



An
Bord
Pleanála

Inspector's Report ABP-319837-24

Development	PROTECTED STRUCTURE: Addition of a dormer roof/window extension to the rear of the existing main roof structure at attic level and the extension of the existing rear bedroom at first floor level.
Location	116 Saint Lawrence Road, Clontarf, Dublin 3, D03 YX05
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	3376/24
Applicant(s)	Paul Geraghty
Type of Application	Planning permission
Planning Authority Decision	Split decision
Type of Appeal	First Party
Appellant(s)	Paul Geraghty
Observer(s)	Ray Hanley 115 St. Lawrence Rd.
Date of Site Inspection	8 th April 2025
Inspector	Mary Kennelly

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Decision	5
3.2. Planning Authority Reports	6
3.3. Prescribed Bodies	8
3.4. Third Party Observations	8
4.0 Planning History	8
5.0 Policy Context	9
5.1. Architectural Heritage Protection Guidelines	9
5.2. Development Plan	10
5.3. Natural Heritage Designations	11
5.4. EIA Screening	11
6.0 The Appeal	12
6.1. Grounds of Appeal	12
6.2. Planning Authority Response	13
6.3. Observations	13
7.0 Assessment	14
7.1. Material contravention of a condition of a previous permission	14
7.2. Impact on Residential amenities	15
7.3. Impact on the character of the Protected Structure	16
8.0 AA Screening	20
9.0 Recommendation	20

10.0	Reasons and Considerations.....	20
11.0	Conditions	21
Appendix 1 – Form 1: EIA Pre-Screening		

1.0 Site Location and Description

- 1.1. The site of the appeal is located on the eastern side of Saint Lawrence Road in Clontarf. The property is a two-storey, mid-terrace Victorian, red-bricked house with a slate pitched roof and a brick bay window at ground floor level, which forms part of a terrace of four similar properties. Saint Lawrence Road is an attractive tree-lined suburban street which is lined with similar Victorian red-bricked terraces stretching from the coast road to Howth Road. The houses are generally setback along a consistent line with front gardens defined by red-bricked walls. The plots are generally long and narrow, and back onto a rear laneway which serves as rear vehicular access to the properties fronting both St. Lawrence Road and Stiles Road.
- 1.2. The site area is given as 364sq.m. The rear garden is stated to be c.19.5m in depth and c.7m wide. No. 116 St. Lawrence Road, which is a Protected Structure, is occupied as a single dwelling house with a pedestrian street entrance and a vehicular entrance to the rear. There is a 2-storey return, which appears to be original, at the rear of No. 116 which mirrors and adjoins a similar return at the rear of No. 115. The properties on either side are also Protected Structures.
- 1.3. The building has been extended to the rear during the past decade with a ground floor and part first-floor extension to the rear and an attic conversion which is lit by rear roof-lights. The existing rear first floor extension is c.4m wide and c.3m deep (beyond the rear wall of the return), whereas the ground floor extension occupies the full width of the site and extends c.5m from beyond the rear return. The first-floor extension is on the northern side and the remainder of the ground floor extension comprises a flat roof with an internal courtyard separating the main wall of the house from the extension, (on the southern side).

2.0 Proposed Development

- 2.1. It is proposed to provide a dormer window at roof level to the rear and to extend the existing first floor rear extension by a further 1.9m. The application was accompanied by an Architectural Heritage Impact Assessment by Dr. Jason Bolton (Feb. 2024).
- 2.2. The proposed rear-facing box dormer is approx. 3.7m wide and is set back c. 2.1m from the northern side boundary (No. 115) and c.1.1m from the southern side

boundary (No. 117). It is set down c. 700mm below the roof ridge and c. 1.3m from the eaves. The proposed dormer will replace two of the three existing roof lights which currently light the existing attic bedroom. The dormer window occupies most of the rear-facing elevation and has a painted metal cladding finish.

- 2.3. The first-floor extension would extend the existing bedroom by a further 1.9m to the rear with a projecting bay window overlooking the rear garden. It would extend eastwards at the same width as the existing first floor extension and would align with the rear building line of the ground floor extension. The proposed bay window is of a contemporary design with a large square single glazing panel, similar to the existing bedroom window and would project over the rear building line.

