



An
Bord
Pleanála

Inspector's Report ABP-313064-22

Development	Removal of garage, shed and chimney. Construction of two storey extension. Repositioned centred entrance and associated site works.
Location	30, Ravensdale Drive, Kimmage, Dublin 12 D12 E732
Planning Authority	Dublin City Council
Planning Authority Reg. Ref.	WEB5219/21
Applicant(s)	Julio Alamilla and Kellie Elkin
Type of Application	Planning Permission
Planning Authority Decision	Grant with conditions
Type of Appeal	Third Party Appeals
Appellant(s)	Mark and June Griffin Stephen Cahill and Anne Jackson
Observer(s)	None
Date of Site Inspection	13 th February 2023
Inspector	Susan Clarke

1.0 Site Location and Description

- 1.1. The rectangular shaped site (measuring 275 sq m) is located at No. 30 Ravensdale Drive, Kimmage, Dublin 12. It is situated within an established low-medium density suburban housing area comprising of mostly single storey with dormer and two-storey, semi-detached and terraced style houses, with varying architectural styles, on relatively large sized plots.
- 1.2. The subject single storey, semidetached dwelling has two windows on its front façade (north elevation) and its main entrance is recessed to the side (western elevation), with a side garage further setback on the mutual boundary with No. 30. The site has a front garden with vehicular access and a large rear garden. Nos. 29 and 30 have a marginally lower ground floor level than the adjoining two semi-detached properties to the west (i.e. Nos. 31 and 32).
- 1.3. A set of photographs of the site and its environs taken during the course of my site inspection is attached.

2.0 Proposed Development

- 2.1. The proposed development consists of:
 - Demolition of existing garage, shed and chimney located to the side and rear of the property (14 sq m),
 - Construction of a one and two storey extension to the side and rear (95 sq m),
 - Provision of a dormer roof extension on the front roof plane and three roof lights on the rear pitched roof,
 - Repositioning of the main entrance of the house from the side to the centre of the front façade with a canopy above.

The development would accommodate a kitchen and living area at ground floor level and three additional bedrooms at first floor level and will result in a total gross floor space of 194 sq m (4 bed unit). The rear and side extension would be finished in render with a selected RAL colour, while the front dormer would have a render and cladding finish.

3.0 Planning Authority Decision

3.1. Decision

Dublin City Council issued a Notification of Decision to Grant Permission on 23rd February 2022 subject to nine conditions. Condition No. 3 states:

The development shall be revised as follows:

- a) The dormer on the front facing roof plane shall have a maximum external width of 5 metres.*
- b) The external walls of the dormers shall be of a similar colour to the existing roof finish.*
- c) All fascia/soffits; rainwater goods, window frames glazing bars shall be finished in a dark colour so as to blend with the existing roof.*
- d) The 2 no. windows on the gable of the side extension at first floor level shall be omitted from the development.*

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings.

Reason: To ensure a satisfactory standard of development and to protect adjoining residential amenity.

3.2. Planning Authority Reports

3.2.1. Planning Report (18th February 2022)

3.2.2. Basis of Planning Authority's decision.

The Planning Officer highlighted that normally dormers on the front facing roof planes are not considered acceptable as they can negatively impact on the character of the streetscape. However the Officer highlighted that there are several houses on the street with such dormers and such the proposal was considered acceptable in this regard. Notwithstanding this, the Officer recommended that the dormer be reduced to a maximum external width of 5m to ensure it does not negatively impact on the

character of the streetscape. In addition, the Officer recommended that the proposed two gable windows on the side extension be removed to prevent direct overlooking of the neighbouring property.

3.2.3. Other Technical Reports

Drainage Division (19th January 2022): No objection, subject to condition.

Transportation Planning Division: No comments received.

3.3. Prescribed Bodies

Irish Water: No comments received.

