



An  
Bord  
Pleanála

## Inspector's Report ABP-314531-22

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<b>Development</b>	Proposed new first floor only extension to the side of the existing house and all ancillary works
<b>Location</b>	128A, Ballyshannon Road, Kilmore, Coolock, Dublin 5
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	4228/22
<b>Applicant(s)</b>	Fran & Debbie O'Hanlon
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse
<b>Type of Appeal</b>	First Party
<b>Appellant(s)</b>	Fran & Debbie O'Hanlon
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	20/02/2023
<b>Inspector</b>	Lorraine Dockery

## **1.0 Site Location and Description**

1.1. The subject site, which has a stated area of 463 square metres, contains a two-storey, end-of-terrace dwelling in this established residential area.

## **2.0 Proposed Development**

2.1 Permission is sought for the construction of a new first floor extension to the side of the existing house and all ancillary works.

2.2 The proposed additional floor area is stated as being 43m<sup>2</sup>

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission REFUSED for one reason, as follows:

1. The proposed first floor extension would result in a dwelling significantly wider and larger than the existing and original dwellings on this terrace of houses as well as significantly breaching the established building line of the dwellings to the north on Castletimon Park. The scale and appearance of the extended dwelling would, therefore, cause serious injury to the residential amenities and character of the area by reason of visual impact and scale and would be contrary to Development Plan policy with regard to domestic extensions (Section 16.10.12) and corner/side garden sites (Section 16.10.9) and the proper planning and sustainable development of the area.

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

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

The main points of the planner's report include:

- Proposed extension is considered to be inconsistent with the character of the street and the scale and appearance of the existing dwellings, would significantly breach the building line of the terrace to the north and would have

an adverse visual impact on the streetscapes of both Castletimon Park and Ballyshannon Road.

- Recommends refusal of permission

### 3.2.2 Other Technical Reports

Drainage Division- No objections, subject to conditions

## 3.3 Prescribed Bodies

None

## 4.0 Planning History

2861/04

Permission GRANTED for two-storey, end of terrace dwelling and front driveway

3003/14

Permission GRANTED for single storey extension to side and ancillary site works

2121/20

Permission and Retention Permission GRANTED for ground floor extension to side and 5 dormers to existing dwelling

3563/20

Permission GRANTED for ground floor extension to rear of existing house, 5 no. dormers to existing house and ancillary site works

Nearby Site of Relevance

1131/08

Permission GRANTED on site adjacent to 122 Ballyshannon Road & 1 Castletimon Avenue for 2 no. two storey, 3 bedroom, semi-detached houses, creation of 2 no. new vehicle access and ancillary site works.

## **5.0 Policy and Context**

### **5.1 Development Plan**

The Dublin City Development Plan 2022-2028 is the operative Development Plan for the area.

Zoning- 'Objective Z1' which seeks 'to protect, provide and improve residential amenities'.

Appendix 18 deals with Residential Extensions (section 1).

### **5.2 Natural Heritage Designations**

The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

### **5.3 EIA Screening**

Having regard to the nature and scale of the development proposed, the site location within an established built-up urban area which is served by public infrastructure and outside of any protected site or heritage designation, the nature of the receiving environment and the existing pattern of residential development in the vicinity, 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**

An appeal was received on behalf of the first party, which may be broadly summarised as follows:

- Disappointed they were refused permission for proposal
- No. 122a and b were granted similar type development but as two separate houses- this proposal maintains property as one dwelling.

## **6.2 Planning Authority Response**

Request An Bord Pleanála uphold their decision and that if permission is granted, a condition requiring the payment of a section 48 development contribution be applied.

## **6.3 Observations**

None

## **6.4 Further Responses**

None

## **7.0 Assessment**

7.1 I have read all the documentation attached to this file including inter alia, the appeal submission, the report of the Planning Authority and response received, in addition to having visited the site.

7.2 The primary planning issues, as I consider them, are impact on the visual and residential amenity of the adjoining property arising from the proposed works.

7.3 I highlight to the Board that a new City Development Plan has been adopted, since the decision of the planning authority issued.

### Visual and Residential Amenity

7.4 In terms of visual amenity, I consider that the extent and scale of the proposed works is inappropriate in this location and context, when taken in conjunction with that existing on site. If permitted, development on site would extend to an overall width of almost 17.5 metres, almost three times the width of an average dwelling in the vicinity. Given its prominent location on this corner site, the proposed development

would be unduly visible, visually incongruous and dominant on the streetscape and would be significantly out of scale and character with other dwellings in the vicinity. The proposed design solution is considered unacceptable and does not attempt to visually break up the extent of the elevations.

- 7.5 I also concur with the opinion of the planning authority regarding their concerns with the breaking of the building line with the terrace to the north at Castletimon Park. I note that a streetscape feature of this area is its strong, uniform building lines. While I acknowledge that the existing building currently breaks this building line, this is primarily at ground floor level and it would be further exacerbated by the proposed development, if permitted. In addition, while I acknowledge that permission was granted at the other end of the roadway for 122A and 122B Ballyshannon Road, a pair of semi-detached dwellings, I note that this was an historical grant of permission dating back to 2008 (Reg. Ref. 1131/08). That application was not appealed to An Bord Pleanála and as permitted/constructed, I do not consider that development to be an appropriate precedent, given their visual impact on the streetscape at this location. I do note, however, that any grant of permission on this current site, could set a precedent for further similar inappropriate developments on a number of similar such sites in the vicinity.

### Conclusion

- 7.6 The subject site is zoned 'Objective Z1' in the operative City Development Plan with 'residential' being a permissible use. I consider the proposal not to be in compliance with the zoning objective for the site nor Appendix 18 of the operative City Development Plan.
- 7.7 Having regard to all of the above, I consider that the proposed development is not in accordance with the provisions of the operative City Development Plan, is not in keeping with the pattern of development in the area and is not in accordance with the proper planning and sustainable development of the area.

## **8.0 Appropriate Assessment Screening**

- 8.1 Having regard to the nature and scale of the proposed development, the location of the site within an adequately serviced urban area, the physical separation distances

to designated European Sites, and the absence of an ecological and/ or a hydrological connection, the potential of likely significant effects on European Sites arising from the proposed development, alone or in combination effects, can be reasonably excluded.

## **9.0 Recommendation**

9.1 I recommend permission be REFUSED.

## **10.0 Reasons and Considerations**

1. Having regard to the zoning objective of the area, the design and scale of the proposed development and the pattern of development in the area, it is considered that the proposed development would be visually incongruous and dominant in this context, would seriously injure the visual amenities of the area and would set an undesirable precedent for further similar developments in in the vicinity. The proposed development would, be contrary to Development Plan policy in this regard and would therefore, not be in accordance with the proper planning and sustainable development of the area

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Lorraine Dockery  
Senior Planning Inspector

21<sup>st</sup> February 2023