



An  
Bord  
Pleanála

## Inspector's Report

**ABP-318297-23**

<b>Development</b>	Rear, front and side extensions to a semi-detached house
<b>Location</b>	13 Grotto Ave. Booterstown, Blackrock, Dublin
<b>Planning Authority</b>	Dun Laoghaire-Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D23B/0366
<b>Applicant(s)</b>	Lily Killeen and Emmet MacMahon
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	To grant permission subject to conditions
<b>Type of Appeal</b>	Third Party v Decision
<b>Appellant(s)</b>	John O'Neill
<b>Observer(s)</b>	Edward and Adrienne Dundon
<b>Date of Site Inspection</b>	10 <sup>th</sup> . January 2024
<b>Inspector</b>	Brendan McGrath

## **1.0 Site Location and Description**

- 1.1. The site is in a suburban area of south Dublin, five minutes' walk from Booterstown DART station. The site is at one end of a terrace of three houses at the back end of a short residential cul-de-sac. There is a considerable variety of low density housing in the cul-de-sac and in the immediate vicinity, with no prevailing style. The terrace is unusual in having a markedly asymmetric profile, single-storey at the front and two-storey at the rear. The appellant lives next door and the observers in the third house in the terrace.

## **2.0 Proposed Development**

- 2.1. The proposal involves the demolition of the rear wall of the house and the construction of three extensions, a part 2-storey extension to the rear with a mono-pitch roof, a 1-storey extension at the front with a flat roof and a new front door and a canopy to the side. The extensions would increase the gross floor area of the house from 89m<sup>2</sup> to 131m<sup>2</sup>. The resulting residual private open space to the rear would be about 30m<sup>2</sup>.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Grant permission subject to 5 conditions of a standard nature

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

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

The planning report is the basis of the planning authority decision

- The report assesses each extension in turn and concludes that none would have an adverse visual impact or result in overlooking
- With the benefit of a shadow assessment submitted with the application, the planner concludes that overshadowing is not an issue

- Having regard to its location at the end of the cul de sac and the variety of the local architecture the planner concludes that the prominent front extension would not have an adverse impact on the character of the area.
- The report states that the proposal has been screened for Appropriate Assessment and it has been determined that it would not significantly impact on any Natura 2000 site.
- The report states that the proposal has been screened for EIA and the need for EIA has been excluded on preliminary examination.

#### 3.2.2. Other Technical Reports

None

### 3.3. **Third Party Observations**

2 observations received and noted

## 4.0 **Planning History**

No recent relevant history

## 5.0 **Policy Context**

### 5.1. **Development Plan**

Dun Laoghaire County Development Plan 2022-2028

Site zoned A 'to provide residential development and improve residential amenity while protecting the existing residential amenities.'

### 5.2. **Natural Heritage Designations**

None relevant

### 5.3. **EIA Screening**

Proposed development not a class requiring screening

## **6.0 The Appeal**

The appeal is lodged by Sterrin O'Shea Architects on behalf of John O'Neill, next-door neighbour. The appeal is a restatement of the observation made to the local planning authority.

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

- potential noise, loss of light and overlooking caused by rear extension,
- adverse impact on common boundary wall.
- lack of information about dimensions and materials to be used.

### **6.2. Applicant Response**

- It is debateable whether there would be an increased noise impact
- The extension roof designed to minimise loss of light (additional shadow analysis submitted). There is no shadow cast in the neighbours back garden as a result of the proposal. There is a loss of sunlight on a roof light between 12 and 2
- Proposed glazing will not affect the privacy of neighbours
- An agreement required concerning treatment of the common boundary wall

### **6.3. Planning Authority Response**

None received

### **6.4. Observations**

An observation received from Edward and Adrienne Dundon, near neighbours. Concerned about the visual impact on local character of the proposed front elevation. Consider the proposal to be an excessive scale deviating from the established character.

## **7.0 Assessment**

- 7.1. Having examined all the application and appeal documentation on file, and having regard to relevant local and national policy and guidance, I consider that the main issues in this appeal are raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The main issues therefore are residential amenity, visual impact on local character, and appropriate assessment.
- 7.2. Residential Amenity. The proposal seeks to optimise the development potential of the site without adversely impacting on the residential amenity of neighbours, in particular the occupants of 11 Grotto Avenue, and taking account of the response of the appellants to the grounds of appeal, in my opinion, this has been achieved.
- 7.3. Visual impact on local character. The proposed front extension and new front door will have a significant visual impact on the street. However, in the absence of any existing unifying features or established architectural style, I do not consider that these new feature would constitute an adverse visual impact.
- 7.4. Appropriate Assessment. Having regard to the nature and scale of the proposed development and the built-up nature of the surrounding area, 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.

## **8.0 Recommendation**

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

## **9.0 Reasons and Considerations**

- 9.1. Having regard to the residential zoning objective and existing character of the area, 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 adjoining properties and would be in accordance with the proper planning and sustainable development of the area.

## 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>
2.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
3.	<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 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.</p> <p><b>Reason:</b> 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</p>

	applied to the permission.
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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.

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Brendan McGrath  
Planning Inspector

8th February 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	ABP-318297-23		
<b>Proposed Development Summary</b>	Rear, front and side extensions to a semi-detached house		
<b>Development Address</b>	13 Grotto Ave. Booterstown, Blackrock, Dublin		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	<b>X</b>
		<b>No</b>	No further action required
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	<b>X</b>		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>	<b>X</b>	N/A	No EIAR or Preliminary Examination required
<b>Yes</b>		Class/Threshold.....	Proceed to Q.4



**4. Has Schedule 7A information been submitted?**

<b>No</b>	<b>X</b>	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

**Inspector:** \_\_\_\_\_**Date:** \_\_\_\_\_