



An  
Bord  
Pleanála

## Inspector's Report ABP-318560-23

### Development

Retention of attic conversion with dormer projecting window to rear, single storey kitchen extension to side and rear granted under planning reference no. FW22A/0314

### Location

79 Park Drive Avenue, Castleknock, Dublin 15

### Planning Authority

Fingal County Council

### Planning Authority Reg. Ref.

FW23A/0287

### Applicant(s)

Ruth Mc Evitt

### Type of Application

Retention

### Planning Authority Decision

Refuse

### Type of Appeal

First Party

### Appellant(s)

Ruth Mc Evitt

### Observer(s)

None.

### Date of Site Inspection

03<sup>rd</sup> of February 2024.

**Inspector**

Karen Hamilton

## Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History.....	5
5.0 Policy Context.....	6
5.1. Fingal County Development Plan 2023-2029.....	6
5.2. Natural Heritage Designations .....	6
5.3. EIA Screening .....	7
6.0 The Appeal .....	7
6.1. Grounds of Appeal .....	7
6.2. Planning Authority Response .....	7
6.3. Observations .....	8
7.0 Assessment .....	8
7.1. Impact on the Character and Visual Amenity of the Area.....	8
7.2. Appropriate Assessment .....	10
8.0 Recommendation.....	10
9.0 Reasons and Considerations.....	10

## **1.0 Site Location and Description**

- 1.1. The subject site includes a two-storey mid terrace dwelling with the residential area at 79 Park Drive Avenue, Castleknock, Dublin 15. The site includes private off-street parking to the front and a small rear private garden. The design of dwellings in the area are similar with red brick facades and pillared porches. Permission have previously been granted for alterations to the subject dwelling, subject to the removal of the single storey ground floor extension.

## **2.0 Proposed Development**

- 2.1. The development description refers to a retention of permission for all works to the dwelling. As noted below, the proposed development only relates to the retention of a front single storey extension previously omitted by condition in planning reference no. FW22A/0314.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Decision to refuse permission for the following reason:

1. The works seeking retention permission significantly break an established building line of the terrace of house and are incongruous with the character of the area, by reason of their scale, bulk and material finish. To permit the front extension which is seeking retention permission would contravene Policy SPQHP41 and Objective SPH045 of the Fingal Development Plan 2023-2029, would set an inappropriate precedent for other similar development and would therefore be contrary to the proper planning and sustainable development of the area.

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

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

The report of the area planner reflects the decision to refuse permission following the submission of further information summarised below:

- The development description associated with the application is misleading and the plans submitted with the application comply with the previously permitted proposal aside from the single storey front extension.
- The front extension was omitted by Condition No 2 of permission FW22A/0314.
- There is no valid commencement notice on the site.
- Reference to the previous officer's assessment of the ground floor extension has been provided. It was considered the proposed front extension would break the established building line and be incongruous with the character of the area.
- The front extension does not differ from the previous refusal, there is no change in surroundings or design to overcome the previous planning officers' concerns.
- To permit the extension would contravene a condition of a previous application and materially contravene Policy SPQHP41 and Objective SPQH045.

#### 3.2.2. Other Technical Reports

Water Services Department: No objection to the proposal.

#### 3.3. Prescribed Bodies

None received.

#### 3.4. Third Party Observations

None submitted.

### 4.0 Planning History

#### Reg Ref FW22A/0314

Permission granted for an attic conversion with dormer projecting window to the rear of house, single storey kitchen extension to the rear, single storey extension

proposed to the front of the house for a new porch facility and enlargement of lounge space and all associated works.

Condition No 2: The proposed front extension shall be omitted.

Reason: In the interest of residential and visual amenity.

## **5.0 Policy Context**

### **5.1. Fingal County Development Plan 2023-2029**

#### Zoning

The site is zoned RS, where it is an objective “To provide for residential development and protect and improve residential amenity”.

#### Section 3.5.13.1: Residential Extensions

##### Policy SPQHP41 – Residential Extensions

Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

##### Objective SPQHO45 – Domestic Extensions

Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.

#### Development Standards

##### Section 14.10.2 Extension to Dwellings

##### Section 14.10.2.1 Front Extensions

##### Section 14.10.2.2 Side Extensions

##### Section 14.10.2.4 First Floor Extensions

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

There are no European sites within the vicinity of the site.

### **5.3. EIA Screening**

- 5.3.1. Having regard to the nature and scale of the proposed development 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**

The grounds of appeal are submitted by the applicant in relation to the refusal of retention of the first-floor front extension as summarised below:

- Condition No 2 of the permission was missed and works commenced on site.
- Previous similar decisions would have been part granted and part refused rather than only a condition to omit.
- The extension is necessary for more family space.
- The extension will not have a negative impact and is like other extensions in the vicinity.
- Photographs have been submitted in relation to other houses with extended lounge space.
- The owners father lives with their family, is unwell and wishes to stay in the house. The space is needed to allow him to stay in the house.
- The plan is based on other houses in the area who have undertaken similar developments.

