



An
Coimisiún
Pleanála

Inspector's Report

ABP-323021-25

Development

Extension to the side and rear of two-storey detached dwelling. Widening of vehicular access and extensions of the dishing of the existing kerb and all associated site works.

Location

6 College Grove, Castleknock, Dublin
15

Planning Authority

Fingal County Council

Planning Authority Reg. Ref.

F25A/0170E

Applicant(s)

Daniel Clare

Type of Application

Permission

Planning Authority Decision

Grant Permission, with Conditions

Type of Appeal

First Party v Condition

Appellant(s)

Daniel Clare

Observer(s)

None

Date of Site Inspection

28th August 2025

Inspector

Paul Christy

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Appendix 1 – Form 1: EIA Pre-Screening

1.0 Site Location and Description

- 1.1. The subject site is located in the large suburban residential area of Castleknock, north Dublin. The College Grove sub-area is characterised by a typical suburban layout largely comprised of similarly-designed detached dwellings. The layout provides for minimal lateral separation distances between the dwellings. Mature trees have been provided on a narrow grass verge between the footpath and road.
- 1.2. The standard dwelling design is comprised of a two-storey main main module, with a side annex stepped back from the main module. The main module has a pitched roof with the ridge running at right angles to the street. The front elevation is finished in a combination of both red brick (on approximately 60% of the elevation) and render painted white (approximately 40%) separated along a vertical line. The roof of the annex extends the slope of the main module down from the eaves of the main module. As a result of this design, and of relevance to the appeal, the ceiling heights of the lower sides of two existing bedrooms, bedrooms 5 and 6 are identified as '1.422'¹ on the submitted 'Existing Section A-A'.
- 1.3. The subject dwelling also has a modest single-storey rear extension arrangement generally on the eastern side of the plot, adjacent to No. 4.

2.0 Proposed Development

- 2.1. The overall proposed development is comprised of various items. Only the undernoted item is impacted by the Condition the subject of this appeal:
 - Amend the side annex by:
 - ~ increasing the height of the existing side wall on the boundary with No.4 by c1.4m;
 - ~ extending the annex to the rear by 1.6m at both ground and first floor level;
 - and

¹ Assumed to be metres.

~ providing a flat roof over the raised and extended annex at a level slightly above that of the eaves height of the roof slope of the main module.

2.2. There is no fenestration included on the proposed side elevation of the annex, save for a ground floor window at the south-eastern corner of the rear extension.

2.3. The remaining elements of the overall development include:

- A single-storey rear extension;
- A modest extension to the front entrance; and
- Widening of the existing vehicular access and extension of the dishing of the existing kerb.

3.0 Planning Authority Decision

3.1 Decision:

3.1.1. Grant with conditions (June, 2025). A total of ten conditions were imposed. The conditions were relatively standard in nature, with the exception of Condition 2, which Condition is the subject of this Appeal. This Condition requires revisions to the proposed works to the side annex and reads as follows:

'The developer shall amend the design of the proposed development to accord with the following:

(a) The proposed increase in roof height to the side and the proposed flat roof feature shall be omitted entirely from the development.

(b) The existing sloping roof profile to the side of the dwelling shall remain.

REASON: In the interest of visual amenity, (sic) the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. [Planning Report]: One report on file attached to the Chief Executive's Order. The Planning Officer's key comments in respect of the issues addressed in Condition 2

are contained in a section headed '*Impact on the Visual and Residential Amenity of the Area*' (p.4 of Report). These may be summarised as follows:

