



An  
Bord  
Pleanála

## Inspector's Report ABP320847-24

### Development

(1) Removal of the existing lean-to roof of the existing single-storey rear extension; (2) Removal of the existing rear chimney stack; (3) Construction of a single-storey flat roof rear extension to consist of a kitchen / dining & lounge; (4) Proposed attic conversion with a rear facing flat roof dormer to consist of a home office & WC; (5) Proposed single storey flat roof garden room in the rear garden to consist of a den and store; (6) Proposed widening of the existing vehicular access existing onto Howth Road.

### Location

449 Howth Road, Raheny, Dublin 5,  
DO5YW53

### Planning Authority

Dublin City Council.

### Planning Authority Reg. Ref.

WEB1777.

### Applicant(s)

Deirdre O'Connell.

<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Grant permission subject to condition.
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Michael Payne.
<b>Observer(s)</b>	None / 2 public representations <ul style="list-style-type: none"> <li>• Denise Mitchell T.D.</li> <li>• Richard Bruton T.D.</li> </ul>
<b>Date of Site Inspection</b>	17/12/24.
<b>Inspector</b>	Anthony Abbott King.

## **1.0 Site Location and Description**

- 1.1. No. 449 Howth Road is located on the south side of the street. The subject property is proximate to Raheny Village. It is presently vacant and appears unkempt. There is a for sale sign outside the house attached to the front boundary wall advertising a property sale.
- 1.2. Howth Road in the location of the subject site is characterised by substantial pre-war semi-detached houses with front and rear gardens. The subject house has existing in-curtilage parking.
- 1.3. The subject house abuts the adjoining semi-detached house at no. 451 Howth Road to the east and conjoins the neighbouring semi-detached houses at nos. 447 & 445 Howth Road to the west by reason of the construction of a side extension onto the gable of no. 447 Howth Road.
- 1.4. Site area is given as 419.5 sqm.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the following:
  - (1) Removal of the existing lean-to roof of the existing single-storey rear extension;
  - (2) Removal of the existing rear chimney stack;
  - (3) Construction of a single-storey flat roof rear extension to consist of a kitchen / dining & lounge;
  - (4) Proposed attic conversion with a rear facing flat roof dormer to consist of a home office & WC;
  - (5) Proposed single storey flat roof garden room in the rear garden to consist of a den and store;
  - (6) Proposed widening of the existing vehicular access existing onto Howth Road.

### 3.0 Planning Authority Decision

#### 3.1. Decision

Grant permission subject to condition.

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

The CEO of Dublin City Council reflects the recommendation of the planning officer.

##### 3.2.2. Other Technical Reports

The Transportation Planning Division of the planning authority recommend that the proposed widening of the vehicular access be restricted to 3m from the 4m proposed.

### 4.0 Planning History

The following planning history is relevant.

*House abutting the subject house at no. 451 Howth Road*

Under Register Ref: 6521/07 planning permission was granted for attic conversion to facilitate bedroom accommodation including new dormer roof construction to the side and rear.

Under Register Ref: 1368/04 planning permission was granted *inter alia* for a substantial single-storey rear extension and vehicular access widening onto the Howth Road.

### 5.0 Policy and Context

#### 5.1. Development Plan

The following policy objectives of the Dublin City Development Plan 2022-2028 are relevant.

Zoning

The zoning objective is 'Z1': *'to protect, provide and improve residential amenities'*.

Residential is a permissible use.

### Residential Extensions

Chapter 15 (Development Standards), Section 15.11 is relevant and states for guidance and standards *inter alia* for residential extensions see Appendix 18.

- Appendix 18, (Ancillary Residential Accommodation) Section 1 (Residential Extensions) is relevant. Section 1.1 (General Design Principles) *inter alia* states:

*The design of residential extensions should have regard to the amenities of adjoining properties and in particular, the need for light and privacy. In addition, the form of the existing building should be respected, and the development should integrate with the existing building through the use of similar or contrasting materials and finishes.*

- Section 1.1 (General Design Principles) provides the following assessment criteria for applications for extensions to existing residential units, which should:
  - *Not have an adverse impact on the scale and character of the existing dwelling;*
  - *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight;*
  - *Achieve a high quality of design;*
  - *Make a positive contribution to the streetscape (front extensions).*
- Appendix 18, Section 1.2 (Rear Extensions) is relevant and *inter alia* states:

*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.*

- Appendix 18, Section 1.4 (privacy) is relevant and *inter alia* states:

*Extensions should not result in any significant loss of privacy to the residents of adjoining properties. Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided. Where essential, the size of such windows should be kept as small as possible and consideration should be given to the use of high-level windows and/ or the use of obscure glazing where the window serves a bathroom or landing. Bedrooms in general should not be lit by obscure glazed windows as a means to prevent undue overlooking of adjacent properties.*

- Appendix 18, Section 1.6 (Daylight) is relevant and states:

*Large single or two-storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. Furthermore, depending on orientation, such extensions can have a serious impact on the amount of sunlight received by adjoining properties. On the other hand, it is also recognised that the city is an urban context and some degree of overshadowing is inevitable and unavoidable. Consideration should be given to the proportion of extensions, height and design of roofs as well as taking account of the position of windows including rooms they serve to adjacent or adjoining dwellings.*

- Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028 *inter alia* states:

*The conversion of attic spaces is common practice in many residential homes. The use of an attic space for human habitation must be compliant with all of the relevant design standards, as well as building and fire regulations. Dormer windows, where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling. The use of roof lights to serve attic bedrooms will be considered on a case-by-case basis.*

*Dormer windows may be provided to the front, side or rear of a dwelling. Guidelines for attic conversions and the provision of dormer windows is set out as follows:*

✓	✗
Use materials to complement the existing wall or roof materials of the main house.	Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof.
Meet building regulation requirements.	Avoid extending the full width of the roof or right up to the gable ends.
Be visually subordinate to the roof slope, enabling a large proportion of the original roof to remain visible.	Avoid dormer windows that are over dominant in appearance or give the impression of a flat roof.
Relate to the shape, size, position and design of the existing doors and windows on the lower floors.	Avoid extending above the main ridge line of the house.
Be set back from the eaves level to minimise their visual impact and reduce the potential for overlooking of adjoining properties.	Side dormer windows shall not be located directly on the boundary of adjoining/ adjacent property.

In the case of a dormer window extension to a hipped/ gable roof, ensure it sits below the ridgeline of the existing roof.	
Where a side dormer is proposed, appropriate separation from the adjoining property should be maintained.	
Side dormers should be set back from the boundary.	

**Table 18.1 Dormer Window Guidance**

#### Vehicular Access

Appendix 5 (Transport and Mobility: Technical Requirements) Section 4.0 (Car Parking Standards) of the Dublin City Development Plan 2022-2028 is relevant, including the following provision:

- Section 4.3.1 (Dimensions & Surfacing) is relevant and *inter alia* states:

*Vehicular entrances shall be designed to avoid creation of a traffic hazard for passing traffic and conflict with pedestrians. Where a new entrance onto a public road is proposed, the Council will have regard to the road and footway layout, the impact on on-street parking provision (formal or informal), the traffic conditions on the road and available sightlines.*

*For a single residential dwelling, the vehicular opening proposed shall be at least 2.5 metres or at most 3 metres in width and shall not have outward opening gates. Where a shared entrance for two residential dwellings is proposed, this width may increase to a maximum of 4 metres.*

#### 5.2. EIA Screening

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

## 6.0 The Appeal

### 6.1. Grounds of Appeal

The appeal is made by the resident of no. 451 Howth Road the neighbouring property abutting the applicant house. The grounds of appeal are summarised below:

- The appellant does not object to the proposed development in principle. He welcomes the overall scope of the proposal to create a spacious and comfortable addition to the subject property at no. 449 Howth Road.
- The appellant has significant concerns in the matter of the proposed bulk, scale, height and external brick wall finish of the proposed rear extension, which it is claimed projects 2 metres beyond the existing extension to the rear of the appellant's house at no. 451 Howth Road (granted under register reference 1368/04) and is 1 metre higher. The appellant claims that the planners report commentary stating that the proposed extension by reason of scale and orientation would not have an adverse impact on neighbouring properties is incorrect.
- It is claimed that the extension would be visually intrusive from the rear of the appellant's house and garden and would depreciate daylight. Appendix B of the appeal statement includes a photograph taken from the rear of no. 451 Howth Road by the appellant looking westward with a superimposed outline of the proposed extension to the rear of no. 449 Howth Road.
- It is claimed the illustration demonstrates the adverse impact of the scale and dept of the proposed extension. It is claimed that the inclusion of an open courtyard approximately 2 metres in length has resulted in the projection of the proposed extension beyond the extended rear building line of no. 451 Howth Road.
- The ceiling height of the proposed extension is in excess of 3.5 metres and consideration should be given to reducing this height to minimise visual impacts on the appellant's residence.