3.0 Planning Authority Decision

3.1. Decision

The planning authority decided to issue a **split decision** as follows:

SCHEDULE 1: Grant permission for the proposed dormer window extension subject 10 no. conditions. The conditions were generally of a standard type and the following conditions are of note:

Cond. 2 Financial contribution - €170.73 in accordance with the General Development contribution Scheme.

Cond. 3 The first-floor bedroom extension is excluded from the permission.

Cond. 4 The attic space shall not be used for human habitation unless it complies with the Building Regulations.

Cond. 5 Conservation requirements – various including (a) Employment of a conservation expert to oversee the works, (b) All works to be carried out in accordance with best conservation practice and –

(c) The applicant shall reconsider the proposed finish of the dormer and shall submit a sample and specification for the proposed finish for the approval of the P.A. demonstrating that the finish would be suitable for a coastal location.

SCHEDULE 2: Refuse permission for the **first-floor extension for the following reasons:**

1. The proposed first floor bedroom extension by reason of its length materially contravenes Condition No. 2 (d)(ii) of an existing grant of planning permission Reg Ref. 2719/13, ABP Ref. PL29N.242767. The development would therefore be contrary to the proper planning and sustainable development of the area.
2. The proposed works which involve the extension of the existing rear extension at first floor level would cause further serious injury to the special architectural character and setting of the rear of the protected structure, as well as the amenity and setting of the neighbouring protected structures along the terrace. Therefore, the proposed development would contravene Policies BHA2 (b), (d) and (e) of the Dublin City Development Plan 2022-2028, and would set an undesirable precedent.

3.2. Planning Authority Reports

3.2.1. Planning Reports –

- The Area Planner was generally satisfied with the proposed dormer extension apart from the metal finish, which it was considered could be addressed by condition. It was noted that the Conservation Officer has raised concerns regarding the design and fenestration pattern, but the Area Planner considered that it was acceptable as it would be subordinate to the main roof. Third party concerns regarding overlooking were not considered to be significant.
- However, the concerns raised regarding the first-floor extension were considered to be more significant as it was considered that the proposal would materially contravene the condition of the previous permission which had permitted the extension subject to the length being reduced by 3 metres. It was further noted that the Conservation Officer was concerned regarding the impact on the character of the Protected Structure and on the amenity of the other Protected Structures along the terrace.

3.2.2. Other Technical Reports

Conservation Officer (23/4/24):

- The submission of an Architectural Heritage Impact Assessment was noted, which was considered to provide a comprehensive architectural history of the area but did not adequately assess the impact of the proposed development. Concern was raised regarding both the proposed dormer and the first-floor extension in terms of impact on the architectural heritage of the site and area with reference to BHA2 and BHA9.
- Dormer extension – the scale/size of the dormer was generally accepted on the basis of the precedent set by the recent permission at No. 117 (226/21), whereby a similar dormer was permitted. However, the amount of glazing was considered excessive as it would have an injurious effect on the character and setting of the protected structure and of the terrace. It was recommended that it be reduced by 50%, as had been required at No. 117. Concern was also raised regarding the proposed metal finish which was considered to be inappropriate in terms of the character of the PS and in terms of longevity due to the coastal location.
- First floor extension – it was noted that the CO, (when originally proposed under Ref.2719/13), had been opposed to the first-floor extension and had sought its omission, but the Board had decided to grant permission subject to a condition requiring a reduction in the depth of projection of 3 metres. The FF extension is considered to have adversely affected the architectural character of the rear terrace due to its scale and form which has obscured the legibility of the rear return with No. 115. The proposal to extend it by 1.9m would result in an overbearing structure, would create an overly deep plan in the return at first floor and would therefore further damage the character and rear setting of the PS and the amenity and rear setting of the neighbouring protected structures on the terrace.
- A split decision was recommended with a refusal for the first-floor extension and a grant for the dormer subject to modifications as highlighted above and

conditions requiring the employment of a conservation expert and adherence to best conservation practice.

Engineering Department (16/4/24) – no objection subject to conditions.

3.3. Prescribed Bodies

No submissions received.

3.4. Third Party Observations

One observation from No. 115 St. Lawrence Road (Ray Hanley). Concerns raised related to overlooking and loss of amenity, that the proposal would be contrary to the previous planning permission regarding the first-floor extension and that the dormer window at No. 117 had been reduced following a request for FI by the P.A.