- Notes that the existing dwelling benefits from an original two-storey side extension finished with a sloping roof profile which integrates into the pitched roof profile of the main dwelling and that: *'This is a main characteristic serving the roof profiles of the dwellings within College Grove and should be retained.'*
- Refers to the proposed increase in height of the side extension and the introduction of the flat roof feature and observes that it: *'exceeds the height of the eaves serving the main dwelling and is not architecturally appropriate. Furthermore, the flat roof design visually conflicts with the pitched roof design of the existing dwelling. With respect to the streetscene of College Grove, there is no precedence for flat roofs serving existing side extensions. Likewise, the loss/removal of the existing sloping roof profile serving the side extension is at odds with the visual amenity of the area.'*
- The following conclusions are drawn in the report: *'As such, the development is overly dominating, poorly integrates and appears visually incongruous and is not appropriate'.*; and *'the proposed increase in height of the existing first-floor bedrooms to the side and the proposed flat roof are unacceptable and should be omitted.'*
- Subsequently, it is further observed that: *'In terms of residential amenity, no first floor side elevation windows are proposed. Over-dominance, overshadowing, overbearing and overlooking are not considered issues with respect to all aspects of the development.'*

3.2.2. With regards to Appropriate Assessment, the Officer concludes that: *'the proposed project, individually or in combination with another plan or project, will not have a significant effect on any European sites'*.

3.2.3. [Other Technical Reports]: The Authority's Water Services Department submitted a standard report. The report advised of no objection in terms of flood risk, and no objection in terms of surface water drainage, subject to standard conditions.

- 3.2.4. The Authority's Transportation Planning Section submitted a report. This referred only to the proposed vehicular entrance element of the overall proposed development and is not relevant to the condition the subject of this appeal.

3.3. Prescribed Bodies

- 3.3.1. None.

3.4. Third Party Observations

- 3.4.1. None.

4.0 Planning History

- 4.1. Subject site: No previous history.

- 4.2. Wider vicinity of site:

- **P.A. Ref. F23A/0166: No. 32 College Grove. 2023 Grant.** Various alterations to existing dwelling including similar works to raise the side wall of the annex as those under consideration in this appeal, but with a pitched roof at right angles to that of the main module, with the ridge matching the ridge height of the main module.
- **P.A. Ref. FW21B/0183: No. 40 College Grove. 2022 Grant.** Various alterations to existing dwelling including similar works to raise the side wall of the annex as those under consideration in this appeal, but with a pitched roof at right angles to that of the main module, with the ridge matching the ridge height of the main module².
- **P.A. Ref. FW17B/0086 No. 51 College Grove. 2017 Grant.** Various alterations to existing dwelling including similar works to the raise the side wall

² This decision is referenced in the Appellant's Appeal Statement.

of the annex as those under consideration in this appeal, but with a pitched roof at right angles to that of the main module, with the ridge matching the ridge height of the main module.³

5.0 Policy Context

5.1. Development Plan: Fingal Development Plan, 2023-2029

- 5.1.1. Chapter 14: 'Development Management Standards': In Section 14.1: Introduction' it is stated that: *'Proposals must comply with the standards and criteria that apply to particular development types, be consistent with the objectives set out in the preceding chapters and be compliant with relevant legislative guidance.'* In this context, the following provisions contained in Section 14.10, 'Additional Accommodation in Existing Built-up Areas' are relevant to the subject proposal:
- 5.1.2. Section 14.10.2: 'Residential Extensions' contains general guidance and principles against which such applications shall be assessed. This includes a recognition and acknowledgement of: *'the need for housing to be adaptable to changing family circumstances'*, and that the Council will: *'support such applications ... subject to specific safeguards'*. Of particular relevance to this appeal and the concerns of the Local Authority over the visual amenity of the proposed design, Section 14.10.2 provides that the design must have regard to, inter alia, *'the character and form of the existing building, its architectural expression ...external finishes and pattern of fenestration.'* Given the proximity of the proposed raised side annex to the adjacent dwelling, I would also note the additional provision contained in Section 14.10.2 regarding potential impacts on adjacent properties: *'In particular, the design and layout must have regard to and protect the amenities of adjoining properties, particularly in relation to sunlight, daylight, and privacy.'*
- 5.1.3. Section 14.10.2.2: 'Side Extensions' includes, inter alia, the following provisions:
- *'...will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation) and impacts on residential amenity.'*

³ This decision is referenced in the Appellant's Appeal Statement.