- The planning application includes views taken from the southwest but no views from the southeast (the appellant's viewpoint). If southeast views had been included with the application the concerns of the appellant would be transparent.
- The appellant requests the Board to restrict the extend of the rear extension to no. 449 Howth Road in order to align with the extension to the rear of no. 451 Howth Road. This matter could be dealt with by way of condition.
- The appellant requests that a condition regulating the material finish of the extension should attach to any grant of planning permission in order that finishes respect the existing house in terms of materials and colour. The brick finish to the extension rear wall and the metal cladding to the proposed dormer window are not in keeping with the pre-existing material finish, which comprises painted render walls and slate roof finish.
- The appellant notes that the commentary of the planners report acknowledges that the use of brick and standing seam zinc are inconsistent with the established material finish on site. The justification of a variance based on the location of the development to the rear of the site away from public view is not tenable. The inappropriate material finish will be visible to the appellant from the rear of his residence.
- It is claimed there are no other brick or metal cladding finishes to the rear of adjacent houses on the Howth Road.
- The Dublin City Development Plan 2022-2028, Section 4.0 (Alterations at roof level / attics / dormers / additional floors) Table 18.1 cites that materials should complement the existing wall or roof materials of the main house. This is not the case in regard to the proposed dormer, which has a zinc metal finish.

## 6.2. Applicant Response

The applicant response is summarised below:

- The Dublin City Council planning report comprehensively rejected the observation of the appellant inter alia describing the extension as modest differing marginally in height and depth to the neighbour's property (appellant).
- The planning report states that the proposal will have no significant impact on the neighbour's daylight and sunlight. The Report welcomes the contemporary finishes.
- The appeal mischaracterises the proposed development, which is a modest single-storey extension, which marginally goes past the appellant's 6m deep and 4m high extension.
- The planners report references that the development is similar to the pattern of development in the vicinity, which presumably relates to the appellant's 6m x 9.3m extension and garden room 6m x 9.3m approximately to the rear of the neighbouring property.
- The flat roof design of the extension is similar to others on the road. No. 479 Howth Road is cited in this regard.
- No merit should be given to the appellant's submitted photographs as the perspectives are deceptive and the superimposed structure is exaggerated and is without scale.
- The request inferred to remove the internal courtyard would create a poorer living space design out of step with best practice.
- The brick and dormer finish proposed highlighted by the appellant as not in harmony with the area are represented at nos. 570a & 570b Howth Road opposite in terms of the metal dormer finish. A number of houses on Howth Road have brick in their front facades. The proposed material finish complies with development plan policy representing a contemporary design approach.

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

- The planning authority request that the Board uphold their decision.

#### 6.4. Public Representation

Two public representations have been received from members of the Oireachtas, which request that the appeal be expedited citing the minor nature of the application, the personal circumstances of the applicant and the backlog of appeals at present. The public representations are made by the following:

- Denise Mitchell T.D.
- Richard Bruton T.D.

#### 7.0 Assessment

- 7.1. Having reviewed the application, the appeal and conducted a site visit, I consider that there are no new matters for consideration.
- 7.2. The subject application relates to the following development of a semi-detached property at no. 449 Howth Road:
- (1) Removal of the existing lean-to roof of the existing single-storey rear extension;
  - (2) Removal of the existing rear chimney stack;
  - (3) Construction of a single-storey flat roof rear extension to consist of a kitchen / dining & lounge;
  - (4) Proposed attic conversion with a rear facing flat roof dormer to consist of a home office & WC;
  - (5) Proposed single storey flat roof garden room in the rear garden to consist of a den and store;
  - (6) Proposed widening of the existing vehicular access existing onto Howth Road.
- The floor area to be retained within the site is 150.6 sqm. The proposed additional floor area is approximately 63 sqm.
- 7.3. The substantive matters under appeal relate to the proposed bulk, scale, height and external brick wall finish of the proposed rear extension and the material finish of the rear dormer window. The appellant does not object to the development in principle.