4.0 Planning History

Subject site

PL29N.242767 (P.A. Ref. 2719/13) – planning permission granted for a change of use from 4 no. self-contained residential units to a single-family dwelling including a single-storey ground floor rear extension and an extension to the rear return at first floor level. Permission was granted by the P.A. subject to conditions, one of which (Cond. 2) was the subject of this appeal. Condition 2 related to conservation matters and addressed various matters such as the need to employ a conservation expert, all works to be carried out in accordance with best conservation practice etc. However, subsection (d) had required certain amendments to the proposed development. The Board decided to amend this condition to require the following amendments:

2(d)(i) A reduction in the overall external length of the ground floor extension by 1800mm

2(d)(ii) The first-floor rear return extension shall be reduced in length to three metres when measured externally from the face of the external wall to the rear of the main two-storey component of the dwelling.

ABP.316340-23 (PA Ref. 3161/23) – Planning permission was **refused** by the Board, (March 2024), for the construction of a 2-storey detached structure to the rear of the back garden adjoining the rear lane which was to be used as a residential garage at GF level (2 no. car parking spaces) and an artist's studio at first floor level. The reason for refusal was based on the nature and scale of the development, given its scale, height, massing and design with extensive high-level glazing and external first floor access on the western elevation, which would be overbearing, obtrusive and intrusive and would seriously injure the amenities of neighbouring properties and would be contrary to the Z2 zoning objective for the area.

Adjoining sites

2226/21 – 117 Saint Lawrence Road – planning permission granted for the conversion of the loft space to contain a new shower and bedroom, construction of new dormer along the rear roof slope with 2 no. windows, 2 no. flat roof lights and enlargement of existing first-floor half landing window. Permission was granted for a revised dormer with reduced glazing.

5.0 Policy Context

5.1. Architectural Heritage Protection Guidelines

- 5.1.1. These guidelines provide guidance on development which affects protected structures and conservation areas.

Section 7.2 Conservation Principles states that entry into the Record of Protected Structures does not mean that a structure is frozen forever in time and:

Good conservation practice allows a structure to evolve and adapt to meet changing needs while retaining its particular significance. The challenge facing owners, planning authorities and all others involved in architectural conservation is to identify how and where change can occur and to ensure that the heritage is not damaged by inappropriate intervention. Additions and other interventions should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term.

Section 7.7 Minimum Intervention - promotes the concept of minimum intervention.

Section 7.11 Appropriate materials and methods - promotes the use of appropriate materials and methods.

Section 9.4.22 Proposals affecting dormers - refers to the installation of new dormers. Care should be taken particularly where the building forms part of a terrace not to upset the balance of the architectural composition.

5.2. **Development Plan**

The site is zoned Z2 for which the objective is to protect and/or improve the amenities of residential conservation areas. The site is a Protected Structure (RPS 7693). Relevant policies include:

BHA2 Development of Protected Structures seeks to ensure that development will conserve and enhance protected structures and their curtilage and will seek to achieve a range of measures including the following:

- (b) Protect structures included in the RPS from any works that would negatively impact their special character and appearance.
- (d) Ensure that any development, modification, alteration or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.
- (e) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

BHA9 Conservation Areas - seeks to protect the special interest and character of Dublin's Conservation Areas including those identified under Z2 and Z8 zoning objectives and requires development to contribute positively to the character and distinctiveness of the CA and to enhance the character and appearance of the CA where possible including the replacement of a feature which detracts from the

character, reinstatement of architectural details and the return of buildings to residential use.

Section 15.15.2.2 requires inter alia that all development in Conservation Areas must respect the existing character and setting of the surrounding area, be cognisant and/or complementary to the existing scale, building height and massing of the surrounding context and ensure that materials and finishes are in keeping with the existing built environment.

Appendix 18 provides guidance on several matters of relevance including the following:

Section 1.2 Extensions to Rear

Section 1.4 Privacy and amenity

Section 1.6 Daylight and sunlight

Section 1.7 Appearance and materials

Section 4.0 Alterations at Roof Level Attics/Dormers/Additional Floors

Section 5.0 Attic conversions/dormer windows

5.3. Natural Heritage Designations

5.3.1. The site is located c.450m to 2.5km to the north of several European sites: -

North Dublin Bay SAC (000206)

South Dublin Bay and River Tolka Estuary SPA (004024)

North Bull Island SPA (004006)

5.4. EIA Screening

5.4.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in appendix 1 of my report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. This is a first-party appeal against the planning authority's split decision. The grounds of appeal relate to the refusal of the first-floor extension and may be summarised as follows:

