platform.

## 6.2. Applicant Response

- None received

## 6.3. Planning Authority Response

- The Board is referred to the report of the Planning Officer.
- It is considered that the grounds of the appeal do not raise any new matters which would in the opinion of the Planning Authority justify a change of attitude to the proposed development.

## 7.0 Assessment

The main issues in this appeal are those raised in the grounds of appeal. I am satisfied that no other substantive issues arise. The issues can be dealt with under the following headings:

- Design and impact on residential amenity
- Appropriate Assessment

### 7.1. Design and impact on residential amenity

- 7.1.1. The grounds of the third party appeal refer to potential visual impacts arising from the design of the proposed rear dormer and also to negative impact to residential amenity.
- 7.1.2. The proposed development entails the demolition of the existing ground floor rear extension and the construction of a new ground floor rear extension. It is also proposed to develop a new extended attic conversion consisting of a change of roof type from hipped to pitched with a half hipped finish by raising the gable wall, a new rear roof dormer and a new roof light to the front.



- 7.1.3. Section 8.2.3.4(i) of the Dun Laoghaire Rathdown Development Plan 2016-2022 refers to extensions to dwellings. In relation side extensions it is stated that they will be evaluated against proximity to boundaries, size and visual harmony and impacts on residential amenity. It is advised in the Plan that first floor side extensions matching existing dwelling design and height will generally be acceptable. In certain cases, a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape and avoid a 'terracing' effect.
- 7.1.4. In terms of dormer extensions to roofs it is advised in Section 8.2.3.4(i) of the Dún Laoghaire – Rathdown County Development Plan 2016-2022 that they will be considered having regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries.
- 7.1.5. In relation to the proposed extensions and alterations, I note that the development would entail the change of the roof profile with the raising of the roof on the eastern side of the dwelling to the height of the main ridge line. This would also result in the roof design being altered from a hipped to a pitched with a half hip finished. A new rooflight is also proposed to the front roof plane. Regarding the proposed roof design, I consider that the proposed half hip design will integrate with the existing roof design and that of the adjoining semi-detached property. Furthermore, I note that there are a mix of house designs in the vicinity of the site, therefore there is not uniformity in the design of properties along Riverside Drive. In relation to the proposed rooflight I note that there are rooflights the front roof plane of a number of other properties along Riverside Drive. Accordingly, having regard to the variety of house types and permitted development in the vicinity I consider that extension has been designed to integrate with the main dwelling and that it would be visually acceptable within the surrounding streetscape.
- 7.1.6. Regarding the proposed rear dormer, I noted on inspection of the site that a number of neighbouring properties no' 3, 7 and 11 Riverside Drive also feature rear dormers. The proposed dormer has a width of 4m and a height of 3m. The design features a pitched roof on the dormer. The external finish and tiles to the dormer are proposed

to match the existing dwelling. The dormer would project out a maximum of 5m from below the rear roof ridgeline.

- 7.1.7. The appellants consider that the proposed dormer is excessive in scale and that it would appear overbearing and that it would cause overlooking of their property. In terms of the proposed design of the rear dormer, it is visibly contained within the rear roof plane, is inset 3.5m from the side edge and is inset 3.2m from the roof of the adjoining dwelling no. 5. The base of the dormer would be set 600mm above the base of the roof. The proposed dormer will therefore sit centrally within the rear roof plane. Accordingly, having regard to the design and positioning of the dormer, I consider that it integrates well into the rear roof plane and would not appear as an overly dominant feature.
- 7.1.8. In relation to the issue of potential overlooking, the appellant's property no. 1 Woodside Grove is situated immediately to the south of the appeal site. The subject dwelling no. 7 Riverside Drive is served by a rear garden with a depth of circa 26.9m. Furthermore, on inspection of the site I observed significant mature tree and hedge planting at the rear of the garden which serves to screen any overlooking between the properties. Accordingly, having regard to the separation distances provided of in excess of 26m from the proposed dormer to the boundary of the appellant's property to the south and the existing tree screening provided, I am satisfied that it would not result in any undue overlooking of the appellant's property. In relation to potential impacts on other neighbouring properties, having regard to the separation distance of 3m between the proposed dormer window and the boundary to the adjoining property no. 5 and the separation distance of 4m between the proposed dormer and the site boundary to the east with no. 9, this will ensure that no intrusive overlooking of the gardens of no. 5 and 9 Riverside Drive will occur.
- 7.1.9. In conclusion, I am satisfied, that proposed design of the rear dormer extension will not impinge on the residential amenity or privacy of neighbouring properties. Furthermore, I consider that the design is compatible with the development plan requirements for dormer extensions to dwellings and that it would have no undue impact on established residential amenities, and that it would be visually acceptable.
- 7.1.10. The Planning Authority attached a condition that the side window at attic level be fitted with opaque or frosted glass. I note that the window is indicated on the

proposed side elevation on Drawing No: DG1005 as glazed with opaque glass. Accordingly, I do not consider that it is necessary to attach a specific condition requiring this as it is proposed and indicated on the plans submitted.

- 7.1.11. The appellants raised the matter of potential access onto the roof of the single storey rear extension. The Planning Authority attached a condition which specified that the roof area of the extension shall not be used as a balcony or roof terrace. In relation to this matter, I would note that no door is proposed at first floor level which would provide direct access to the roof area of the extension. Accordingly, I do not consider that it is necessary to attach a specific condition requiring this.

## **7.2. Appropriate Assessment Screening**

- 7.2.1. Having regard to the nature and scale of the proposed development consisting of extensions and alterations to an existing dwelling and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect individually or in combination with other plans or projects on an European site.

## **8.0 Recommendation**

- 8.1. I recommend a grant of permission subject to the following conditions and reasons.

## **9.0 Reasons and Considerations**

- 9.1.1. Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and the design and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would integrate with the existing dwelling in a complimentary manner, would not seriously injure the residential and visual amenities of the area or character of the streetscape. The proposed development 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, 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 attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of the surface water drainage system in compliance with Sustainable Urban Drainage measures (SUDS) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health to ensure a proper standard of development.

4. All necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on the adjoining roads during the course of the works.

**Reason:** To protect the amenities of the area.

5. Site development and building works shall be carried only out between the hours of 08.00 to 18.00 Mondays to Fridays inclusive, between 08.00 to 14.00 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.

6. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

**Reason:** In the interest of sustainable waste management.

7. 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.

---

Siobhan Carroll  
Planning Inspector

19<sup>th</sup> of November 2021