*Single-storey rear extension*

- 7.4. The appellant's property at no. 451 Howth Road abuts to the east of the subject house. The house at no. 451 Howth Road has a large pitched roof single-storey extension to the rear extending for the full width of the garden. The attic of the house has been converted as additional bedroom accommodation.
- 7.5. The proposed single-storey flat roof rear extension to No. 449 Howth Road (applicant property) would extend for the full width of the rear garden. The extension would project from the existing rear elevation of the house by approximately 5m along the boundary with no. 447 Howth Road (west) and would project approximately 8m along the boundary with no. 451 Howth Road (east). The height of the extension would be approximately 4m.
- 7.6. The extension would have two distinct rear building lines one set forward of the other by approximately 3m creating a side elevation facing west midway across the rear garden. The west elevation has a west facing window opening approximately 4m from the shared side property boundary with no. 447 Howth Road.
- 7.7. The 8m projection includes an internal lightwell or courtyard (2420mm x 4100mm) located immediate to the rear elevation of the house. The lightwell separates the lounge part of the rear extension located beyond the lightwell from the main house. The lightwell is enclosed on all sides by the rear elevation of the subject house, the east and north elevations of the proposed rear extension and the west elevation of the existing extension to the rear of the abutting house at no. 451 Howth Road.
- 7.8. The lounge extension would be accessed via the extended kitchen / dining area. The rear extension would have south facing fenestration, one west facing opening (representing the side glazed area of a larger south facing corner window opening lighting the lounge), a glazed east elevation into the lightwell and roof lights.
- 7.9. The proposed extension along the shared boundary with no. 451 Howth Road (the appellants residence) would extend approximately 2m beyond the existing extension to the rear of no. 451 Howth Road. The appellant claims the additional depth and height of the proposed extension will depreciate his residential and visual amenity in terms of overbearing impacts, daylight penetration and inappropriate material finish.
- 7.10. Appendix 18 (Ancillary Residential Accommodation), Section 1.1 (General Design Principles) *inter alia* states design of residential extensions should have regard to the amenities of adjoining properties and in particular, the need for light and privacy.

- 7.11. Section 1.4 (privacy) *inter alia* states extensions should not result in any significant loss of privacy to the residents of adjoining properties. Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided.
- 7.12. The proposed fenestration is predominantly located in the rear elevation of the proposed single-storey extension overlooking the south facing back garden of the house and an east facing glazed wall opening into the internal lightwell, as such, no overlooking of adjoining properties would result. I consider that the west facing opening located in the side elevation of the projecting lounge extension would not result in overlooking or loss of privacy given that it is located approximately 4m from the shared property boundary with no. 447 Howth Road.
- 7.13. Section 1.6 (Daylight) *inter alia* states that large single or two-storey rear extensions to semi-detached dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. Furthermore, depending on orientation, such extensions can have a serious impact on the amount of sunlight received by adjoining properties. The rear elevations of the subject house at no. 449 Howth Road and the appellant's house at no. 451 Howth Road have a south facing orientation. The south aspect of no. 451 Howth Road would not be impacted by the proposed extension.
- 7.14. On balance I would concur with the planning case officer that the differences between the two neighbouring houses and their extensions (existing and proposed) is marginal in terms of their height and dept. The proposed rear extend would extend an additional 2m beyond the existing extension to the rear of no. 451 Howth Road and would be marginally taller along the property boundary given that the proposed extension has a flat roof and the existing rear extension to no. 451 Howth Road has a double pitched roof profile.
- 7.15. I do not consider that significant adverse impacts would result from the construction of the proposed extension albeit acknowledging that the physical relationship along the shared property boundary with no. 551 Howth Road will be changed by the construction of the new extension to the rear of no. 449 Howth Road. I would concur with the conclusion of the planning case officer that the extension by reason of its scale and fenestration would not result in overlooking, overshadowing or overbearing of neighbouring properties.