- **No precedent would be created** - The rear building line of the ground floor extension is directly in line with several ground floor extensions on adjoining properties, (e.g. Nos. 115 and 117) and is shallower than other rear extensions, some of which are 2-storeys in height (e.g. Nos. 118 and 119). The proposal to extend the first-floor bedroom to align with the rear building line of the ground floor extension would be in keeping with the developments to the rear of these protected structures along the eastern side of Saint Lawrence Road (photos included in appeal document). Thus, the existing precedents have not been taken into account by the P.A.
- **No material contravention of condition 2(d)(ii) of PL29N.242767** – it is submitted that the first-floor bedroom extension would not result in a structure which is excessive in scale, length or form, particularly in light of the scale, length and form of several existing 2-storey rear extensions on nearby sites.
- **No adverse impact on character of PS** - There have been numerous extensions with varied architectural forms and structures in the vicinity. As such, there is no consistent 'special architectural character' which would be harmed by the proposed extension. It is submitted that the special architectural character of the Protected Structure is harmed to a much greater extent by the existing setback at first floor level as the proposed extension would bring the overall vertical architectural form into line with the traditional rear 2-storey returns.
- **No additional impact on amenity** – as the proposed extension would merely extend the existing bedroom by c. 1.9m with a replica window, there would be no additional loss of amenity. However, if the Board was not satisfied on this matter, the applicant would be willing to amend the design such that the glazed element within the projecting surround of this window could be set

back to reduce sight line angles towards the rear gardens of adjoining properties.

6.2. Planning Authority Response

The planning authority responded on the 1st of July 2024. It was requested that the Board uphold the split decision of the planning authority and that should the Board decide to grant permission, that a condition be attached requiring the payment of a Section 48 development contribution.

6.3. Observations

An observation was submitted (26/06/24) by the adjoining neighbour, Ray Hanley, at No. 115 Saint Lawrence Road.

- **Overlooking and loss of amenity** – the proximity and scale of the proposed developments would have a negative impact on the residential amenity and enjoyment of his garden, which lies immediately to the north.
- **First floor extension** – the proposed extension would materially contravene a condition of a previous permission granted by the Board which had specifically required the first-floor extension to be reduced to 3m in length in the interests of preserving the architectural character of the area and of protecting the residential amenities of the adjoining dwellings. Thus, the Board has already made a determination on this issue.
- **Dormer extension** – a similar proposal at No. 117 (P.A. Ref. 21/2226) was considered to be excessive in scale and was reduced as FI.
- **Development Plan provisions** – the current Development Plan gives prominence to the protection of amenity and the preservation of Protected Structures. The site is located in Zone Z2, the objective for which is to protect and/or improve the amenities of residential conservation areas. It is submitted that the proposed development would seriously injure the amenities of the properties in the vicinity and should be refused.

7.0 Assessment

7.1. Material contravention of a condition of a previous permission

- 7.1.1. The existing extension was constructed on foot of a planning permission granted in 2014, (ABP Ref. PL29N.242767, PA. Ref. 2719/13) whereby the Board had required that the proposed ground floor element to be reduced in depth by 1800mm (Cond. 2(d)(i)) and that the depth of projection of the first-floor extension be reduced to 3.0 metres from the external wall of the house (Condition 2(d)(ii)). The reason given was in the interests of the preservation of the character of the Protected Structure and the protection of residential amenities. The planning authority had sought the omission of the first-floor extension, which would have aligned with the rear building line of the neighbouring extension at No. 115. However, the Board considered that this was not necessary and granted permission for reduced depths at both ground and first floor levels, which brought the ground floor into alignment with the neighbouring extension to the north and set the first-floor extension back by 1.9m from the new GF rear building line.
- 7.1.2. The appellant argues that the character of the Protected Structure would not be adversely affected by the proposed extension of depth by 1.9m as firstly, it would bring it into line with the character and form of rear extensions which are prevalent in the area, and secondly that the existing setback is more harmful as it is not in keeping with the character of the traditional rear return or the existing character of rear extensions to the rear of these protected structures.
- 7.1.3. The impact on the Protected Structure and the amenities of neighbouring properties will be addressed in the following sections. However, I would have to agree with appellant that there are quite a number of existing rear extensions in the vicinity which extend for at least the same depth and in some cases with a much greater depth at both ground and first floor levels. These extensions are readily visible from the majority of the rear gardens of these protected structures and as such, it is clear that the character of the rear of the terrace has been substantially altered to date. It is considered, therefore, that if it can be demonstrated that the impact on the character of the protected structure (No. 116) would not be adversely affected by the proposed additional extension and that the amenities of the adjoining properties

would not be unduly affected, the proposed development could be considered to be appropriate in principle.