- *'First floor extensions built over existing structures and matching existing dwelling design and height will generally be acceptable.'*

5.1.4. Section 14.10.2.5: 'Roof Alterations including Attic Conversions and Dormer Extensions' addresses roof alterations/expansions to main roof profiles and provides that such proposals will be assessed against a number of criteria including:

- *'Consideration and regard to 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

5.2.1. The site is located: 9.15km to the west of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024), and 8.83km to the west of the North Dublin Bay Proposed Natural Heritage Area (Site Code 000206); and 8.44km to the east of the Rye Water Valley/Carton Special Area of Conservation (Site Code 001398) and Rye Water Valley/Carton Proposed Natural Heritage Area (Site Code 001398). The site is also located 1.21km to the south of the Royal Canal Proposed Natural Heritage Area (Site Code 002103), and 0.85km to the north of the Liffey Valley Proposed Natural Heritage Area (Site Code 000128).

5.3. EIA Screening

5.3.1. 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 report.

5.4. Water Framework Directive Screening

- 5.4.1. The subject site is located: 0.84km to the east, and 1.08km to the north of the Liffey_180 river waterbody; and within the catchment of the Dublin groundwater body described in catchments.ie as 'Poorly productive bedrock'.
- 5.4.2. The proposed development comprises minor alterations to an existing detached dwelling within the large suburban residential area of Castleknock in north County Dublin, with surface waters being discharged to the existing public collection system.
- 5.4.3. No water deterioration concerns were raised in the planning appeal.
- 5.4.4. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. 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 surface and/or groundwater water bodies either qualitatively or quantitatively.
- 5.4.5. The reasons for this conclusion are as follows:
- Nature of works - small scale alterations to an established detached dwelling within a large suburban residential estate; and
 - Location and proposed drainage arrangements - distance from nearest water bodies and lack of hydrological connections, and the proposed connection to the existing public surface water drainage system serving the estate.
- 5.4.6. Conclusion: I conclude that on the basis of objective information, the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. The Appellant makes three points in support of his appeal:

- Firstly, the Appellant quotes a comment in the Local Authority Planner's report in which the Planner observes that: *'the sloping roof profile (of the existing side extension) which integrates into the pitch roof profile of the main dwelling ... is a main characteristic serving the roof profiles of the dwellings within College Grove and should be retained.'* The Appellant then contends that: *'The proposed flat roof design ... does visually complement all other proposed elements. The front porch roof design, the rear single storey roof design are all proposed to be of the same material and finish and we submit that they are all complementary of each other architecturally.'*
- Secondly, the Appellant refers to the sloping roof profile of bedrooms 5 and 6 as existing and states that this falls well below the current acceptable habitable roof space requirements set out in Part F Technical Guidance Document 2019 (Ventilation)' and that the proposed development: *'allows for these two bedrooms to become compliant habitable spaces and meet with the building regulations requirements, along with allowing the applicant to enjoy their home to its fullest potential'.*
- Finally, the Appellant advises of agreement to an alternative design as approved by the Local Authority for Nos. 40 and 51 College Grove, should the Commission be minded to approve this alternative design by condition.

6.2. Planning Authority Response

6.2.1. In its response, the Authority advises that it retains its concerns and requests that the Commission upholds the decision of the Authority. The Authority also requests that, in the event that the appeal is successful, provision should be made for applying specified development contributions and bonds.

6.3. Observations

6.3.1. None.

7.0 Assessment

7.1. Overview

7.1.1. This is a first-party Section 139 (Planning and Development Act, 2000 [as amended]) appeal against a Condition. The Condition under appeal is Condition No. 2 attached to the Planning Authority's decision to grant permission. The precise wording of Condition No. 2 is set out at Section 3.1 of this Report.

7.1.2. Having regard to the nature of the Condition the subject of the Appeal, it is considered that the determination by the Board of the application, as if it had been made to it in the first instance, would not be warranted. Therefore, in my opinion, the Board may determine the matters raised in the appeal only, in accordance with Section 139 of the Planning and Development Act 2000 (as amended), and I intend to limit my consideration to the matters raised in relation to the terms of that condition.

