



An  
Bord  
Pleanála

## Inspector's Report ABP317433-23

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<b>Development</b>	Single storey extension and first floor extension over converted garage
<b>Location</b>	148 Santry Close, Santry, Dublin 9
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	F23A/0135
<b>Applicant(s)</b>	Shane Caffrey
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party v Decision
<b>Appellant(s)</b>	Shane Caffrey
<b>Observer(s)</b>	none
<b>Date of Site Inspection</b>	30 <sup>th</sup> August 2023
<b>Inspector</b>	Brendan McGrath

## **1.0 Site Location and Description**

The site is in a mature suburb on the north side of Dublin. The housing is predominantly 2-storey and semi-detached, with front and rear gardens. The subject site overlooks a green open space.

## **2.0 Proposed Development**

The proposal is remodelling an existing house to include an approximately 50m<sup>2</sup> extension and to accommodate an office space in what had been a garage to the side of the house and an ensuite bedroom in a new, first floor, flat-roof extension. The proposed front and rear elevations have a contemporary style with large windows.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission refused because the proposal would not complement the character of the adjoining dwelling, would result in a discordant intervention in Santry Close which has a distinct uniform character and would result in a 'terracing' effect.

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

#### **3.2.1. Planning Report**

The planning report is the basis of the decision. While the report observes that there have been numerous modifications and extensions to houses on the estate the recommended reason to refuse also states that Santry Close has a 'distinct uniform appearance' which appears to be a contradictory statement without elaboration. The report accepts that the proposal is acceptable in principle and welcomes a contemporary design. However the planning officer considers that the proposal would be visually dominant, overbearing and incongruous, and have a 'terracing

effect' due to the proximity of the nearby house (no 150). The planning officer reports that there were no third party objections.

Screening for AA The planner considered that there was no likelihood of the proposal, either by itself or in combination, having a significant effect on any European site

EIA screening The planner concluded that an EIAR was not required

### 3.2.2. Other Technical Reports

None relevant

## 4.0 Planning History

No relevant history

## 5.0 Policy and Context

### 5.1. Development Plan

The relevant development plan is Fingal Development Plan 2023-2029. The site lies in a residential zone (RS) with the objective to 'Provide for residential development and protect and improve residential amenity.'

### 5.2. Natural Heritage Designations

There is no natural heritage designation in the vicinity

### 5.3. EIA Screening

Having regard to the nature and modest scale of the proposed development, its location in a built-up urban area and the likely emissions therefrom it is possible to conclude that the proposed development is not likely to give rise to significant environmental impacts and the requirement for submission of an EIAR and carrying out of an EIA may be set aside at a preliminary stag

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The appeal by the applicant's architect argues that the proposal under consideration is not dissimilar to many other developments in the estate that have been granted permission and built. The appeal includes a survey of the estate showing the extent and nature of the extensions that have been built. It also includes details of a grant of permission for a comparable development at the next-door house in 2018.

### **6.2. Planning Authority Response**

The planning authority has reiterated its reason for refusal but requesting a financial contribution condition in accordance with the council's section 48 Development Contribution Scheme.

### **6.3. Observations**

There are no observations

## **7.0 Assessment**

7.1. Having visited the site and examined all the application and appeal documentation I consider that the issue to be addressed is whether the proposal under consideration changes the physical appearance of the house to such a degree that it has a serious impacts on the residential amenity of neighbouring properties and disrupts, to an unacceptable degree, the established physical character of this suburban estate.

7.2. In my opinion this is not the case. A large number of houses on the estate have been extended over the years. However, by respecting front building lines and roof-ridge heights and by relying on a limited range of external finishes, a general uniformity character has been retained. The original house design of semi-detached house with attached garage has encouragea a near terrace like appearance to

emerge as garages have been converted and built over. The 'terracing' effect which the planning officer refers to has become an established feature.

7.3. In my opinion therefore, having regard to that established context, the proposal is in keeping with the area and it would be unreasonable to refuse permission for design modifications which have been widely granted.

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

Having regard to the nature and scale of the proposed development, the nature of the foreseeable emissions therefrom/to the absence of emissions therefrom, the nature of receiving environment as a built up urban area and the distance from any European site/the absence of a pathway between the application site and any European site it is possible to screen out the requirement for the submission of an NIS and carrying out of an EIA at an initial stage.

### **8.0 Recommendation**

I recommend that planning permission be granted for the reasons and considerations set out below and subject to the conditions listed.

### **9.0 Reasons and Considerations**

9.1. Having regard to the need to protect residential amenity and the established physical character of the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not injure the visual amenity of the area or the residential amenities of property and would be in accordance with the proper planning and sustainable development of the area.

9.2. I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

## 10.0 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 commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>
3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<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. 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</p>

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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Brendan McGrath  
Planning Inspector

26<sup>th</sup>. September 2023