7.2. Impact on Residential amenities

- 7.2.1. Zoning Objective Z2 seeks to protect and/or improve the amenities of residential conservation areas. Appendix 18, Sections 1.2 Extensions to Rear, 1.4 Privacy and Amenity and 1.6 Daylight and Sunlight, of the current Dublin City Development Plan 2022-2028 are also relevant. First floor extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the planning authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. However, extensions should not result in any significant loss of privacy, outlook or daylight and sunlight to adjoining properties. In general, windows should be kept as small as possible, roof terraces should be avoided, and the degree of overshadowing should be minimised. It is acknowledged, however, that the city is an urban context, and some degree of overshadowing is inevitable.
- 7.2.2. The main wall of the existing first floor extension is recessed c.1.9m, but as there is a projecting dark grey metal frame surrounding the bedroom window facing the garden, the set-back distance to the window is at most 1.5m. The window is a large square shaped window with a low cill which opens onto the flat roof. The proposed first floor extension would remove the setback at first floor level, thereby removing the flat roof area outside the window and bring the rear wall of the extension into line with the existing ground floor extension (and the neighbouring extension to the north). However, the proposal also incorporates a projecting window frame similar to the existing one, which would project slightly over the rear elevation.
- 7.2.3. In terms of overlooking, it is noted that the proposed development would move the window further towards the garden and into line with the neighbouring ground floor extension, which may increase the line of vision of the adjoining rear garden from the window. However, the applicant, in the grounds of appeal, has offered to recess the glazing of this window to minimise any potential for overlooking. This is likely to be quite effective at reducing the line of vision provided that the depth of recess is adequate. In addition, the proposal would reduce the potential for overlooking and

loss of privacy to the rear garden that currently exists from the existing window combined with the accessible flat roof area. Thus, should the Board be minded to grant permission, it is considered that subject to an appropriately worded condition requiring the window glazing to be recessed, the proposed development would not result in any significant additional loss of privacy and has the potential to improve the amenity of the adjoining property.

- 7.2.4. In terms of overshadowing, it is noted that the planning authority had sought further information regarding daylight and sunlight impacts in respect of the proposal under 2719/13 (PL29N.242767). Given that the depth of projection of the proposed first floor extension is the same as that currently proposed, and that there have been no other material changes on site, it is considered that the findings are also relevant in the assessment of such impacts in the current application/appeal.
- 7.2.5. The FI submitted to the P.A. on 17th October 2013 had shown the overshadowing impacts on the 21st March at 9 am, 12 noon and 3pm. It is noted that the difference between the shadow environments before and after implementation of the proposed development was minimal and that it would not detract from the level of sunlight reaching the neighbouring garden to the north. It had been concluded, in both the P.A. planning reports and the Inspector's report, that there would be no significant impact on existing levels of daylight and sunlight. I would agree with these conclusions and consider that the proposed extension of the first floor by 1.9m would not give rise to any significant adverse impacts on daylight and sunlight to the adjoining properties.
- 7.2.6. In conclusion, it is considered that the proposed development (including proposed amendments to the first-floor window) would generally comply with the policies and development standards set out in the current Development Plan, as outlined above, and would not give rise to any undue adverse impacts on the residential amenities of neighbouring properties.

7.3. **Impact on the character of the Protected Structure**

- 7.3.1. Relevant sections of the Dublin City Development Plan 2022-2028 include Policies **BHA2 Protected Structures** and **BHA9 Conservation Areas** of Chapter 11 Built Heritage, Section **15.15.2.2** of Chapter 15 Development Standards and Appendix 18

Sections 1.7 Appearance and Materials, **4.0** Alterations at Roof Level/Dormers and **5.0** Attic Conversions/Dormers. These policies are generally consistent with the advice contained in the **Architectural Heritage Protection Guidelines** as summarised above.

