



An
Bord
Pleanála

Inspector's Report ABP-311293-21

Development

Demolition of existing hipped roof & glazed roof extension to access attic at second floor as part of existing rear return: Extension of floor area of existing attic space (5 m.sq.) with an increase in height of roof apex by 600mm, with new external terrace and bounding walls and associated site works. This building is in an Architectural Conservation Area.

Location

"Juverna", No. 1 Alexandra Villas,
Rockfort Avenue, Dalkey, Co. Dublin,
A96 C8X4.

Planning Authority

Dún Laoghaire Rathdown County
Council

Planning Authority Reg. Ref.

D21A/0573

Applicant(s)

Fiona O'Doherty & Ian Robertson

Type of Application

Permission

Planning Authority Decision

Refusal

Type of Appeal	First Party v. Decision
Appellant(s)	Fiona O'Doherty & Ian Robertson
Observer(s)	Noel Meaney
Date of Site Inspection	19 th January, 2021
Inspector	Robert Speer

1.0 Site Location and Description

- 1.1. The proposed development site is located within the Dalkey Village Architectural Conservation Area along the northern side of Rockfort Avenue, approximately 400m southeast of Dalkey village centre and 280m east of the railway station, in an area characterised by a variety of period dwelling houses, including several detached buildings set in extensive landscaped grounds, interspersed with intermittent instances of more contemporary / conventional construction. The site itself has a stated site area of 0.029 hectares, is generally rectangular in shape, and is presently occupied by one of a pair of semi-detached period houses located close to the south-eastern end of Rockfort Avenue.
- 1.2. The broader property is narrow and long with the dwelling house following this pattern over two / three levels. The house can effectively be divided into two principal parts: the front section containing a dining room and lounge on the ground floor with three bedrooms overhead; and the rear section containing a kitchen, games room, utility space and a glazed conservatory on the ground floor, a bedroom, bathroom and ensuite / changing room on the first floor, and an attic level office / study that provides access to a small roof terrace. These sections are linked by a narrow lobby area on the ground floor and by a landing on the upper floor which are both set back from the side building line. With the exception of the rooftop terrace, the construction is characterised by a combination of 'A'-frame and hipped roof details.
- 1.3. In addition to the garden and off-street car parking to the front of the property, there is a small patio area to the rear of the dwelling which is accessed via a narrow side passageway. This is enclosed by perimeter walling with the north-western boundary defined by a high stone wall which forms the common boundary with the adjoining property of Rockfort House to the northwest, a large "villa" type period residence set in heavily landscaped grounds (the hall door / entry to this house faces towards the common boundary c. 12m away).

2.0 Proposed Development

2.1. The proposed development consists of the following:

- The demolition of the existing hipped roof to the rear return as well as the glazed roof extension providing access to the attic level.
- The raising of the existing rooftop terrace and its parapet walls in addition to the floor level of the attic space.
- The extension of the attic floorspace (by c. 5m²) and the provision of a replacement roof profile, including the raising of the roof apex by 600mm.
- The construction of a new external roof terrace (to be interlinked with the existing roof terrace) and associated parapet walling.
- Ancillary works, including the repositioning of the internal stairwell serving the attic level.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 10th August, 2021 the Planning Authority issued a notification of a decision to refuse permission for the proposed development for the following single reason:

- The subject site is located within Dalkey Architectural Conservation Area, as set out in the Dun Laoghaire Rathdown County Development Plan 2016-2022. Having regard to the existing development on site, with particular regard to existing traditional roof form serving the rear return, it is considered that the alteration of the roof profile on the rear return as proposed would erode the special character and external expression of the subject dwelling. The proposed development would thus be contrary to the provisions of the Dun Laoghaire Rathdown County Development Plan 2016-2022 regarding built heritage, including Policies AR5, AR8 and AR12 and Section 8.2.11.3(i) Architectural Conservation Areas of the Dún Laoghaire-Rathdown County Development Plan 2016-2022, would set a poor precedent for similar type development in the area, and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

Reiterates the assessment by the Architectural Conservation Officer and states that the proposed works would be unsympathetic to the existing character and form of the Dalkey Architectural Conservation Area and would set an undesirable precedent for similar development. It is further stated that the proposal will have an adverse impact on the character and external expression of the existing dwelling and is contrary to the built heritage objectives of the Development Plan. With respect to the issue of residential amenity, the proposed development is not considered to have any adverse impact on neighbouring properties by reason of overlooking, overshadowing or an overbearing appearance, however, some concerns are raised as regards the potential visual impact when viewed from Rockfort House and the likelihood of more intensive usage of the roof terrace. It is also recommended that some mitigation against undue overlooking be provided in the event of a grant of permission. The report thus concludes by recommending a refusal of permission for the reason stated.