7.1.3. Having examined the application details, and all other documentation on file including the submission received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be assessed are as follows:

- the visual impact of the proposed works to the side annex; and
- the potential impacts of the proposed works to the side annex on the amenities of adjacent residential properties.

7.2. Visual Impact of the Proposed Works to the Side Annex

7.2.1. As referenced in Section 5.1.2 of this Report, the need for housing to be adaptable to changing family circumstances is recognised in Section 14.10.2 of the Development

Plan. The Development Plan also contains several Development Management provisions regarding the integration of such developments with both the host dwelling and the wider locality and I consider these below.

- 7.2.2. Integration With Host Dwelling: As set out in Section 5.1 of this Report, several Development Management provisions of the Development Plan require consideration of the impact of such developments on the character of the existing structure (refer Development Plan Sections 14.10.2: 'Residential Extensions'; Section 14.10.2.2: 'Side Extensions'; and Section 14.10.2.5: 'Roof Alterations including Attic Conversions and Dormer Extensions'). In particular, in Section 14.10.2 it is provided that: *'The design must have regard to, inter alia, 'the character and form of the existing building, its architectural expression ...external finishes and pattern of fenestration.'*
- 7.2.3. The proposed works to the annex, particularly the flat roof, will undoubtedly have an impact on the character and form of the existing dwelling and will be inconsistent, to some extent, with the architectural expression of the existing dwelling. However, in my view, this must be balanced against the following additional considerations: the limited architectural merit of the existing dwelling; the fact that the side annex is set back almost 3m from the front elevation; the plain and simple architectural expression of the wide gable end of the adjacent No.4 College Grove; and the existence of mature trees on the adjacent footpath, which trees provide a degree of screening for the overall dwelling and indeed adjacent dwellings. With regard to proposed finishes, 'new cedar finish render to match existing' is noted on the submitted elevations, as is a 'standing seam metal cladding' for the canopy and flat roof trims. In terms of fenestration, the proposed windows on both the front and rear elevation are similar in design to the existing fenestration.
- 7.2.4. Integration With Wider Locality: Section 14.10.2.5: 'Roof Alterations including Attic Conversions and Dormer Extensions' of the Development Plan addresses roof alterations/expansions to main roof profiles and provides that such proposals will be assessed against a number of criteria including existing roof variations on the streetscape and harmony with adjacent structures. From my site inspection and a review of planning history in the area, I note that the only roof variations in the

locality are as per those set out in Section 4.2 of this Report. These variations provide for similar works to raise the side wall of the annex as those under consideration in this appeal, but with a pitched roof at right angles to that of the main module, with the ridge matching the ridge height of the main module.

- 7.2.5. Conclusion: Having regard to the ‘additional considerations’ set out at para. 7.2.3, and notwithstanding that the proposed works will be a departure from the pitched roof architectural solutions previously permitted by the Local Authority for Nos.32, 40 and 51 College Grove, it is my view that the proposed works to the annex are a reasonable design solution, and that the Development Plan recognition of the need for housing to be adaptable to changing family circumstances should prevail over the limited visual impact of the development on the character and architectural expression of the existing dwelling and the wider streetscape.

7.3. **Impacts On the Amenities of Adjacent Property (No.4 College Grove)**

- 7.3.1. The Development Plan Development Management Chapter includes several references to the protection of the amenities of adjacent properties when considering proposals such as that the subject of this appeal. These include Section 14.10.2 ‘Residential Extensions’ wherein it is provided that the design and layout ‘*must have regard to and protect the amenities of adjoining properties, particularly in relation to sunlight, daylight, and privacy.*’; and Section 14.10.2.2 ‘Side Extensions’, which provision includes the criterion that such extensions will be evaluated: ‘*against proximity to boundaries ... and impacts on residential amenity.*’
- 7.3.2. The overall layout for this part of College Grove has the eastern elevation of each side annex being positioned on, or immediately adjoining, the boundary with its neighbour to the east, with the western gable elevation of the neighbouring dwelling to the east then being set back a short distance, c.0.7m, from the party boundary. The layout and standard dwelling design also result in the annex of each dwelling extending deeper into its plot than the western gable elevation of the main module of its neighbour to the east. The standard western gable elevation of these dwellings has a depth of c.10.5m, a ridge height of c.6.5m, and an eaves height of c.5.2m. This

