



An
Bord
Pleanála

Inspector's Report

ABP-320488-24

Development

Alterations to roof to create a new extension, together with all associated alterations, demolitions, site drainage, landscaping and ancillary works.

Location

3 Wilson Road, Mount Merrion,
Blackrock, Co. Dublin, A94 D7W1

Planning Authority

Dun Laoghaire Rathdown County
Council

Planning Authority Reg. Ref.

D24B/0238/WEB

Applicant(s)

Rory and Maeve Dungan

Type of Application

Permission

Planning Authority Decision

Refuse

Type of Appeal

First Party

Appellant(s)

Rory and Maeve Dungan

Observer(s)

None

Date of Site Inspection

5th November 2024

Inspector

Emma Gosnell

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1.0 Site Location and Description

- 1.1. The rectangular appeal site is located at No. 3 Wilson Road, Mount Merrion, Co. Dublin and has a stated area of 0.53ha. Wilson Road is a mature suburban residential estate characterised by detached single-storey bungalows with hipped roofs, many of which feature various sizes and styles of front/ side dormer windows and attic-level extensions together with rear/ side extensions. The subject property appears to be the only one on this section of Wilson Road with an L-shaped configuration and a cross-tri-hipped roof arrangement, with the majority of the other adjacent properties being generally rectangular in plan. In this regard, I note that it appears more similar in form to a number of nearby properties on the south-east side of Mather Road South.
- 1.2. The property is located on the southern side of the estate (which generally slopes upwards south to north) and it is adjoined by No. 5 Wilson Road to the east and by the rear gardens of No's 1 Wilson Road and No's 16 and 18 Mather Road to the west. It also backs onto the rear garden of No. 2 Wilson Crescent to the south.
- 1.3. The subject property comprises of a single-storey detached bungalow (198sq.m) with an L-shaped form together with a detached rear side single-storey converted garage and shed to the rear. The bungalow is setback approx. 10m from the public carriageway and it is served by a vehicular access to the front (east side), off-street parking and amenity space to the rear. Its rear garden is approx. 18m in length and there is a very large street tree located in a grass verge to the immediate forefront of the property.
- 1.4. The property is subject to an extant permission under D24A/0185/WEB for the demolition of the existing rear side garage and the construction of single-storey side and rear extensions together with a wider 3.5m vehicular entrance. In this regard, I wish to draw the Board's attention to the fact that the existing plans submitted with the application used this recently permitted development as their basis rather than reflecting the present-day presentation of the property.

2.0 Proposed Development

- 2.1. The proposed development comprises the alterations to existing hipped roof profile in order to facilitate a new full-width first-floor rear extension (67sq.m) with flat roof,

together with a new gable wall and all associated alterations, demolitions, site drainage, landscaping and ancillary works.

3.0 Planning Authority Decision

3.1. Decision

Permission refused for a single reason:

‘1. The proposed development would be detrimental for the visual appearance of the dwelling. It is considered that the development would be visually obtrusive and incongruous and would have a negative impact on the streetscape and be out of character with the dwelling. This is considered to be contrary to Section 12.3.7.1(iv) of the Development Plan. The proposed development would set an undesirable precedent and would be contrary to the proposer planning and development of the area’.

3.2. Planning Authority Reports

3.2.1. Planning Report

This report forms the basis of the Case Planner’s assessment and recommends that permission be refused. The report considered the following:

- Principle of development and compliance with ‘residential’ site land use zoning objective and policy on residential accommodation in existing built-up areas.
- Permission granted under D24A/0185/WEB and proposals’ relationship with same.
- Impact on neighbouring residential amenity.
- Visual impact on streetscape.
- Access, parking and transport.

3.2.2. Other Technical Reports

- None.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None received.

