



An  
Bord  
Pleanála

## Inspector's Report

### ABP-313104-22

#### Development

Permission for the following works: (1) New window to laneway & new roof to single storey rear extension at ground floor; (2) Minor revisions to internal layout at first floor; (3) Attic conversion to provide new office served by 3 no. windows & 4 no. rooflights. Stepped & lower roof height rear attic extension to provide a bedroom, WC & landing served by 1 no. window & 3 no. rooflights; (4) Alterations to existing roof incl. increase in height; (5) New PV panels to new rear attic extension roof.

#### Location

Camire, 68a Georges Avenue,  
Blackrock, Co. Dublin

#### Planning Authority

Dun Laoghaire Rathdown County  
Council

#### Planning Authority Reg. Ref.

D21B/0715

#### Applicant(s)

John Gallagher & Maud Mainfray

#### Type of Application

Permission

**Planning Authority Decision**

Refuse

**Type of Appeal**

First Party

**Appellant(s)**

John Gallagher & Maud Mainfray

**Observer(s)**

None

**Date of Site Inspection**

02/05/2022

**Inspector**

Gillian Kane

## 1.0 Site Location and Description

- 1.1.1. The subject site is located on the eastern side of Georges Avenue, a largely residential street of mature (mostly C19th) dwellings running south out of the south Dublin suburban village of Blackrock.
- 1.1.2. Currently on site is a two-storey dwelling with a decorative pediment at roof level. There is a wide variety of dwellings in the immediate area, varying in architectural design, height, building line and Protected Status. To the south of the subject site is a laneway leading to a site on which permission has recently been granted by the Board for two 2-storey dwellings (ABP-309750-21).

## 2.0 Proposed Development

- 2.1. On the 23<sup>rd</sup> December 2021 planning permission was sought for the following:
- New window to laneway at ground level
  - New roof to single storey extension to rear
  - Attic conversion to provide office, served by 3 no. windows and 4 no. rooflights,
  - Lower roof height rear attic extension to provide a bedroom, WC and landing, served by 1 no. window and 3 no. rooflights,
  - Alterations to existing roof including increase in heights
  - New PV panels to new rear attic extension roof.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On the 25<sup>th</sup> February 2022, the Planning Authority issued a notification of their intention to REFUSE permission for the following reason:
- 1 It is considered that the proposed extension and roof alterations to the front and rear, by reason of their overall bulk, height and scale, would be out of keeping with the character of the existing dwelling and would have a negative impact on the visual amenity of the area. The proposed development would adversely impact on this streetscape and detract from the existing visual amenities of the area, would adversely impact on the setting of a protected structure and would depreciate the value of property in the vicinity. The proposed development would be contrary to Section 8.2.3.4 (i) Extensions to

Dwellings and Section 8.2.11.2 (iii) Development in Proximity to a Protected Structure 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.

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

3.2.1. **Drainage Planning:** No objection

3.2.2. **Planning Report:** No concerns re. overlooking. Proposed development would not injure the residential amenities of adjoining properties. Proposed rear attic extension would be visible from the streetscape, appearing above the single storey Protected Structures to the north. Proposed ridge height would be higher than neighbouring properties. Proposed development would significantly alter the roof profile of the dwelling, would be out of character due to its bulk and height and would be contrary to section 8.2.11.2(iii) and 8.2.3.4(i) of the development plan. Recommendation to refuse.

### 3.3. **Prescribed Bodies**

None on file.

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

3.4.1. Owners of the site to the rear of no.s 68a and 70 Georges Avenue: No objection to the proposed new window in the laneway.

## 4.0 **Planning History**

4.1.1. Planning Authority reg. ref. **D08A/0532**: planning permission granted for a new vehicular entrance

4.1.2. Adjoining Site: **ABP-309750-21**: Planning permission granted for the demolition of industrial sheds and the construction of two dwellings to the rear of 68a and 70 Georges Avenue, Blackrock.

## 5.0 Policy Context

### 5.1. Dun Laoghaire Rathdown County Development Plan 2022-2028.

- 5.1.1. The operative Development Plan is the Dun Laoghaire Rathdown County Development Plan 2022-2028. The site is zoned objective A – to protect and/or improve residential amenity whilst protecting existing residential amenities.
- 5.1.2. Section 12.3.7 Additional Accommodation in Existing Built-Up Areas. Section **12.3.7(iv)** refers to **Alterations at Roof/Attic Level**: Roof alterations/expansions to main roof profiles - changing the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip' for example – will be assessed against a number of criteria including:
- 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.

### 5.2. Natural Heritage Designations

- 5.2.1. South Dublin Bay and River Tolka Estuary (004024) 0.4km to the north of the subject site.

