



An
Bord
Pleanála

Inspector's Report ABP320835-24

Development

Construction of a two storey extension to the side & rear of existing detached dwelling, with a single storey extension to the front with all associated site works.

Location

110, Rowanbyrn, Blackrock, Co. Dublin, A94E785.

Planning Authority

Dun Laoghaire Rathdown County Council.

Planning Authority Reg. Ref.

D24B/0301/WEB.

Applicant(s)

Teresa Beausang & Ciaran O'Muirthite.

Type of Application

Permission.

Planning Authority Decision

Grant Permission.

Type of Appeal

Third Party

Appellant(s)

(1) Jonathan Grath.
(2) Cormac Noone & Christina Oates

Observer(s)

None.

Date of Site Inspection

11/01/25.

Inspector

Anthony Abbott King.

1.0 Site Location and Description

- 1.1. No. 110 Rowanbyrn is located on the main Rowanbyrn estate access road within a network of suburban cul-de-sacs. The Rowanbyrn access road is a residential avenue of late twentieth-century detached two-storey houses with front and back gardens.
- 1.2. No 110 Rowanbyrn is located between no.109 Rowanbyrn and no.111 Rowanbyrn located to the north east and south west respectively. The streetscape of detached houses has a tight configuration with narrow passageways dividing the individual building plots.
- 1.3. No. 110 has a single-storey side extension with a mono-pitch roof located proximate to the property boundary with no.111 Rowanbyrn where a narrow side passage separates the plots.
- 1.4. Nos. 111 and 109 Rowanbyrn have single-storey front extensions and two-storey elevations that extend for the full width of the street frontage having been previously extended to the side at first floor level.
- 1.5. Site area is given as 0.025 hectares.

2.0 Proposed Development

- 2.1. The construction of a two storey extension to the side & rear of existing detached dwelling, with a single storey extension to the front with all associated site works.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to 12 conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Dun Laoghaire Rathdown County Council reflects the recommendation of the planning case officer.

3.2.2. Other Technical Reports

The drainage division have requested additional information *inter alia* in regard to surface water. The planning case officer concluded that this matter can be dealt with by way of condition.

4.0 Planning History

No relevant recent planning history.

5.0 Policy and Context

5.1. Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

The area zoning objective is "A": *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

- Residential is a 'permitted in principle' land use.

Urban Consolidation

- Chapter 4 (Neighbourhood-People, Homes and Place), Policy Objective PHP19 (Existing Housing Stock-Adaptation) is relevant and states:

Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established

Extensions to Dwellings

- Chapter 12 (Development Management) Section 12.3.7.1 (Extensions to Dwellings) provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.
- Section 12.3.7.1 (i) (Extensions to the Front) is relevant and states:

Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house. The scale, height, and projection from the front building line of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, and a more contemporary design approach can be considered.

Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. A break in the front building line will be acceptable, over two floors to the front elevation, subject to scale and design however a significant break in the building line should be resisted unless the design can demonstrate to the Planning Authority that the proposal will not impact on the visual or residential amenities of directly adjoining dwellings. Excessive scale should be avoided. Front extensions, particularly at first floor level, should reflect the roof shape and slope of the main dwelling. A minimum driveway length of 6 metres should be maintained

- Section 12.3.7.1 (ii) (Extensions to the Rear) is relevant and *inter alia* states:

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 remaining. The extension should match or complement the main house

First floor rear 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. In determining applications for first floor extensions the following factors will be considered:

- *Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries.*
- *Remaining rear private open space, its orientation and usability.*
- *Degree of set-back from mutual side boundaries.*

- *External finishes and design, which shall generally be in harmony with existing.*
- Section 12.3.7.1 (iii) (Extensions to the Side) is relevant and *inter alia* states:

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.

First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect. External finishes shall normally be in harmony with existing.

5.2. EIA Screening

5.3. The proposed development is not within a class where EIA would apply.

6.0 The Appeal

6.1. Grounds of Appeal

Two number appeals have been submitted by the following parties:

(1) Jonathan Grath of no. 109 Rowanbyrn, Blackrock, Co. Dublin A94HH21. The grounds of appeal are summarised below:

- There is no precedent for a two-storey rear extension of a property on the road.
- There will be an impact on the daylight and sunlight to the rear of the existing detached dwelling at no. 109 Rowanbyrn in particular to the habitable room windows and the main house rear area and garden patio.