BHA2 seeks to ensure that development will conserve and enhance protected structures, avoid negative impacts on the special character and appearance (b), ensure that alterations and extensions are sensitively sited and designed (d) and that the form and structural integrity of the PS is retained. **BHA9** seeks to protect the special interest and character of Conservation Areas, requires development to contribute positively to the character and distinctiveness of the CA and to enhance the character and appearance of the CA where possible. In addition, **Section 15.15.2.2** requires development in Conservation Areas to respect the existing character and setting of the surrounding area, be cognisant and/or complementary to the existing scale, building height and massing of the surrounding context and ensure that materials and finishes are in keeping with the existing built environment.

At **Appendix 18, Section 1.7** seeks to ensure that an extension does not dominate the main building and should harmonise with it in terms of scale and size and complement it in terms of materials and features such as windows and doors. **Section 4.0** sets out criteria for development at roof level including consideration of the character and size of the building, existing roof variations in the streetscape, and the degree of harmony with the existing/adjacent structures. **Section 5.0** requires dormer windows to complement the existing roof profile, be sympathetic to the design of the building, use materials to complement the existing roof/walls of house, be visually subordinate to the roof slope and relate to the shape, size, position and design of the existing doors/windows on the lower floors.

- 7.3.2. The P.A. considered that the existing first floor extension has already adversely affected the special architectural character of the PS and its setting and that the proposed first floor extension would exacerbate this impact and the impact on the setting of neighbouring protected structures and would therefore be contrary to BHA2 (b), (d) and (e) and would create an undesirable precedent. The applicant, however, refutes this and submits that the existing truncated extension detracts more

from the character of the PS than the proposed extension and that no precedent would be created having regard to the nature, scale, height and depth of projection of existing rear extensions at several properties in the vicinity.

- 7.3.3. As stated previously, I would agree that there are numerous rear extensions in the vicinity of the site which project to a similar or greater extent than the proposed extension, some of which are also taller and greater in scale. The proposed extension would not introduce a new structure/feature but would alter the size and shape of the existing structure to a relatively minor extent. Thus, it is difficult to accept that the proposal would create a precedent in this instance.
- 7.3.4. The set-back of the existing first-floor extension has the appearance of a structure which has been arbitrarily truncated and does not seem to relate to any other features to the rear of the protected structures in the terrace. In some respects, it serves to draw attention to the first floor as it stands out as being different from the prevailing design and architectural form in the vicinity. I would not agree that the proposal to extend the structure to align with the rear building line of the ground floor extension, (and that of the adjoining rear extension to the north), would exacerbate any adverse impacts on the character of the protected structure, but rather, would help to restore a sense of balance to the composition of the rear elevation.
- 7.3.5. I do, however, have concerns regarding the projecting window frame and the size and shape of the proposed window in the first-floor extension, as it does not seem to harmonise with or complement the windows on the remainder of the rear elevation. This is a requirement of Sections 1.2 and 1.7 of Appendix 18 of the CDP. As the building is a Protected Structure and is located in a Conservation Area, it is of even greater importance that the proposed extension should respect both the character and setting of neighbouring buildings and be cognisant of the surrounding context, including the use of materials and features such as window openings. As with the arbitrary recess, the square shape, large size and dark grey metal frame of the existing window, in my view, dominates the rear view of the building and detracts from the character of the Protected Structure. It is considered, therefore, that should the Board be minded to grant permission for the first-floor extension, a revised design of the rear-facing window should be required by condition, to ensure that the proposed window complements and harmonises with the special architectural character of the protected structure and the neighbouring protected structures.