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

- 6.2.1. A response from the planning authority notes the appeal submission and considers the precedents referenced in the appeal statement are not located in Park Drive but rather in wider locations within Fingal which are considered suitable.

- 6.2.2. In the event the Board consider the appeal acceptable it is requested a Section 48 Development Contribution is included.

### 6.3. **Observations**

None received.

## 7.0 **Assessment**

The main issues relevant to the grounds of appeal is considered as follows:

- Impact on the Character and Visual Amenity of the Area
- Appropriate Assessment

### 7.1. **Impact on the Character and Visual Amenity of the Area**

- 7.1.1. Planning permission was granted for the extension and alteration of the existing dwelling under FW22A/0314 for an attic conversion with dormer projecting window to rear of house, single storey kitchen extension to rear, single storey extension proposed to front of house for new porch facility and enlargement of lounge space and all associated works. Condition No.2 of this permission required the single storey extension proposed to the front of the house to be omitted.
- 7.1.2. The applicant has constructed the alterations to the dwelling in compliance with the entirety of the previous proposal (Reg Ref FW22A/0314) including the single storey extension at the front of the dwelling. The proposal is for the retention of this extension. The planning authority have refused permission as it is considered the proposal breaks the established building line of a terrace of houses, is incongruous with the character of the area, by reason of its scale, bulk, and material finish.
- 7.1.3. The grounds of appeal do not consider the proposal has a negative impact on the character of the area. They refer to other similar design of dwellings in the vicinity, which they state they based their design of the front extension. The appellant has submitted that the extension is necessary to accommodate elderly family members in the house.



- 7.1.4. That policy guidance in the development plan which relates to alterations and extensions to dwellings is contained within Section 14.10.2 and Section 14.10.2.1. The guidance requires any proposals for alterations to respect the scale, elevation proportion and architectural expression of the building. In relation to front extensions the porch should complement the existing dwelling and a contemporary design may be considered. Significant breaks in building lines should be resisted unless the design can demonstrate to the planning authority that it will not impact the visual or residential amenities. Policy Objective SPQH045 and Policy SPQHP41 of the development plan requires extensions to be an appropriate scale and design to respect the area.
- 7.1.5. Upon site inspection, it was evident that the front extension was significantly different in design in comparison to those dwellings in the immediate vicinity and was dominant in appearance. The contemporary design extends along the full width of the terrace and forward of the building line by c. 1.8m. It is finished with plaster in a dark grey colour. The overall design of the extension is not in keeping with the style of the dwelling or the character of the area.
- 7.1.6. The appellant has submitted photographs of other similar contemporary designs. The porch extension is located to the west of the site. I noted the location of this dwelling on site inspection and, in my opinion, having regard to the scale, was not excessive in appearance and the contemporary design did not cause a significant negative visual impact. The appellant did not include the address on the example of a similar design although I noted it was not located in the immediate vicinity of the site.
- 7.1.7. As stated above, I consider the front extension is a significantly different architectural form than the current dwellings in the vicinity, is not in keeping with the scale, elevation proportion and architectural form of the building and would be contrary to the policies and objectives of the development plan. In this regard, I consider the proposed development is incongruous to the dwelling, out of character to the surrounding area and has a significant negative impact on the visual amenity of the surrounding area.

## 7.2. **Appropriate Assessment**

- 7.3. Having regard to the nature and scale of the proposed development and the distance from the nearest 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.

## 8.0 **Recommendation**

- 8.1. I recommend that planning permission should be **Refused** for the reasons and considerations set out below.

## 9.0 **Reasons and Considerations**

2. The works seeking retention permission significantly break an established building line of the terrace of house and are incongruous with the character of the area, by reason of their scale, bulk, and material finish. To permit the front extension which is seeking retention permission would contravene Policy SPQHP41 and Objective SPH045 of the Fingal Development Plan 2023-2029 and would therefore be contrary to the proper planning and sustainable development of the area.

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.

---

Karen Hamilton  
Senior Planning Inspector

06<sup>th</sup> of February 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála</b> <b>Case Reference</b>			
<b>Proposed Development Summary</b>	Retention of attic conversion with dormer projecting window to rear and 2 new Velux windows to front of house; also single storey kitchen extension to rear and single storey extension to front of house granted under planning reference no. FW22A/0314		
<b>Development Address</b>	79 Park Drive Avenue, Castleknock, Dublin 15		
<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>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>			EIA Mandatory EIAR required
<b>No</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>Conclusion</b>
<b>No</b>		N/A	No EIAR or Preliminary Examination required
<b>Yes</b>			Proceed to Q.4

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

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

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