- 7.16. Finally, the appellant claims that the brick cladding to the rear extension is inappropriate as it would not harmonise with the main dwelling house. I consider that the use of a contrasting material finish, such as brick, is an appropriate design response providing a clear visual difference between the new built extension and the pre-existing dwelling house.

*Attic conversion with a rear facing flat roof dormer*

- 7.17. Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028 *inter alia* states that the conversion of attics for habitable space is a common practice in residential homes. Table 18.1 provides guidance in the matter of attic conversions and the provision of dormer windows.
- 7.18. The proposed box dormer would be located below the ridge line set within the roof plane and set back from the eaves. The dormer would measure 3600mm x 4125mm in area. The attic conversion would facilitate a home office at second floor level. I consider that the proposed attic conversion and dormer window would in general satisfy Table 18.1 guidance.
- 7.19. The appellant claims that the external appearance of the dormer window exhibiting a seamed zinc metal finish is not in harmony with the existing material finish of the subject house. The appellant cites Table 18.1, which *inter alia* states: *Use materials to complement the existing wall or roof materials of the main house*. The appellant requests that the external finish of the dormer should respect the existing house in terms of materials and colour.
- 7.20. The applicant response *inter alia* states that the metal dormer finish highlighted by the appellant as not being in harmony with the area is represented at nos. 570a & 570b Howth Road. I noted on my site visit the subject infill houses at 570a & 570b Howth Road, opposite the applicant site. The houses represent a sympathetic contemporary infill development in scale and form matching the existing streetscape while exhibiting contrasting material finishes in terms of fenestration and detailing including metal cladding.
- 7.21. Appendix 18, Section 1.1 (General Design Principles) *inter alia* states that the design of residential extensions should integrate with the existing building through the use of similar or contrasting materials and finishes. I consider that the proposed use of a contrasting finish, in the instance of the proposed dormer a metal zinc

cladding, which has provenance in the vicinity as a contemporary quality material is a valid design solution.

*Single storey flat roof garden room in the rear garden to consist of a den and store*

- 7.22. I would concur with the planning case officer that the proposed garden room (6.7m x 3.5m and rising to a height of approximately 4m) is acceptable in principle and in detail subject to a use restriction condition.

*Widening of the existing vehicular access existing onto Howth Road.*

- 7.23. The planning authority Transport Planning Division Report concluded that the widening of the vehicular access was acceptable in principle conditional on a restricted maximum width of 3m, which is a development plan standard. This can be dealt with by way of condition.

*Conclusion*

- 7.24. The proposed development comprising a rear single-storey extension, attic conversion with box dormer, garden room, widening vehicular access and other ancillary works to facilitate the upgrade and refurbishment of the existing dwelling house at no. 449 Howth Road would subject to condition represent a reasonable improvement of the accommodation on site, would not have a significant adverse impact on the residential and visual amenities of the area, including on balance the abutting property at no. 451 Howth Road (appellant), would comply in general with Appendix 18 (Ancillary Residential Accommodation) of the Dublin City Development Plan 2022-2028 and, as such, would be consistent with the proper planning and sustainable development of the area

**7.25. 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 the Dublin City 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 abutting property at no. 451 Howth Road, would comply in general with Appendix 18 (Ancillary Residential Accommodation) including Section 1.1 (General Design Principles) and Section 5 (Attic Conversions / Dormer Windows) Table 18.1 (Dormer Window Guidance) of the Dublin City Development Plan 2022-2028 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><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>

3.	<p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>The recommendations of the Transportation Planning Division of the Planning Authority shall be adhered to in full including the requirement to restrict the vehicular opening (driveway entrance) onto the Howth Road to a maximum width of 3m. It shall not have outward opening gates.</p> <p><b>Reason:</b> In the interest of orderly development and road safety.</p>
5.	<p>The existing dwelling and proposed Garden Room shall be jointly occupied as a single residential unit and the Garden Room pavilion shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p><b>Reason:</b> To restrict the use of the extension in the interest of residential 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 matter shall be referred to the Board to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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.

A handwritten signature in black ink, appearing to read 'A. Abbott King', written over a horizontal line.

Anthony Abbott King  
Planning Inspector

20 December 2024