3.2.2. Other Technical Reports

Municipal Services Dept., Drainage Planning: No objection.

A/Conservation Officer: Refers to the site location within the Dalkey Village Architectural Conservation Area and the need to protect the character and special interest of the area. Attention is drawn to Policies AR5 & AR8 of the Development Plan which both acknowledge that there are many buildings which make a positive contribution to the historic built environment of the County that are not included on the Record of Protected Structures and that it is Council policy to retain these buildings where appropriate and to encourage their rehabilitation and reuse while ensuring their character is not compromised. It is subsequently stated that although the rear of the property has already been altered pursuant to PA Ref. No. D07B/0896, those works were carried out prior to the designation of the Dalkey Village Architectural Conservation Area. While it is acknowledged that the subject proposal differs from that previously refused permission under PA Ref. No. D19A/0643, it still includes for the removal of the hipped roof to the rear return of the dwelling. The traditional roof form of the return is considered to contribute to the

character and external expression of the existing dwelling and, therefore, the Architectural Conservation Officer is opposed to the development as proposed on the basis that it is contrary to Policies AR12, AR8 & AR5 of the Development Plan.

3.3. **Prescribed Bodies**

None received.

3.4. **Third Party Observations**

3.4.1. A single submission was received from an interested party and the principal grounds of objection can be summarised as follows:

- The proposed development will have an adverse impact on a building of architectural interest as well as the Dalkey Village Architectural Conservation Area.
- Similar to the development previously refused permission under PA Ref. No. D19A/0643, the proposal is contrary to the proper planning and sustainable development of the area.
- Detrimental impact on the residential amenity of the neighbouring property of Rockfort House by reason of undue overlooking with an associated loss of privacy.
- The proposal contravenes the applicable policy provisions and land use zoning objective as regards the protection and improvement of existing residential amenity.

4.0 **Planning History**

4.1. **On Site:**

PA Ref. No. D19A/0643. Was refused on 23rd October, 2019 refusing Ian Robertson permission for a development consisting of 1) Demolition of hipped roof to part of existing rear return of house, 2) Demolition of existing glazed roof extension to access attic to the rear of house, 3) Raising of existing chimney to rear pitched roof over part of existing return of house by 600mm, 4) Extension of the floor area of the existing attic space (to South-West side) by 9.2m², 5) Alterations to the roof over the existing attic space to include a new curved section of roof raising the roof height in

this section by 500mm, new curved roof to extend over the new access stairs from first floor level to attic level, 6) Enlargement of the existing terrace and raising of the existing wall to terrace by 240mm to comply with building regulations, 7) All associated site works.

- The subject site is located within Dalkey Architectural Conservation Area, as set out in the Dun Laoghaire - Rathdown County Development Plan 2016-2022. Having regard to the existing development on site, with particular regard to the existing traditional roof form serving the rear return, it is considered that the alteration of the roof profile on the rear return as proposed would erode the special character and architectural interest of the building and would create an unwelcome contrast between the rear elevations of this pair of mid to late 19th Century buildings. Accordingly, the proposed development would not be in accordance with Policies AR 5, 8 and 12 and Section 8.2.3.4(i) 'Extensions to Dwellings' of the Dún Laoghaire-Rathdown County Development Plan 2016-2022 and would therefore be contrary to the proper planning and sustainable development of the area.

PA Ref. No. D07B/0896. Was granted on 25th January, 2008 permitting Ian & Fiona Robertson permission to raise the wall and roof of the rear first floor bedroom to create an attic store room & the alteration of an existing stairway to the roof garden for entrance to the proposed store room.

PA Ref. No. D02B/0849 / ABP Ref. No. PL06D.201828. Was granted on appeal on 10th June, 2003 permitting Ian Robertson and Fiona O'Doherty permission for the construction of a ground floor conservatory to the side and an internal stairway to first floor flat roof with a safety handrail around the parapet.