4.0 Planning History

4.1 Site

P.A. Ref. D24A/0185/WEB – Permission granted in June 2024 for the demolition of existing single storey structures to rear/ side and construction of a single-storey extension (with hipped roof) to side and a further single-storey flat-roofed extension to the side/ rear together with alterations to front elevation, widening of existing vehicular entrance to 3.5m and all associated alterations, demolitions, site, drainage, landscaping and ancillary works, subject to standard conditions.

[It is noted that the appellant in their appeal submission states that works have not yet commenced in respect to this permission].

P.A. Ref. D19B/0064 – Permission granted in May 2019 for conversion of rear side garage to home office, subject to standard conditions.

4.2 Neighbouring Sites

No. 5 Wilson Road (adjoining property to east)

P.A. Ref. D17B/0508 – Permission granted in February 2018 for single-storey extension to rear featuring a monopitch roof and sloped feature rooflight, and attic conversion including dormer windows to side and front, subject to standard conditions.

No. 11 Wilson Road (75m to east)

P.A. Ref. D23B/0081 – Retention permission granted in May 2023 for raised stepped flat roof on a single-storey side extension, subject to standard conditions.

P.A. Ref. D22A/0375 – Permission granted in August 2022 for single-story extension to the side and front, raising the flat roof of existing garage, infill porch to extend front bedroom, single-story extension to front with new velux window, together with chimney

removal, external insulation and widening of vehicular access. Conditions attached were generally standard in nature apart from requirement to omit window on side elevation.

No. 22 Mather Road South (to south-west)

P.A. Ref. D17B/0188 – Permission granted in August 2017 for removal of existing rear extension and roof/ chimney/ rooflights and provision of a new roof (with increased ridge and eaves height) to allow for enlarged attic storey with 5 no. new rooflights and new single storey rear and side extension (with part flat, part domed roof) and related elevational changes, subject to standard conditions.

No. 14 Wilson Road (to north-east)

P.A. Ref. D16B/0219 – Permission granted in February 2017 for complete replacement of existing hipped roof with gabled roof (no change to ridge height) in order to accommodate additional bedrooms and bathroom at attic level, together with infill of recessed porch, new entrance porch canopy and ancillary works, subject to standard conditions apart from requirement to provide opaque glazing to stairwell and on west elevation.

18 Wilson Road – (to north-east)

P.A. Ref. D14A/0748 – Permission granted in April 2015 for demolition of existing single storey detached house and construction of new part 1-storey part 2-storey house which maintained the original pyramidal roof profile to front, providing for a new extended roof profile to side and a flat roof dormer to the rear(both new roof-level features being set down below main ridge height), subject to standard conditions with the exception of Condition No. 2 which related to obscure glazing.

5.0 Policy Context

5.1. Development Plan

The Dun Laoghaire Rathdown County Development Plan (DLRCDP) 2022-2028 applies.

5.1.1 Zoning

Table 13.1.2 (Zoning Objective 'A')

The site is zoned 'Objective A' with the Objective 'To provide residential development and improve residential amenity while protecting the existing residential amenities'. 'Residential' uses including extensions and roof-level alterations, are permitted in principle under this zoning.

5.1.2 Development Management for Ancillary Residential Accommodation

Section 4.3.1.2 (Policy Objective PHP19: Existing Housing Stock – Adaptation)

- Seeks to preserve and improve existing housing stock and to densify existing built-up areas whilst having due regard to the amenities of existing established residential neighbourhoods.

Section 12.3.7.1 (Extensions to Dwellings)

- Subsection ii (Extensions to Rear) sets out how ground-floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space (POS) remaining so long as they harmonise with the main dwelling, whilst first-floor rear extensions will be considered on their merits and only permitted in scenarios where there are no significant negative impacts on surrounding residential or visual amenities. In determining such applications, regard will be had to the following factors:
 - Overshadowing, overbearing, and overlooking along with proximity, height, and length along mutual boundaries.
 - Remaining rear POS, its orientation and usability.
 - Degree of set-back from mutual side boundaries.
 - External finishes and design to harmonise with existing.
- Subsection iv (Alterations at Roof/ Attic Level) sets out how roof alterations/ expansions will be assessed against the following criteria:
 - Consideration of the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
 - Existing roof variations on the streetscape.
 - Distance/ contrast/ visibility of proposed roof end.
 - Harmony with the rest of the structure, adjacent structures, and prominence.