- There will be an impact on the expectation of privacy in relation to the rear amenity space of no.109 Rowanbyrn.

(2) Cormac Noone & Christina Oates of no. 111 Rowanbyrn, Blackrock Co. Dublin A94XD68. The grounds of appeal, prepared by Marston Planning Consultancy, on behalf of the appellant are summarised below.

- The appellants do not object to the applicant's extension of their property at no. 110 Rowanbyrn. However, it must be done in a manner that respects the pattern of development in the area and the amenity of adjoining properties.
- The proposed development does not achieve these objectives in terms of scale and design and would be wholly contrary to the proper planning and sustainable development of the area.
- The proposal as granted would have a serious negative impact on the appellants established residential and visual amenity contrary to Section 12.3.7.1 (i), (ii) and (ii) of the County Development Plan and should be refused permission by the Board following detailed assessment or failing refusal amended.
- Nos. 111 and 109 Rowanbyrn adjoining have previously been sensitively extended to the side at first floor level exhibiting double-pitched roofs. The extension of no.111 Rowanbyrn (appellant property) acknowledges the side window opening in the adjoining property at no.112 Rowanbyrn by the incorporation of a flat roof transition between the double pitch of the new roof over the side extension of no. 111 Rowanbyrn.
- The single-storey mono-pitch extension to the rear of no. 111 Rowanbyrn is not shown on the submitted drawings.
- The proposed two-storey side extension is within 0.85m of no.111 Rowanbyrn. No. 111 Rowanbyrn has a bathroom window located approximately half way along the side elevation (north-west elevation)

facing the side elevation of no. 110 Rowanbyrn, which would be subject to loss of light.

- The proposed development would *inter alia* have a bathroom window opening positioned (south east elevation) near opposite the existing opening in no. 111 Rowanbyrn rather than located on the north west elevation, which is the standard location in the streetscape for bathroom windows. The appellant notes Condition 5 of the notification to grant, which provides for permanent obscure glazing to the side elevation opening(s).
- Notwithstanding the appellant requests the Board to attach a condition that would relocate the family bathroom to the north west elevation and to omit the proposed bathroom window opening in the south east elevation in order to preserve the privacy of the appellant and to ensure that the opposing bathroom window openings do not collide on opening (due to the narrow separation between dwellings a width of 0.85m).
- The proposed flat-roof two-storey side extension will sit above the eaves of the existing house and the eaves of the neighbouring house at no. 111 Rowanbyrn, which would be incongruous in the streetscape. The architectural drawings indicate a floor to ceiling height of 2.45m at ground floor and 2.45 at first floor of the extension (see Section AA, Drawing no. 2_221).
- The parapet height of the rear extension sits 0.4m above the eaves of the existing house. The appellant notes Condition 2 of the notification to grant, which requires the eaves height / flat roof level of the proposed side and rear extension(s) to be reduced to match the eaves height of the existing house. However, it is highly questionable that the applicant can achieve the 0.4m reduction in height to comply with the condition due to internal ceiling height restrictions.
- no. 111 and no. 109 Rowanbyrn have single-storey pitched-roof front extensions approximately 2.45m in length. The front extensions to nos. 109,111 and 112 Rowanbyrn are consistent with one another unlike the

proposed front extension to no. 110 Rowanbyrn, which would *inter alia* have a flat roof and would project over 2.8m. The proposed square bay window will extend circa. 0.5m further from the proposed front elevation.

- None of the 25 houses from no. 126 Rowanbyrn to the west and to no. 102 Rowanbyrn to the east have a two-storey extension to the rear. Therefore, the proposed two-storey extension to no. 110 Rowanbyrn, that projects 1.8m, would set an unacceptable negative precedent in the rear streetscape, would reduce garden depth to 6.7m in length and would be overbearing (in particular in respect of the patio area to no. 111 Rowanbyrn adjacent the shared property boundary), cause a loss of daylight and sunlight and would reduce visibility of the rear garden of no. 111 Rowanbyrn when viewed from the main house.