5.0 Policy and Context

5.1. National and Regional Policy

- 5.1.1. The '*Architectural Heritage Protection, Guidelines for Planning Authorities, 2004*' provide detailed guidance in respect of the provisions and operation of Part IV of the Planning and Development Act, 2000, as amended, regarding architectural heritage, including protected structures and Architectural Conservation Areas. They detail the principles of conservation and advise on issues to be considered when assessing

applications for development which may affect architectural conservation areas and protected structures.

5.2. **Dún Laoghaire Rathdown County Development Plan, 2016-2022:**

5.2.1. *Land Use Zoning:*

The proposed development site is zoned as 'A' with the stated land use zoning objective '*To protect and-or improve residential amenity*'.

5.2.2. *Other Relevant Sections / Policies:*

Chapter 6: Built Heritage Strategy:

Section 6.1.3: Architectural Heritage:

Policy AR5: Buildings of Heritage Interest:

It is Council policy to:

- i. Retain, where appropriate, and encourage the rehabilitation and suitable reuse of existing older buildings / structures / features which make a positive contribution to the character and appearance of a streetscape in preference to their demolition and redevelopment and to preserve surviving shop and pub fronts of special historical or architectural interest including signage and associated features.
- ii. Identify buildings of vernacular significance with a view to assessing them for inclusion in the Record of Protected Structures.

Policy AR8: Nineteenth and Twentieth Century Buildings, Estates and Features:

It is Council policy to:

- i. Encourage the appropriate development of exemplar nineteenth and twentieth century buildings and estates to ensure their character is not compromised.
- ii. Encourage the retention of features that contribute to the character of exemplar nineteenth and twentieth century

buildings and estates such as roofscapes, boundary treatments and other features considered worthy of retention.

Section 6.1.4: Architectural Conservation Areas (ACA)

Policy AR12: Architectural Conservation Areas:

It is Council policy to:

- i. Protect the character and special interest of an area which has been designated as an Architectural Conservation Area (ACA).
- ii. Ensure that all development proposals within an ACA be appropriate to the character of the area having regard to the Character Appraisals for each area.
- iii. Seek a high quality, sensitive design for any new development(s) that are complimentary and/or sympathetic to their context and scale, whilst simultaneously encouraging contemporary design.
- iv. Ensure street furniture is kept to a minimum, is of good design and any redundant street furniture removed.
- v. Seek the retention of all features that contribute to the character of an ACA including boundary walls, railings, soft landscaping, traditional paving and street furniture.

(The proposed development site is located within the 'Dalkey Village Architectural Conservation Area').

Chapter 8: Principles of Development:

Section 8.2.3: Residential Development:

Section 8.2.3.4: Additional Accommodation in Existing Built-up Areas: (i) Extensions to Dwellings:

Section 8.2.11: Archaeological and Architectural Heritage:

Section 8.2.11.3: Architectural Conservation Areas

5.3. Natural Heritage Designations

5.3.1. The following natural heritage designations are located in the general vicinity of the proposed development site:

- The Dalkey Coastal Zone and Killiney Hill Proposed Natural Heritage Area (Site Code: 001206), approximately 215m to the northeast.
- The Dalkey Islands Special Protection Area (Site Code: 004172), approximately 280m northeast.

5.4. EIA Screening

5.4.1. Having regard to the minor nature and scale of the development proposed, the site location in an established built-up area outside of any protected site and the nature of the receiving environment, the limited ecological value of the lands in question, the availability of public services, and the separation distance from the nearest sensitive location, there is no real likelihood of significant effects on the environment arising from the proposed development. 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

- The existing dwelling house occupies a confined site with only limited amenity space (with a north-eastern aspect) to the rear of the property (it should also be noted that the building footprint is unchanged since its original construction, save for the provision of a small conservatory to the northwest of the dwelling). Recent developments to the northeast and northwest, including extensive tree planting and the construction of an extension on adjacent lands, have served to exacerbate the sense of enclosure experienced in the limited private open space on site. Therefore, with a view to improving the level of amenity, the applicants developed a private roof terrace at second floor level, however, while this additional space is welcome, it is of limited size

and usability. Accordingly, the subject proposal aims to enlarge, relocate, and reorientate the roof terrace so as to improve the applicants' enjoyment of the space while also mitigating any impact on the residential amenity of adjoining dwellings.