3.4. Third Party Observations

Two Third-Party Observations from the adjoining neighbours were received by the Local Authority opposing the development. The key points raised are similar to those raised in the Third-Party Appeals, which are summarised in Section 6.0 below.

4.0 Planning History

No relevant history on the subject site.

5.0 Policy Context

5.1. Dublin City Development Plan 2022-2028

- 5.1.1. Since the Local Authority issued a Notification of Decision to Grant Permission for the proposed development, a new development plan has been prepared and adopted for the City. The relevant development plan to this assessment is the Dublin City Development Plan 2022-2028, which was adopted on 2nd November 2022 and came into effect on 14th December 2022.

- 5.1.2. The site is zoned Z1 (Sustainable Residential Neighbourhoods) which aims: *To protect, provide and improve residential amenities*. Residential is listed as a permissible use under this zoning objective.

Chapter 5 of the Development Plan relates to Quality Housing and Sustainable Neighbourhoods.

Appendix 18 of the Development Plan relates to Ancillary Residential Accommodation. Section 1.0 outlines the key considerations for residential extensions including *inter alia*:

General Design Principles

Applications for extensions to existing residential units should:

- *Not have an adverse impact on the scale and character of the existing dwelling*
- *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight*
- *Achieve a high quality of design*
- *Make a positive contribution to the streetscape (front extensions)*

There is a general presumption against front extensions that significantly break the building line, unless it can be justified in design terms and demonstrated that such a proposal would have no adverse impact on the character of the area or the visual/residential amenities of directly adjoining dwellings.

Extensions To Rear

In determining applications for first floor extensions, the following factors will be considered:

- *Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries*
- *Remaining rear private open space, its orientation and usability*
- *Degree of set-back from mutual side boundaries*
- *External finishes and design, which shall generally be in harmony with existing.*

Extension To Side

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, 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. External finishes shall normally be in harmony with existing.

Privacy And Amenity

Extensions should not result in any significant loss of privacy to the residents of adjoining properties. Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided.

Separation Distances

In cases where the backs of dwellings face each other or where the side of one dwelling faces the rear of a neighbouring property, a certain degree of separation is required to avoid any overbearing effect of one dwelling upon the other. With the emphasis on increased residential densities and the consequent incorporation of a variety of unit types and sizes in schemes, the requirement for 22 metre separation in such cases may no longer be applicable in certain instances.

Daylight And Sunlight

Consideration should be given to the proportion of extensions, height and design of roofs as well as taking account of the position of windows including rooms they serve to adjacent or adjoining dwellings.

Appearance And Materials

The extension should not dominate the existing building and should normally be of an overall scale and size to harmonise with the existing house and adjoining buildings; the appearance of the existing structure should be the reference point for any consideration of change that may be proposed. The materials used should complement those used on the existing building; features such as windows and doors on the new extension should relate to those on the original building in terms of proportion and use of materials.

Section 4.0 addresses alterations at **roof level/attic/dormers/additional floors**. The following criteria will be considered in assessing alterations at roof level:

- *Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- *Existing roof variations on the streetscape.*

- *Distance/ contrast/ visibility of proposed roof end.*
- *Harmony with the rest of the structure, adjacent structures, and prominence.*

Section 5.0 relates to **attic conversions/dormer windows**.

Dormer windows, where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling. The use of roof lights to serve attic bedrooms will be considered on a case-by-case basis.

Dormer windows may be provided to the front, side or rear of a dwelling. Table 18.1 sets out Dormer Window Guidance.

Appendix 3 (Achieving Sustainable Compact Growth Policy for Density and Building Height in the City) outlines the Development Plan's policy in relation to plot ratio and site coverage.

- Plot Ratio: Outer Employment and Residential Area – 1.0-2.5
- Site Coverage: Outer Employment and Residential Area – 45-60%

5.2. **Natural Heritage Designations**

The appeal site does not form part of, it does not adjoin or is it located within close proximity to any designated Natura 2000 site. I note that the nearest such sites are the South Dublin Bay & River Tolka Estuary SPA (Site Code: 004024) and South Dublin Bay SAC (Site Code: 000210) which are located c6.5km at its nearest point to the east of the site.