5.2 Natural Heritage Designations

The appeal site is not located within or adjoining any designated site.

The nearest European Sites and Natural Heritage Areas in close proximity to the appeal site are as follows:

- South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) – approx. 2.1km to north-east.
- South Dublin Bay SAC (Site Code 000210) – approx. 2.3km to north-east.
- South Dublin Bay pNHA (Site Code 000210) – approx. 2.3km to north-east.

5.3 EIA Screening

The proposed development to be retained 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 report.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1 A first party appeal submission was received and seeks to address the planning authority's reason for refusal. The grounds of appeal can be summarised as follows:

Prevailing Character

- Wilson Road has a varied built character with roof profile variation.
- Multiple local examples of roof profile alterations, rear extensions, flat roofs and roof-level dormers etc.

Design & Amenity

- Proposed extension is high quality and appropriately/ modestly scaled.
- Respects neighbouring/ visual amenity and responds to surrounding context.
- Proposal accords with Sections 12.3.7.1 (ii) and (iv) of the Development Plan.
- Will deliver improved standard of residential amenity in line with policy.

6.2. Planning Authority Response

The planning authority refer the Board to their Planner's Report and state that, as the grounds of appeal do not raise any new matters, no change of attitude to the proposal warranted.

6.3. Observations

None received.

6.4. Further Responses

None received.

7.0 Assessment

Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report(s) of the local authority, and having inspected the site, and having regard to the relevant local/ regional/ national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Prevailing Character & Design
- Residential Amenity
- Visual Amenity

7.1 Principle of Development

- 7.1.1 The proposed development is located in an area zoned for residential development. The principle of development is therefore acceptable, subject to the detailed considerations below.

7.2 Prevailing Character & Design

- 7.2.1 The appeal submission provides multiple examples of recent grants of planning in the locality in respect to first-floor rear extensions and roof level alterations and includes a series of street view images which illustrate the roofscapes along Wilson Road and Mather Road South. The appellants contend that the streetscape exhibits variety in its built form, and they argue that their proposal would be in-keeping with its character.
- 7.2.2 Having regard to the extensive list of planning precedents cited in the grounds of appeal, I would note that every application is considered on its own merits having regard to the sensitivity of the receiving environment and the specifics of the proposal. In the case of this appeal, the crux of the matter is whether the proposed design is compliant with the prevailing character of the area.
- 7.2.3 The planning authority, in considering the issue of precedents and the area's prevailing character, determined that the proposal would be overbearing, unduly visual dominant, incongruous, out of character with the existing dwelling, and would have a negative impact on the streetscape.
- 7.2.4 Having inspected the site and its surroundings, I note that Wilson Road is characterised by single-storey houses with hipped roof profiles with some variety evident in the scale, type and positioning of roof-level dormers and chimney breasts. However, I did not observe any roof-level alterations of a similar scale or dominant rear or 2-storey extensions in the immediate vicinity and, on this basis, I do not agree with the appellant's assertion that there are a variety of roof forms and types on Wilson Road. I am concerned that the first-floor flat-roofed rear extension (which would protrude to the front and side above the existing roof) and roof-level alterations (hipped to pitched) proposed do not respect the essential character of the existing property or adjacent properties and would therefore constitute an unacceptable deviation from the prevailing built character of the area. The impact of this deviation on neighbouring residential and visual amenity is considered further in Sections 7.3 and 7.4 of this report.