### 5.3. EIA Screening

- 5.3.1. Having regard to nature and scale of the proposed development and the urban location of the site 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

- 6.1.1. The owners / residents of no. 68a Georges Avenue have appealed the decision of the Planning Authority to refuse permission. The appeal states that the existing dwelling is too small for their growing family, more bedroom space and working space is needed. The grounds of the appeal can be summarised as follows:

- The proposed development is modest, remains in keeping with the surrounding pattern of development and there is minimal impact on the streetscape or surrounding properties.
- A series of photomontages, photographs and visualisations is submitted with the appeal. These demonstrate that the proposed development will not injure the visual or residential amenity of the area. There is a wide range of styles and designs in the immediate area. The wider area is undergoing significant re-development.
- The Planning Authority raised concerns about the visual impact only.
- The submitted visual aids did not show the visual impact of the proposed development as negative. The proposed development will not be bulky to imbalanced.
- The impact from the street is minimal. The view will be similar to that existing.
- The proposed new roof profile will be dwarfed in comparison to the ongoing development at the adjoining Frascati Park. The apex of the front roof will be lower than the chimney of the property to the south. Existing relative heights are maintained.
- Permission has been granted for two 2-storey dwellings to the rear of the site. The owners of that development have not objected to the proposed development.
- The proposed development has been carefully framed to integrate into the subject and adjoining sites, with no negative visual impact.
- There will be no impact on the adjoining protected structures. The proposed development is compliant with section 8.2.11.2(ii) of the development plan.
- The Board is requested to grant permission.

## **6.2. Planning Authority Response**

6.2.1. None on file.

## **6.3. Observations**

6.3.1. None on file.

## 7.0 Assessment

7.1.1. I have examined the file and the planning history, considered national and local policies and guidance, the submissions of all parties and inspected the site. I have assessed the proposed development and I am satisfied that the issues raised adequately identify the key potential impacts and I will address each in turn as follows:

- Principle of development
- Visual Amenity

### 7.2. Principle of Development

7.2.1. The subject site is located in an area zoned to protect and / or improve residential amenity. In principle, extending an existing domestic dwelling is acceptable, subject to all other planning considerations.

7.2.2. I concur with the assessment of the Planning Authority that the proposed development will not cause injury to the residential amenity of existing or future dwellings in terms of overlooking or overshadowing. The single issue raised by the Planning Authority is that of the impact of the proposed development on the visual amenity of the area.

7.2.3. I consider the ground level window looking on to the lane to be acceptable.

### 7.3. Visual Amenity

7.3.1. I note section 12.2.7.1(iv) of the new 2022 Dun Laoghaire Rathdown Development Plan which refers to development at roof / attic level. This section of the development plan requires that development at that level be assessed against the following criteria:

- 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.

7.3.2. As noted in section 1 above, Georges Avenue has a wide variety of architectural styles, finishes, treatments, roof heights, roof profiles and roof styles. There is no

uniformity which leads to a pleasingly eclectic aesthetic on the street. The subject dwelling is the only dwelling in the immediate area of its type. The decorative pediment at roof level on the front elevation is significant and its retention into the proposed development is welcomed. I note the set back of the proposed third floor and use of dark materials, to allow the pediment to retain its significant position as a defining feature of the dwelling. I am satisfied that the proposed development creates no competition with the existing façade of the dwelling. Nor does it create any competition with the adjoining Protected Structures.

- 7.3.3. The wider Blackrock area is undergoing significant transformation. Further, the site to the rear of the dwelling has permission for two contemporary two storey dwellings.
- 7.3.4. The proposed attic level extension, essentially creating a third storey to the existing dwelling, is in keeping with the existing dwelling and the streetscape, creates no injury to the residential amenity of any dwelling and is in accordance with section 12.3.7.1 of the development plan.
- 7.3.5. I am satisfied that the proposed development is acceptable and is in accordance with the proper planning and sustainable development of the area.

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

- 7.4.1. Having regard to the nature and scale of the proposed development in a fully serviced built-up urban area, no appropriate assessment issues arise, and it is considered that the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

### **8.0 Recommendation**

- 8.1.1. It is recommended that permission be granted subject to conditions for the reasons and considerations set out below.

### **9.0 Reasons and Considerations**

- 9.1 Having regard to the zoning objective of the area, the design, layout and scale of the proposed development and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the development would not seriously injure the visual amenities of the area or residential amenity of property in the vicinity. The proposed development for which permission is sought 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.

**Reason:** In the interest of clarity.

- 2 Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the Planning Authority for such works and services.

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

- 3 Site development and building works shall be carried out only between the hours of 0800 to 1800 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.

**Reason:** In order to safeguard the amenities of property in the vicinity.

- 4 All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site. In this regard, ducting shall be provided to facilitate the provision of broadband infrastructure within the proposed development.

**Reason:** In the interest of orderly development and the visual amenities of the area.

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

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

- 6 Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision replacing or amending them, no development falling within Classes 1, 3 and 5 of Schedule 2, Part 1 to those Regulations shall take place within the curtilage of the house without a prior grant of planning permission.

**Reason:** In the interest of orderly development, and to allow the planning authority to assess the impact of any such development on the amenities of the area through the statutory planning process

- 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.

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Gillian Kane  
Senior Planning Inspector

02 May 2022