5.3. **EIA Screening**

Having regard to the modest scale of the proposed development and its location within an appropriately zoned and serviced area there are no likely significant environmental impacts arising therefrom.

6.0 **The Appeal**

Two Third-Party Appeals were submitted to An Bord Pleanála on 21st and 22nd March 2022 from Mark and June Griffin (No. 31 Ravensdale Drive) and Stephen Cahill and Anne Jackson (No. 29 Ravensdale Drive) opposing the Local Authority's decision.

Mark and June Griffin's grounds of appeal can be summarised as follows:

- Applicant has no intention of constructing the development as the property has been put on the market for sale.
- The proposal constitutes overdevelopment. The property will double in size and will have an adverse impact on the character and scale of the dwelling, in addition to overbearing impacts on neighbouring properties.
- The proposal is not consistent with the (former) Development Plan's policy in relation to extensions.
- The proposal will adversely affect amenities in terms of privacy, access to daylight and sunlight.
- No effort made to create a design sympathetic to existing designs in the locality.
- The proposal ignores the recessed main entrance and character of the dwelling by relocating the main entrance to the front elevation.
- The proposed two windows on the side wall will directly overlook the neighbouring property.
- There is no reference to zoning or flooding in the Local Authority's Drainage Division report.

Stephen Cahill and Anne Jackson's grounds of appeal can be summarised as follows:

- No analysis of daylight and sunlight impacts on neighbouring properties. The proposed flat roofed two storey extension on the party boundary with No. 29 would overshadow the first floor bedroom window and comprise daylight and sunlight presently enjoyed from that window. In addition, the flat roofed single storey extension would overshadow the ground floor kitchen window.
- The flat roofed single storey extension, at a height of 3.23m higher than the patio floor of No. 29, would be completely overbearing and would have a drastically negative visual effect.
- The two storey extension would, at a height of 5.66m, dominate and appear overbearing to neighbouring properties.

- The truncating of the current dual dormer window and the construction of the vertical two storey element will render the remaining dormer window on No. 29 to be “stuck in a corner”, whereas before it was one of the primary features of the roof.
- The two storey extension will overlook the rear garden of No. 29, reducing the privacy currently enjoyed by this property.
- The proposal constitutes overdevelopment. The property will double in size and will be out of sync with adjoining property and streetscape. The continuous integrity of the current pitched roof would be no more.
- The proposal is out of keeping with the area as the main entrance doors are located on the side gables.
- The proposal would have an overbearing and claustrophobic effect on No. 31, looming over its main exit from a height of almost 7m. Should others follow, it would create a terraced streetscape.

6.1. Applicant Response

No responses on file.

6.2. Planning Authority Response

No response on file.

6.3. Observations

None.

6.4. Further Responses

None.

7.0 Assessment

Having examined the application details and all other documentation on file, including the Third-Party Appeals, and inspection of the site, and having regard to relevant

local/regional/national policies and guidance, I consider that the main issues on this appeal are as follows:

- Principle of Development
- Impact on Residential Amenities of Nos. 29 and 31 Ravensdale Drive
- Flood Risk

Each of these issues is addressed in turn below.

7.1. Principle of Development

- 7.1.1. The proposed development comprises a refurbishment and extension to an existing residential use in an area zoned for residential amenity in the current Development Plan (Z1 - *To protect, provide and improve residential amenities*). I consider the proposed development to be acceptable in principle, subject to quantitative and qualitative safeguards in respect of design and amenity.