7.3 Residential Amenity

- 7.3.1 The appellant is proposing to remove the rear portion of the property's hipped roof in order to facilitate a new full-width (of house) flat-roofed rear extension at first-floor level

which will build on the permission for single-storey side and side/ rear extensions that was recently granted on site under D24A/0185/WEB. The proposed first-floor plan indicates that the new extension would replace the rear portion of the property's hipped roof, with the extension's front elevation projecting slightly forward on the north-east side (by 2.34m) to facilitate a walk-in wardrobe. The remainder of the extension would feature a new ensuite master bedroom, a further ensuite double bedroom and an office.

- 7.3.2 The grounds of appeal state that the proposal is required in order to deliver additional family living space and, therefore, a greater level of occupational residential amenity. It is also argued that the extension is modest in scale and responds to its surroundings.
- 7.3.3 Section 12.3.7.1 (ii) of the DLRCDP sets out the planning authority's policy in respect to rear extensions and states that first-floor rear extensions will be considered on their merits and only permitted where there would be no significant negative impacts (i.e. overshadowing, overbearing, overlooking etc.) on surrounding residential or visual amenities.
- 7.3.4 The extension would be served by a single front facing window (north elevation) serving the wardrobe, with 3 no. windows overlooking the rear garden (south elevation) – proposed glazing arrangements which are in line with those existing, with no further potential for undue overlooking given the relationship between the neighbouring properties. The proposed extension would also not give rise to any material change in the quantum of private amenity space serving the dwelling.
- 7.3.5 Given its height (6.56m), depth (9m on south side) and siting, there may be some potential for it to give rise to slight overbearance on No. 5 Wilson Road (adjoining property to east). However, I would agree with the case planner's view that the extension's orientation and c. 3m setback from the shared eastern boundary would mitigate much of the potential adverse overshadowing effects on that property's rear living space and patio area. In terms of the first-floor extension's relationship with other neighbouring properties, it is considered there is no potential for negative impacts on No. 2 Wilson Crescent, No. 1 Wilson Road or No's 16 and 18 Mather Road South on account of the siting of the properties relative to one another, the separation distances involved and the extent of intermediate boundary planting.

- 7.3.6 In terms of the impact on surrounding visual amenities, I would note that the proposed extension protrudes to the front and side above the existing hipped roof, with the proposed sections and contextual elevations show that it would be clearly visible and visually prominent above the front portion of the property's dual-hipped roof on the north-east side. On this basis, I cannot countenance the argument put forward in the grounds of appeal that, as the rear extension would be set-back from the front of the building with limited visibility, it would not have the potential to alter, be visually dominant or have a significant visual impact on the streetscape. It is my view that the proposal for a large full-width first-floor rear extension, which would necessitate major changes to the scale and profile of the property's existing roof, would be contrary to the plan's policy guidance on first-floor rear extensions given its overbearance on the existing dwelling and impact on neighbouring visual amenity.
- 7.3.7 On the basis of the aforementioned considerations, I consider the proposed first-floor rear extension gives rise to no significant negative effects on surrounding residential amenities. However, I am of the opinion that it does have the potential to unacceptably effect surrounding visual amenities – an issue which will be considered further in Section 7.4 of this report. For this reason, I am of the opinion that it is not fully compliant with Section 12.3.7.1 (ii) of the DLRCDP – a policy provision that I note was not referenced by the planning authority in their reason for refusal.

7.4 Visual Amenity

- 7.4.1 Section 12.3.7.1 (iv) of the DLRCDP sets out the planning authority's policy in respect to alterations at roof/ attic level and details how proposals will be assessed against criteria including existing roof variations on the streetscape, visibility and harmony with adjacent structures.
- 7.4.2 The provision of a full-width first-floor extension to the rear of the 1-storey property necessitates the creation of a new stepped mono-pitch/ lean-to type roof leading to a flat roof and gable wall arrangement. Given the relatively uniformity in the single-storey building heights and hipped roof profiles along this section of Wilson Road (with only relatively minor dormer window type variations being evident for the most part), I would be concerned about the potential of the proposed first-floor rear extension, and the scope and extent of changes to the existing symmetrical roof profile it would necessitate, to represent an unacceptable and unprecedented deviation from the

established built form in this part of the estate – specifically in terms of their form, scale and massing.