6.2. Applicant Response

The applicant response, prepared by Ceardean Architects, is summarised below:

- The Board is respectfully requested to uphold the decision of the planning authority and to grant permission for the proposed development. The proposal fully accords with the criteria set out in the Dun Laoghaire-Rathdown County Council Development Plan Section 12.3.7.
- A full set of drawings was provided to the adjoining homeowners prior to the submission of the application. Amendment of the original design was made to accommodate the concerns of the homeowner to the north.
- A daylight study has been submitted to confirm that the proposal would not impact on daylight to the open space of adjoining properties.
- The proposed design is consistent with the measurements and scale of similar developments on the two adjoining properties.
- Following review of third-party submissions, the planning case officer of the planning authority has considered the proposal to be appropriately designed in accordance with standards and no amendment is proposed.

- The applicant claims that there is little additional information or grievances submitted in the appeal documents.
- In the matter of issues raised by no. 109 Rowanbyrn, the proposed development to the rear of the applicant house is valid and has been adjudicated as compliant with development plan standards albeit there is no precedent on the street for a two-storey development. However, the Board may note the grant of permission (D11B/0099) of a two-storey development at no. 20 Rowanbyrn, which is part of the overall estate.
- In the matter of daylight issues raised by no. 109 Rowanbyrn, the original proposal was amended to remove an area of the first-floor extension.
- In the matter of privacy, all windows existing and in the extended location(s) at the rear of the property would directly face the rear of the property.
- In the matter of diminution of sunlight / daylight to no. 111 Rowanbyrn, the appellant property is to the immediate south west. The daylight analysis submitted clarifies that the proposed development would have no impact on the sunlight received to the patio area. It is observed that the appellant's own extensive single-storey extension to the rear is the actual cause of the diminution.
- In the matter of first floor bathroom window(s) and the right to light, similar two-storey side extensions exist to no.111 and indeed to no. 109 Rowanbyrn. The bathroom window proposed is not in direct alignment with the adjoining window or can be amended in terms of location to prevent direct alignment.
- In the matter of the front extension, it is consistent with that of the two adjoining houses.

6.3. Planning Authority Response

- The planning authority refer the Board to previous Planner's Report. The grounds of appeal do not raise any new matters.

6.4. Observations

None

7.0 Assessment

- 7.1. The following assessment covers the points made in the appeal submissions and is my *de novo* consideration of the application. It is noted there are no new substantive matters for consideration.
- 7.2. The applicant proposes to extend the existing detached two-storey pitched roof dwelling house at no.110 Rowanbyrn to the front, side and rear in order to reconfigure and extend the reception space at ground floor level and the bedroom accommodation at first floor level. An overall increase in floor area of 64 sqm. The existing house has a gross floor area of 107 sqm.
- 7.3. The adjoining houses to the south west at no. 111 Rowanbyrn and to the north east at no. 109 Rowanbyrn have previously been extended including the provision of single-storey front extensions with pitched roofs and two-storey side extensions with double pitched roofs.
- 7.4. The applicant proposes a single-storey flat roof extension to the front and a two-storey flat roof extension to the side and rear of the property. The rear extension would project 1.8m from the existing rear elevation of the house. The rear extension would at first-floor level extend for the full width of the rear elevation with the exception of a 2m setback from the shared property boundary with no. 109 Rowanbyrn.
- 7.5. It is noted that there is a 0.85m passageway separating no. 110 Rowanbyrn (applicant property) from no. 111 Rowanbyrne (2nd appellant property). The proposed two-storey side extension would elevate onto the passageway between the houses.
- 7.6. The appellants *inter alia* claim that to authorise a two-storey extension to the rear of no. 110 Rowanbyrn would set a negative precedent in terms of the scale and design of rear extension given that there are no two-storey rear extensions to the existing houses in the street (126-102 Rowanbyrn). Furthermore the proposed two-storey rear extension would cause the diminution of the existing residential and visual amenities of the adjoining properties at no.109 and no.111 Rowanbyrn.
- 7.7. The appellants also claim that the proposed single-storey front extension would not follow the pattern of existing front extension in the streetscape and that the proposed

design of the side extension would be incongruous in terms of eaves height. The front extension would be inconsistent with existing front extension in terms of length and roof profile.