- 7.3.6. In a similar manner, it is considered that the extent of glazing and use of materials on the proposed rear dormer extension equally detracts from the special architectural character of the Protected Structure. I note that the Conservation Officer was of a similar view in this regard. It is considered that the design approach taken in respect of the recently constructed dormer at the rear of No. 117 St. Lawrence Road to the south is much more sympathetic to the character and appearance of the Protected Structure and more in keeping with the character of the Conservation Area. I also note that the size, shape and siting of the dormer on the neighbouring property is very similar to that of the proposed dormer extension, apart from the materials and extent of glazing. The proposed dormer extension is considered to be overly dominant due to the large extent of glazing which does not reflect the shape, size or design of windows on the lower floors. As a result, it is not considered to be sufficiently sub-ordinate to the roof slope, or complementary to the roof profile, which is a consistent design feature along the terrace.
- 7.3.7. The P.A. had attached a condition (5(c)) requiring the dormer to be clad in a more suitable material. It was required that the proposed finish be suitable for a coastal location and should be more sympathetic to the architectural quality of the Protected Structure. Should the Board be minded to grant permission, a similarly worded condition should be attached, together with a requirement that the extent of glazing to the dormer be reduced by 50%.
- 7.3.8. It is further noted that the P.A. had attached a condition (4) prohibiting the use of the attic space for human habitation unless it is compliant with the Building Regulations. I wish to confirm, however, that when I inspected the site, I noted that the attic space is existing and used as habitable space, as permitted under P.A. Ref. 2719/13 (PL29N.242767). Furthermore, the condition is considered to be unnecessary as it refers to the Building Regulations code and should be omitted.
- 7.3.9. In conclusion, it is considered that the proposal to extend the existing first floor extension to incorporate the space currently occupied by the recessed area would not adversely affect the character or special interest of the protected structure and subject to a revised design for the rear-facing window which would be more sympathetic to the character of the Protected Structure, would enhance the character and appearance of the Protected Structure and Conservation Area. Furthermore, the proposed dormer extension is considered to be acceptable in terms

of its shape, size and design, apart from the extent of glazing which should be reduced by 50% and the proposed cladding which should be replaced with materials more sympathetic to the character of the Protected Structure.

8.0 AA Screening

- 8.1. I have considered the dormer window and first floor rear extensions in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The subject site is located in a built-up and serviced urban area which is located approx. 450m from the nearest European sites, North Dublin Bay SAC (000206) and South Dublin Bay and Tolka River Estuary SPA (004024). The proposed development comprises the extension of an existing first floor rear extension to a domestic dwelling and the provision of a dormer extension at roof level.
- 8.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European site. The reason for this conclusion is as follows:
- The small scale and nature of the development
 - The distance from the nearest European site and lack of connections
- 8.3. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects.
- 8.4. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

I recommend that permission should be **granted** subject for the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the location of the mid-terraced property in a designated Conservation Area and its designation as a protected structure, to the character of the protected structure and the character and established pattern of development in

the vicinity of the site, to the previous planning history of the site and to the provisions of the current Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the character or special interest of the protected structure or the character of the Conservation Area and would not seriously injure the residential amenities of adjoining properties or the amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Bord Pleanála on the 28th day of July 2023, 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.

Reason: In the interest of clarity.

2. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of the parent permission (Register Reference 2719/13, PL29N.242767) unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission(s).

3. The proposed development shall be amended as follows:
 - (a) The design and finish of the proposed rear-facing first floor window shall be revised to be more sympathetic to the special character of the protected structure and to include recessed glazing panel(s).
 - (b) The proposed dormer extension shall be revised such that
 - the extent of glazing is reduced by 50% to reflect to a greater degree the fenestration pattern of the protected structure and

- the proposed materials and finish are more sympathetic to the architectural quality of the protected structure and comprise a more durable quality suitable for a coastal location.

Revised drawings and samples of materials showing compliance with these requirements shall be submitted to and agreed with the planning authority prior to the commencement of development.

Reason: To protect the character of the protected structure and of the residential amenities of the area.

4. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority confirmation that:
 - (a) All works shall be carried out in accordance with best conservation practice.
 - (b) the development will be monitored by a suitably qualified architect with conservation expertise and accreditation and
 - (c) competent site supervision, project management and crafts personnel will be engaged and will be suitably qualified and experienced in conservation works.
 - (d) Original features shall be protected and repaired as necessary during the course of the refurbishment work.
 - (e) The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.

Reason: In the interest of the protection of architectural heritage in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health and sustainable drainage.

6. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these

times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of properties in the vicinity.

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.

Mary Kennelly
Senior Planning Inspector

16th April 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	319837-24		
Proposed Development Summary	The addition of a dormer roof window extension at the rear and the extension of an existing first floor rear extension of a mid-terrace domestic dwelling which is a Protected Structure in an established, serviced urban area.		
Development Address			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes √	Tick if relevant and proceed to Q2.
		No	Tick if relevant. No further action required
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	Tick/or leave blank	State the Class here.	Proceed to Q3.
No	Tick or leave blank	√	Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required

No	Tick/or leave blank		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	Tick/or leave blank	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes	Tick/or leave blank	Screening Determination required

Inspector: _____ **Date:** _____