relationship applies to the subject property and the adjoining No.4 to the east. In this context, in my opinion, the raising of the side wall of the subject property by c1.4m to a level where it is slightly higher than the eaves level of the adjacent property (and subject property), and also extending the annex to the rear by 1.6m will have a limited impact on the amenities of the adjacent property, particularly given the absence of any proposed fenestration at first floor level.

7.4. Development Contributions

7.4.1. I note that in its submission to the appeal, the Local Authority requested that in the event that the appeal is successful, provision should be made in the Commission's determination for applying the following specified development charges and bonds:

- *'A financial contribution and/or a provision for any shortfall in open space and/or any Special Development Contributions required in accordance with Fingal County Council's Section 48 Development Contribution Scheme;*
- *The inclusion of Bond/Cast security for residential development of two or more units; and*
- *Where a tree bond or a contribution in respect of a shortfall of play provision facilities are required.'*

This would appear to be a generic report, and the second and third bullets are not relevant to this appeal. In terms of standard development contributions, I would note only that the relevant condition relates to the height and profile of the roof, as opposed to the extension footprint. On this basis, the issue of development contributions is not a matter for the Commission, in my opinion.

8.0 AA Screening

8.1 I have considered the proposed works to the side annex at 6 College Grove, Castleknock, Co. Dublin in light of the requirements of S.177U of the Planning and Development Act 2000 as amended. The subject site is located 9.15km to the west of the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code

004024); and 8.44km to the east of the Rye Water Valley/Carton Special Area of Conservation (Site Code 001398).

No nature conservation concerns were raised in the planning appeal.

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 reasons for this conclusion are as follows:

- the nature of the works: small scale extension to an existing dwelling with existing connections to public services;
- the distance of the site from the nearest European site and the absence of any connections between the two.

I conclude that on the basis of objective information, the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

Having regard to the nature of the condition the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance, would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of Section 139 of the Planning and Development Act, 2000 (As Amended) to REMOVE Condition No.2 and the reason therefore.

10.0 Reasons and Considerations

Having regard to the residential land use zoning for the site, the architectural expression of dwellings in the locality, and the pattern of development in the area, it is considered that the proposed works to the existing side annex, including increasing the height of the existing side wall on the boundary with No.4 College

Grove by c1.4m, extending the annex to the rear at both ground and first floor level by 1.6m, and providing a flat roof over the raised and extended annex to join with the roof slope of the main module at a level slightly above that of the eaves height of the main module, by reason of its limited scale, nature and design, and its location with respect to adjoining properties, would not detract from the character of the dwelling and would not seriously injure the amenities of the area or of property in the vicinity by reason of overlooking or loss of privacy. The Planning Authority's Condition 2 requiring the omission of the proposed increase in roof height to the side and the proposed flat roof feature, and requiring also that the existing sloping roof profile to the side of the dwelling shall remain is, therefore, not warranted.

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.



Paul Christy

Planning Inspector

19th September 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ACP-323021-25		
Proposed Development Summary	Overall development: Extension to the rear of two-storey detached dwelling. Widening of vehicular access and extensions of the dishing of the existing kerb and all associated site works. Element under consideration in Appeal: Increasing the height of the existing side wall on the boundary with No.4 College Grove by c1.4m, extending the annex to the rear at both ground and first floor level by 1.6m, and providing a flat roof over the raised and extended annex.		
Development Address	6 College Grove, Castleknock, Co. Dublin		
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	✓
		No	
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			
No	✓		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			

No	✓		
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	n/a		
5. Has Schedule 7A information been submitted?			
No	n/a		
Yes	n/a		

Inspector: Paul Christy Date: 19th September 2025

Paul Christy