- 7.8. Finally, the appellant at no. 111 Rowanbyrn observes that all of the existing bathroom window openings are located in the north-east side elevations of the houses in the streetscape, including the bathroom opening to the appellant's house. However, the applicant proposes to place a bathroom window opening in the south-west elevation of the first floor side extension, which would elevate onto the narrow passageway (separation distance of 0.85m) between no. 111 and no. 110 Rowanbyrn.
- 7.9. It is claimed the proposed window opening would result in a loss of privacy and potential collision between the opposing windows when open. The appellant requests the relocation of the bathroom and the associated opening to the north-east elevation.

Rear extension assessment

- 7.10. The Dun Laoghaire-Rathdown Development Plan 2022-2028 Section 12.3.7.1 (Extensions to Dwellings) provides guidance in the matter of front extensions, side extensions and rear extensions. Section 12.3.7.1 (ii) relates to the provision of rear extensions, which *inter alia* will be considered in terms of their length, height, proximity to mutual boundaries and the quantum of usable rear private open space remaining.
- 7.11. I note that the rear streetscape does not evidence two-storey extension to the rear of the houses on Rowanbyrn on this side of the street. The proposed rear two-storey extension would project a modest 1.8m from the main rear building line. I note that the first floor level element would be set back from no. 111 Rowanbyrn by the passageway between the dwellings (0.85m) and is designed to have a 2m setback from the shared property boundary with no. 109 Rowanbyrn.
- 7.12. Section 12.3.7.1 (ii) rear extension guidance provides for the assessment of potential overshadowing, overbearing, and overlooking impacts in regard to first floor rear extensions. The applicant has submitted a shadow analysis prepared by Ceardean Architects, which confirms that there will be no discernible sunlight impact on open

spaces including the gardens of adjoining properties at nos. 109 and 111 Rowanbyrn on the 21st March at 10.00 am, 12.00 pm, 2pm and 4pm.

- 7.13. I note that the patio area of no. 111 Rowanbyrn illustrated in the appeal statement is to the south-west of the proposed development and as such the path of the sun would not be obstructed by the two-store rear / side extension of no. 110 Rowanbyrn.
- 7.14. I also note that the location and positioning of first floor windows will not result in the overlooking of adjoining properties.
- 7.15. I acknowledge that there may be a perception of overbearing to the south west of no.109 Rowanbyrn and to the north west of no.111 Rowanbyrn given that no. 110 Rowanbyrn will visibly physically change. However, I do not consider that the proposed development, including the two-storey element given its modest projection, would have a significant adverse impact on adjoining residential amenities in terms of overshadowing, overbearing, and overlooking impacts.
- 7.16. I do not concur with the planning case officer that the height of the proposed flat roof extension should be reduced to the eaves height of the existing dwelling house in the interests of residential amenity and visual harmony. I consider that the proposed extension is proportionate in scale to the main house and that the overall design may be internally compromised by a marginal change in external building height.
- 7.17. I note that the garden dept would be reduced to 6756mm. However, the rear garden area would still have a residual amenity area greater than 60 sqm.

Side extension assessment

- 7.18. Section 12.3.7.1(iii) (Side Extensions) *inter alia* provides that first floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. The applicant proposes to build a new two-storey side extension over the existing mono-pitch single-storey side extension. The proposed side extension would have a flat roof and would be marginally higher (5710mm) than the eaves height of the existing house. The roof of the extension would be significantly lower than the pitch to apex of the main house roof (7062 mm). The front facade would exhibit a brick finish to match the existing streetscape elevation.