7.4.3 Furthermore, notwithstanding the limited visual screening provided by the mature street tree and box hedging located to the front of the property, given the site's elevated position above the level of the road, I would have serious concerns about the visibility and visual dominance of the proposed first-floor rear extension (which would project forward on the north-east side) and visually incongruous roof arrangement above the remaining dual-hipped roof. I would also be of the opinion that these same characteristics would be overbearing, and would have a detrimental impact, on the visual appearance of the main dwelling in terms of its size and character, would render the property visually obtrusive and out of character with adjacent properties.

7.4.4 On the basis of the foregoing, I would have serious concerns in relation to the proposal's visual impact which I consider to be incongruous and of character with the existing dwelling, with significant potential to give rise to negative visual impacts on the streetscape contrary to Section 12.3.7.1 (iv) of the DLRCDP and the proper planning and sustainable development of the area.

8.0 AA Screening

8.1. I have considered the proposed development at 3 Wilson Road, Mount Merrion, Blackrock in light of the requirements S177U of the Planning and Development Act 2000 (as amended).

8.2. The subject site is located in a mature residential area on zoned and serviced lands. It is located approx. 2.1km to the south-west of the nearest European Site (South Dublin Bay and River Tolka Estuary SPA (Site Code 004024)) where the qualifying interests are Light-bellied Brent Goose (*Branta bernicla hrota*) [A046], Oystercatcher (*Haematopus ostralegus*) [A130], Ringed Plover (*Charadrius hiaticula*) [A137], Grey Plover (*Pluvialis squatarola*) [A141], (Calidris canutus) [A143], Sanderling (*Calidris alba*) [A144], Dunlin (*Calidris alpina*) [A149], Bar-tailed Godwit (*Limosa lapponica*) [A157], Redshank (*Tringa totanus*) [A162], Black-headed Gull (*Chroicocephalus ridibundus*) [A179], Roseate Tern (*Sterna dougallii*) [A192], Common Tern (*Sterna hirundo*) [A193], Arctic Tern (*Sterna paradisaea*) [A194], Wetland and Waterbirds [A999]. It is also located approx. 2.3km to the south-west of South Dublin Bay SAC

(Site Code 000210) where the qualifying interests are Mudflats and sandflats not covered by seawater at low tide [1140], Annual vegetation of drift lines [1210], Salicornia and other annuals colonising mud and sand [1310], Embryonic shifting dunes [2110].

- 8.3. The proposed development comprises of alterations to existing roof to facilitate a new first-floor rear extension, together with all associated alterations, demolitions, site drainage, landscaping and ancillary works to facilitate same.
- 8.4. No nature conservation concerns were raised in the planning appeal.
- 8.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The minor nature of the development.
 - The location-distance from the nearest European Site and lack of connections.
 - Taking into account the screening report/ determination by the planning authority.

9.0 Recommendation

I recommend that permission be refused for the reasons and considerations set out below.

10.0 Reasons and Considerations

1. The proposed development, by reason of its design, scale and visual appearance, would be out of character with the existing property and the existing residential properties in the vicinity. The proposed development would, therefore, seriously injure the visual amenities of the area and 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.

Emma Gosnell
Planning Inspector

2nd December 2024

Appendix 1

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320488-24		
Proposed Development Summary	Alterations to roof to create a new extension, together with all associated alterations, demolitions, site drainage, landscaping and ancillary works.		
Development Address	3 Wilson Road, Mount Merrion, Blackrock, Co. Dublin, A94 D7W1		
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 ✓	Proceed to Q2.
		No	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		State the Class here.	Proceed to Q3.
No	✓		No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes		State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
No			Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes		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	✓	Screening determination remains as above (Q1 to Q4)	
Yes		Screening Determination required	

Inspector: _____

Date: _____