- The design of the proposed development has been amended since the refusal of PA Ref. No. D19A/0643 and includes for the following revisions:
 - The physical form of a pitched roof construction is to be retained with a small increase in ridge height and a flat roof in keeping with the existing built form prevalent along the streetscape (noting that the works will not be overtly visible from the public road).
 - All the window openings etc. will face southwest and towards the internal body of the main house. No amendments are proposed to the existing fenestration on the north-western elevation of the dwelling thereby negating any perceived overlooking.
 - No revisions are proposed to the existing windows facing northeast.
 - Any additional height will be on the same plane as existing and will not impact on adjoining properties.
- Given the siting of the works to the rear of the property and the level of screening between it and Rockfort House, the proposed development will not negatively impact on the character or external expression of the dwelling or the Dalkey Village Architectural Conservation Area.
- The proposed extension is modest and in keeping with the scale of the street. It will not be visible in the streetscape and will not seriously impact on the visual or residential amenities of the area or of property in the vicinity.
- With respect to the observation received from an adjoining landowner, no photographic evidence has been submitted to support the assertion that the dwelling already has a negative visual impact on the residential amenity of Rockfort House. By extension, there is no evidence that the proposed development will negatively impact on the residential amenity of that property.

- The subject dwelling is not visible from any point within the grounds of Rockfort House by virtue of the extensive tree growth within that property. Therefore, there is no cause for concern as regards visual impact.
- When compared to the existing roof terrace, the proposed terrace will be at a greater distance from Rockfort House and, therefore, it will not have an adverse impact on the residential amenity of that property by reason of additional overlooking.
- The discrepancies and typographical errors identified in the report of the case planner do not impact on the assessment of the proposal.
- The existing hipped roof to the rear of the house is not visible to any party and does not contribute to the streetscape. It is of no intrinsic architectural, historical, archaeological, artistic, cultural, social or technical interest / value to the character of the house (which is not a protected structure) and all parties will be unaware of its removal (other than the applicants who wish to enjoy their own property to its full).
- The applicants are satisfied that the hipped roof detail, which has already been amended by previous works, can be removed and replaced without impacting on the remainder of the building.
- The suggestion that the proposal would set an undesirable precedent for similar development in the area is unsubstantiated. The proposed works are distinct to the subject property and involve the amendment of an approved development.
- The Planning Authority has sought to protect a hipped roof that has already been altered by previously approved works. The roof has been reinstated and amended over its lifetime and is of no architectural value etc.
- The proposed development is consistent with the Development Plan, will not give rise to any undesirable effects on adjoining property, and accords with the proper planning and sustainable development of the area.
- The proposed development does not contravene Policies AR5, AR8 & AR12 or Section 8.2.11.3(i): '*New Development within an ACA*' of the Development Plan.

- The proposed development will not impact on the character or appearance of the streetscape within the Dalkey Village Architectural Conservation Area. In this regard, it is of relevance to note that the character of the adjoining semi-detached property (No. 2 Alexandra Villas) has already been compromised through the construction of an inappropriate two-storey side extension which serves to detract from the built heritage interest of this pairing of late Victorian houses.
- The proposal includes for the extension of a previously altered roof and the removal of an already compromised hipped roof detail. Furthermore, the works will not detract from the character of the building or its roofscape and will improve its overall appearance through the removal of the inappropriate glazed extension / insertion.
- With respect to adherence to Policy AR12: '*Architectural Conservation Areas*' of the Development Plan:
 - The development does not in any way impact on the character of the ACA. It is further contended that while the building in question contributes to the streetscape, it is of no particular special interest in itself.
 - The proposal is appropriate to the area and represents a modest addition which will result in the removal of development which is not in keeping with the existing roofscape.
 - The design of the works is minimal and sympathetic to the context and scale of the building,

6.2. Planning Authority Response

- States that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

6.3. Observations

6.3.1. Noel Meaney:

- The proposed development contravenes the provisions of the Development Plan and the applicable land use zoning objective as regards the protection and improvement of residential amenity.
- The proposal will have a detrimental impact on the residential amenity of the neighbouring property of Rockfort House by reason of its negative visual impact / overbearing appearance as well as increased overlooking with an associated loss of privacy.
- Having regard to the architectural quality of the wider streetscape, it is considered that the design of the proposed development, with particular reference to the alteration of the roof profile to the rear of the property, will have an adverse impact on the special character and built heritage interest of the existing building as well as the wider Dalkey Village Architectural Conservation Area.
- When compared to the development previously refused permission on site under PA Ref. No. D19A/0573, the subject proposal remains contrary to the proper planning and sustainable development of the area.
- The proposal would set an undesirable precedent for further inappropriate development in the Dalkey Village Architectural Conservation Area.
- Having regard to the site location in the Dalkey Village Architectural Conservation Area, the proposed development would directly conflict with the built heritage objectives of the Development Plan.