- 7.19. I consider that the proposed extension exhibiting a flat roof is a valid design solution given the electric design of extension to houses in the streetscape on Rowanbyrn including existing single-storey flat roof side extensions. I do not consider that the height of the extension marginally above eaves height would make it incongruous in the streetscape. I consider that the side extension is acceptable in scale, design and material finish.
- 7.20. In the matter of the side extension fenestration, I note that there would be a ground floor bathroom window, a ground floor high-level kitchen window and a first-floor bathroom window opening.
- 7.21. The appellant at no. 111 Rowanbyrn requests the Board to attach a condition that would relocate the family bathroom to the north west elevation and to omit the proposed bathroom window opening in the south east elevation in order to preserve the privacy of the appellant and to ensure that the opposing bathroom window openings do not collide on opening (due to the narrow separation between dwellings a width of 0.85m)
- 7.22. The applicant response states that the location of window openings lighting bathrooms in the side elevations of the houses on the street is established. The applicant claims that the first floor bathroom window proposed is not in direct alignment with the adjoining window in the side elevation of no. 111 Rowanbyrn or can be amended in terms of location to prevent direct alignment.
- 7.23. I consider that the regulation of the window opening to the proposed first floor bathroom can be dealt with by way of condition providing for an inward opening bathroom window that is not directly located opposite the existing window opening in the side elevation of no. 111 Rowanbyrn.
- 7.24. Finally, I would concur with the planning case officer in attaching a condition regulating the glazing of the ground floor bathroom, the first floor bathroom and the first floor ensuite, which should all exhibit opaque or frosted glass. This can be dealt with by way of condition.

Front extension assessment

- 7.25. The Dun Laoghaire-Rathdown Development Plan 2022-2028 Section 12.3.7.1 (i) provides guidance for front of house extension. The guidance provides that a front porch extension should be proportionate to the existing dwelling house *inter alia* in

terms of scale and height. Furthermore, a more contemporary design approach can be considered.

- 7.26. The proposed front single-storey extension would project beyond the existing front building line and would have a flat roof. The extension would be 3m in height and would have a similar footprint projection. The extension would exhibit Aluclad windows and a brick finish to match the existing brick finish of the house.
- 7.27. I acknowledge that the proposed front extension would not be identical to the existing extensions to the front of nos. 109 and 111 Rowanbyrn. However, I concur with the planning case officer that the front extension would follow the pattern of front extension in the vicinity in terms of length. I consider that the proposed front extension is acceptable in principle in terms of scale, height and projection and in material detail.
- 7.28. I note the existing front garden dept is 9533mm. Therefore, the residual driveway dept would be greater than the 6m required by Section 12.3.7.1 (i) of the development plan.

Conclusion

- 7.29. In conclusion, the proposed development subject to condition would represent a reasonable improvement of accommodation on site, would not have a significant adverse impact on the residential and visual amenities of adjoining properties, including nos. 109 and 111 Rowanbyrn (appellants), and would be consistent with Section 12.3.7.1 (Extensions to Dwellings) of the Dun Laoghaire-Rathdown Development Plan 2022-2028 and, as such, would be consistent with the proper planning and sustainable development of the area

7.30. Appropriate Assessment Screening

The proposed development comprises the extension of an existing dwelling house within an established urban area.

Having regard to the nature and scale of the proposed development it is possible to screen out the requirement for the submission of an NIS.

8.0 Recommendation

- 8.1. I recommend a grant of planning permission subject to condition for the reasons and considerations set out below.

9.0 Reasons and Considerations

Having regard to the residential zoning objective, the grounds of appeal, the established pattern of development in the vicinity and the policy context provided by Section 12.3.7.1 (Extensions to Dwellings) of the Dun Laoghaire-Rathdown Development Plan 2022-2028, it is considered that the proposed development subject to condition would represent a reasonable improvement of accommodation on site, would not have a significant adverse impact on the residential and visual amenities of the area, including the adjoining properties at nos. 109 & 111 Rowanbyrn and, as such, would be consistent 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> <p>Reason: In the interest of clarity.</p>
2.	<p>Prior to the commencement of development the developer is requested to submit for the written agreement of the Planning Authority revised drawings providing for the following modifications:</p> <p>(i) The window opening to the proposed first floor bathroom (south-west elevation) shall be inward opening and shall not be directly located</p>

	<p>opposite the existing window opening in the north-east side elevation of no. 111 Rowanbyrn.</p> <p>(ii) The glazing within the windows of the ground floor bathroom, the first floor bathroom and the first floor ensuite shall be manufactured opaque or frosted glass and shall be permanently maintained.</p> <p>Revised drawings shall be subject to the planning authority for written agreement prior to the commencement of development.</p> <p>Reason: In the interests of residential amenity.</p>
3.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
4.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Details of the external finishes of the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
6.	<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</p>

matter shall be referred to the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.



Anthony Abbott King
Planning Inspector

14 January 2025