7.2. Impact on Residential Amenities of Nos. 29 and 31 Ravensdale Drive

Overdevelopment and Overbearing Impacts

- 7.3. The Third-Party Appeals argue that the proposal's massing and scale are excessive and out of character with the area. In quantitative terms, the proposed development would have a stated plot ratio and site coverage of 0.7 and 46%, respectively. As outlined above, the applicable CDP plot ratio and site coverage standards for the site are 1.0-2.5 and 45-60%, respectively. As such in terms of quantitative development management standards, the proposed development would not be considered as overdevelopment.
- 7.4. The ground floor rear extension extends c.1.6m from the dwelling's existing rear elevation (which is flush with the rear elevation of No. 29) and c0.6m from the rear elevation of the garage, along the mutual boundary with No. 31. Having regard to the length and height (3.23m) of the proposed ground floor rear extension, I do not consider it would have any adverse overbearing impacts on No. 29. Furthermore, it does not extend beyond the side extension of No. 31 and as such, I am satisfied that it would not have any negative impacts on this neighbouring property. In terms of the ground floor side extension, it would essentially infill the space in front of the garage and extends to the mutual boundary of the site with No. 31. There will be a separation

distance of 2.64m between this extension and the eastern elevation (which includes the front door) of No. 31 and as such I consider this to be acceptable and would ensure no overbearing impacts arise.

- 7.5. The first floor rear extension extends c.1.6m from the existing dormer window. Whilst this extension would have a parapet height of 5.36m, as illustrated on Dwg. No. P300-PA (Proposed Side East Elevation), the proposed first floor extension would not extend beyond the eaves of No. 29, and as such, due to its setback form, I am satisfied it would not have any undue overbearing impacts on this neighbouring property. The first floor extension would extend a further 1.8m to the rear along the western boundary with No. 31. The neighbouring single storey side extension (measuring c4m in width) extends a further c.2m in a southerly direction. Having regard to this, in my opinion, the proposed first floor extension would not have any overbearing impacts on No. 31. I highlight that both the neighbouring properties benefit from large rear gardens and as such I do not consider that the proposal would have a dominant appearance on the private open space associated with the subject dwellings.

Visual Impact

- 7.6. In terms of the visual impact of the proposal, I note that the Local Authority was satisfied with the proposed dormer to the front elevation having regard to similar style dormers in the area – see Photo 1B attached to this Report. Notwithstanding this, I reiterate that Condition No. 3 attached to the Local Authority's Notification of Decision to Grant Permission requires that it shall have a maximum external width of 5 metres. The proposed dormer has a width of c.9.6m and as such reducing it to 5m would affectively half the width. I highlight that the Applicant has not appealed this Condition. Such a reduction in the width of the dormer, would significantly reduce the headroom height (2.42m) of Bedroom 1 and 2. Section 5.0 of the Development Plan's Appendix 16 states that a dormer should relate to the shape, size, position and design of the existing doors and windows on the lower floors. Having regard to the foregoing, I recommend that the dormer is reduced in width to 8m to align with the outer edges of the ground floor level windows. The dormer is setdown from the ridge of the roof in accordance with the requirements of Section 5.0 of the Development Plan's Appendix 16 and as such, it would enable a large proportion of the original roof to remain visible and would be subservient to the original dwelling.

7.7. In relation to the relocation of the front door, I note that a number of the properties, (including No. 20 and 21 Ravensdale Drive, directly opposite the site – see Photo 7 attached to this Report) have front doors on their front elevations. As such, I do not consider that this element of the proposal would be out of character with the area. Similarly, I do not consider that the rear extension will have a negative visual impact on the character of the area, but rather will read as a contemporary addition to the original dwelling. I highlight that there are no Protected Structures in the area, nor is the site located in an Architectural Conservation Area. As stated above and illustrated in the photographs attached to this Report, there are a variety of architectural styles in the area. Having regard to the foregoing, in my opinion, the proposal will not adversely impact the visual amenity of the area.