6.4. Further Responses

None.

7.0 Assessment

7.1. From my reading of the file, inspection of the site and assessment of the relevant policy provisions, I conclude that the key issues raised by the appeal are:

- Overall design & impact on built heritage considerations
- Impact on residential amenity
- Appropriate assessment

These are assessed as follows:

7.2. Overall Design & Impact on Built Heritage Considerations:

- 7.2.1. In terms of assessing the overall design of the proposed development and its impact on built heritage considerations, it should be noted at the outset that while the subject property is not a protected structure, it is located within the Dalkey Village Architectural Conservation Area (within which there are a number of protected structures, including Rockfort House (RPS No. 1502) to the immediate northwest). In this regard, I would draw the Board's attention to Section 6.1.4: '*Architectural Conservation Areas*' of the Development Plan and, in particular, Policy AR12: '*Architectural Conservation Areas*' which aims to protect the character and special interest of ACAs by ensuring that development proposals are appropriate to the character of the area within which they are situated having regard to the 'Character Appraisals' for each ACA and that they are complimentary and / or sympathetic as regards their context and scale. It is of further relevance from a built heritage perspective to note that the subject dwelling forms one of a pair of late Victorian, two-storey, semi-detached houses (known together as 'Alexandra Villas') and that while both properties have been altered to some extent (with a substantial flat-roofed side extension having been constructed to the gable end of No. 2 Alexandra Villas), the architectural treatment of their original front facades remains intact and makes a positive contribution to the wider streetscape.
- 7.2.2. The subject proposal involves the carrying out of various works to the rear return of the property which will considerably alter the roof profile. It is proposed to remove the existing hipped roof detail to the immediate rear of the primary two-storey, street-front construction and to demolish the glazed roof extension that provides access to both the attic level and the roof terrace before subsequently extending the attic

floorspace and providing an additional roof terrace (to be interlinked with the existing roof terrace) bounded by parapet walling. The new construction also includes for the raising of the attic floor level (and that of the roof terrace) and the provision of a replacement roof profile that will raise the roof apex by 600mm.

- 7.2.3. From a review of the available information, it is apparent that the decision to refuse permission issued by the Planning Authority has been informed in large part by the report of the Architectural Conservation Officer wherein it is stated that the traditional hipped roof form to the rear return is considered to contribute to the overall character and external expression of the existing dwelling and that its removal would be contrary to the built heritage policy objectives of the County Development Plan. Notably, the actual reason for refusal would appear to have broadened the built heritage concerns in that it does not expressly refer to the hipped roof element but rather makes a wider reference to the entirety of the roof form over the rear return.
- 7.2.4. While I would acknowledge that the proposed works will undoubtedly change the roof profile to the rear of the existing dwelling and also appear to involve the loss of a hipped roof detail that likely forms part of the original house construction, in my opinion, the impact of the development on built heritage considerations, including the character and integrity of the Dalkey Village Architectural Conservation Area, is not of such significance as to warrant a refusal of permission. In this regard, I am particularly cognisant that the works in question will not be overtly visible from the roadside given their siting to the rear of the property and below the ridge line of the principal construction. In addition, the orientation / alignment of the property to the public road and the screening provided by the mature trees within the grounds of the adjacent property of Rockfort House will ensure that any impact on the broader streetscape and the ACA will be minimal.
- 7.2.5. With respect to the impact of the proposed development on the character of the dwelling house itself, I would advise the Board that the roof profile to the rear of the property, including the hipped roof construction, has already been significantly altered on at least two occasions as a result of works previously undertaken pursuant to PA Ref. Nos. D02B/0849 (ABP Ref. No. PL06D.201828) & D07B/0896. For example, PA Ref. No. D02B/0849 authorised the construction of a new stairwell (with a glazed roof and aluminium frame) rising from the first floor through the hipped roof to provide access to a new rooftop terrace. The roof profile was further modified

by PA Ref. No. D02B/0849 (ABP Ref. No. PL06D.201828) with the wall and roof of the first floor rear bedroom being raised to create a new attic level while the design and construction of the stairwell to the roof terrace was also reworked thereby further compromising the hipped roof. Therefore, in assessing the impact of the subject proposal on the character of the existing building, a key consideration is that the roof form of the original construction has already been substantially altered. Furthermore, although the works will result in the loss of the remainder of the original hipped roof detail which is regrettable in the context of Policies AR5 & AR8, it must be noted that this is not a protected structure and thus does not warrant the same level of protection.