Overlooking

- 7.7.1. In terms of the concerns raised in relation to overlooking, I reiterate that Condition No. 3 attached to the Local Authority's Notification of Decision to Grant Permission also requires that the two windows on the gable of the side extension at first floor level shall be omitted. I concur with the Local Authority that the omission of these two windows would prevent direct overlooking of No. 31. Notwithstanding this, I note from my site visit that No. 31 has two windows on its eastern gable directly facing the subject site – see Photo 4 attached to this Report.
- 7.7.2. In terms of overlooking from the rear, I do not consider it would extend beyond the degree of overlooking that is typical in urban/suburban areas (including the rear dormer window of No. 29) and will not result in a significant loss of privacy that would adversely impact the residential amenity of the neighbouring properties. In addition, I highlight that the rear elevation of the first floor extension is c.19.5m from the rear elevation of No. 54 Brookfield. As such, I am satisfied that there would be no overlooking onto this property due to the separation distance.

Daylight, Sunlight and Overshadowing

- 7.7.3. The grounds of appeal express concern that having regard to the scale of the proposal it will restrict daylight penetration to neighbouring properties, including living accommodation and will result in overshadowing. Having regard to the orientation of the subject dwelling and the Appellants' two properties, to the pathway of the sun, and to the scale and massing of the proposal, I am satisfied that no undue loss of light or

overshadowing would occur to the neighbouring property. This is confirmed in the Applicant's shadow analysis submitted as part of the Design Statement (December 2021) with the application. Furthermore, I am satisfied that the proposed development will not alter the quantum of daylight to such a significant degree that would adversely affect amenities enjoyed by the occupants of neighbouring dwellings. I note that both the adjoining dwellings have large rear gardens that would not be adversely overshadowed by the proposal.

Conclusion

- 7.7.4. I consider that the proposed development would result in no undue overbearing impacts or overshadowing on the neighbouring properties nor would it adversely impact the area's residential or visual amenities, including Nos. 29 and 31 Ravensdale Drive.

7.8. Flood Risk

- 7.8.1. Mark and June Griffin state in their Appeal that there is no reference to zoning or flooding in the Local Authority's Drainage Division report. Whilst part of Ravensdale Drive, which the property fronts onto is located in Flood Zone A (Map G of the Development Plan's Strategic Flood Risk Assessment), the site is located in Flood Zone C and as such is at a very low risk of flooding. Therefore, a Justification Test is not required. I note that the OPW does not record any flood events on the site. The proposed development will result in a relatively minor increase in hardstanding area and due to the scale of the proposal would not displace any large volume of water on the surrounding area. Furthermore, I note that the Local Authority's Drainage Division had no objection to the proposal subject to condition, which included that SUDS details be agreed with the Division prior to the commencement of the development. Having regard to the foregoing, I do not recommend that planning permission is refused for the proposed development on the basis of flood risk.

8.0 Appropriate Assessment

- 8.1.1. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely a suburban and fully serviced location remote from and with no hydrological pathway to any European site, 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.

9.0 Recommendation

I recommend that planning permission be granted, subject to the conditions outlined below.

10.0 Reasons and Considerations

Having regard to the residential land use zoning of the site, the nature, scale and location of the proposed extension to the existing dwelling, and the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development would not be overbearing or detract from the character of the area, unduly reduce privacy or result in adverse overshadowing of property in the vicinity or loss of daylight and sunlight including Nos. 29 and 31 Ravensdale Drive, or otherwise seriously injure the amenities of property in the vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>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 the commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The development shall be revised as follows:</p> <p>a) The dormer on the front facing roof plane shall have a maximum external width of 8 metres.</p>

	<p>b) The 2 no. windows on the gable of the side extension at first floor level shall be omitted from the development.</p> <p>Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings.</p> <p>Reason: To ensure a satisfactory standard of development and to protect adjoining residential amenity.</p>
3.	<p>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.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>Drainage arrangements, including attenuation and the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, 0800 to 1400 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>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<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</p>

	<p>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.</p> <p>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.</p>
--	--

Susan Clarke
Planning Inspector

14th February 2023