7.2.6. It is my opinion that the significance of the existing property and its contribution to the character and appreciation of the Dalkey Village Architectural Conservation Area derives from its architectural treatment when viewed as part of the streetscape along Rockfort Avenue (noting that the ACA Character Appraisal refers to the curving line of Rockfort Avenue as having a '*unique architectural character defined by elegant terraced villa style houses within a setting dominated by mature trees creating a canopy over the public thoroughfare*'). The alteration of the rear return and its roof profile will not be overtly visible from the public road and thus will not diminish the integrity of the vistas / views enjoyed along the roadway and from within the wider ACA. I would further consider that the alterations to the roof profile will be of limited significance when viewed from within the adjacent property of Rockfort House (a protected structure) given the relatively minor nature and scale of the works and the level of screening between the respective properties.

7.2.7. Accordingly, I am satisfied that the proposed works will not unacceptably erode the special architectural character or external expression of the existing dwelling and will not undermine the built heritage objectives of the Development Plan.

7.3. **Impact on Residential Amenity:**

7.3.1. Concerns have been raised that the proposed development will have a detrimental impact on the residential amenity of the neighbouring property of Rockfort House by reason of an excessively overbearing appearance as well as increased overlooking with an associated loss of privacy.

- 7.3.2. With respect to the visibility of the proposal from within the grounds of Rockfort House (a protected structure), having regard to the limited nature, bulk and scale of the works involved, the separation distance between Rockfort House and the shared site boundary, and the level of screening between the respective properties, I would reiterate my view that any visual impact will be of limited significance and will not detract from the character or setting of either the neighbouring protected structure or the wider ACA.
- 7.3.3. In relation to the potential for overlooking, while I would acknowledge that the proposed development includes for the raising of the floor level & parapet wall of the existing roof terrace by 480mm, given the extent of screening provided by the existing trees and landscaping along the Rockfort House side of the common boundary, the separation distance between the proposed works and Rockfort House, and the site location in a built-up area where some aspect of overlooking would not be unexpected, I am satisfied that this element of the proposal will not result in any undue overlooking or loss of privacy. Similarly, although the extent of the rooftop terrace will be extended over that area presently occupied by the remainder of the hipped roof to the rear return, this new external space will be positioned atop the underlying construction and will be set back behind the existing terrace thereby achieving a greater separation from the neighbouring property (the edge of the new terrace will be recessed c. 2.25m behind the outermost parapet wall of the existing roof terrace). Accordingly, it is my opinion that the proposed development will not give rise to any significant additional impact on the residential amenity of neighbouring property by reason of overlooking.

7.4. **Appropriate Assessment:**

- 7.4.1. Having regard to the minor nature and scale of the development under consideration, the site location within an existing built-up area outside of any protected site, the nature of the receiving environment, and the proximity of the lands in question to the nearest European site, it is my opinion that no appropriate assessment issues arise and that the development would not be likely to have a significant effect, either individually or in combination with other plans or projects, on any Natura 2000 site.

8.0 Recommendation

- 8.1. Having regard to the foregoing, I recommend that the decision of the Planning Authority be overturned in this instance and that permission be granted for the proposed development for the reasons and considerations, and subject to the conditions, set out below:

9.0 Reasons and Considerations

- 9.1. Having regard to the provisions of the Dún Laoghaire-Rathdown County Development Plan, 2016-2022, the scale, form and design of the proposed development, the level of screening afforded by existing landscaping, and the reasonable separation distance between the proposed development and adjoining dwellings, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area or the residential amenities of property in the vicinity, would not be inconsistent with the broad mix of architectural design and form in the wider environs, and would not adversely impact on the character of the Dalkey Village Architectural Conservation Area. 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, 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 development shall be the same as those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

3. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 and 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.

Robert Speer
Planning Inspector

14th February, 2022