



<b>Development</b>	The removal of the existing garage and single-storey extension and the construction of a new part single-storey, part two-storey extension, all to the side and rear of the house. The proposed works will include all associated landscaping, site and drainage works.
<b>Location</b>	82, Saint Alban's Park, Dublin 4
<b>Planning Authority</b>	Dublin City Council South
<b>Planning Authority Reg. Ref.</b>	WEB1778/25
<b>Applicant</b>	Don Ross
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	To grant permission
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	Philip O'Reilly
<b>Observers</b>	None
<b>Date of Site Inspection</b>	3 <sup>rd</sup> November 2025
<b>Inspector</b>	Trevor Rue

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## 1.0 Site Location and Description

- 1.1. The application site is about 4.4 kilometres to the south of Dublin City Centre in a residential street in the suburban neighbourhood of Sandymount. It has a stated area of 0.034 hectares and comprises the curtilage of a semi-detached two-storey house, which has a vehicular entrance to the front and a long back garden. The site narrows progressively from its road frontage of 15.5 metres to its rear boundary of 3.7 metres.
- 1.2. The existing ground floor of the house contains two reception rooms, a toilet and a combined dining room and kitchen. The first floor has three bedrooms, one of which has *en suite* facilities, and a family bathroom. There is also an attic room. A detached garage is set back to the side of the house with a fence and pedestrian gate between it and the house.
- 1.3. The main hipped roof of the house runs parallel to the road. Forward of the main roof, there is a secondary pitched roof running at right angles to it over about half its length. The front elevation of the house features a gable as well as bow windows. The house is finished in a dash render, with brick surrounding the front door. There are rendered quoins on the upper front corner of the house, above the brickwork.

## 2.0 Proposed Development

- 2.1. It is proposed to demolish the garage and the single-storey extension to the rear where the kitchen and dining room are located, and also to demolish the first-floor family bathroom. It is proposed to replace these with a part single-storey, part two-storey side and rear extension. The ground floor would contain a larger open-plan dining/living/kitchen space to the rear as well as a utility room and back kitchen, with a laundry and a large bike and general storage area to the side. The first floor would have a master bedroom with a walk-through wardrobe and *en suite* facilities. It would also contain three further bedrooms (one of which would have *en suite* facilities), and a family bathroom. The attic floor would remain unaltered.
- 2.2. The ground floor plan shows the extension set back from the existing house by about 2.4 metres, with its front elevation perpendicular to the side wall of the existing house for a distance of 2.612 metres. At that point the front of the extension would be angled back to become perpendicular to the boundary wall with the adjoining property, 80 St.

Alban's Park, for a distance of 2.541 metres. The side wall of the extension would abut the boundary wall.

- 2.3. The first floor extension would be set back from the existing house by 3.12 metres with its front elevation angled and then curved so that its side elevation would be about 1.2 metres from the boundary wall with No. 80. Bedroom 3, at the front of the first-floor extension, would be served by a window about 900 millimetres in width.
- 2.4. The front elevation originally submitted proposed that the ground-floor extension would be rectangular in appearance with door and window openings and new brick cladding. The first-floor extension would have a blank rendered rectangular façade and would be separated from the front gable section of the existing house by aluminium cladding above the window to Bedroom 3.

### **Additional Information**

- 2.5. In response to a request for additional information from the planning authority, the applicant provided design development sketches for the proposed front façade and the proposed rear elevation (north). A larger glazed element and a solid timber-clad opening section were included in the proposed fenestration to Bedroom 3 to address natural ventilation and egress requirements. It was confirmed that the proposed brickwork at ground floor level would match the existing. The new dash render would match the existing and the new smooth render would match the rendered quoins.
- 2.6. Also in response to the additional information request, the applicant submitted a drainage layout plan on two sheets, including details of a sustainable drainage system.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

- 3.1.1. On 28<sup>th</sup> July 2025, Dublin City Council decided to grant permission, subject to eight conditions. Condition 1 required adherence to the plans, particulars and specifications lodged with the application. Condition 2 required payment of a development contribution. Condition 3 required external finishes to harmonise with those of the house. Conditions 4 to 6 regulated the construction process. Condition 7 required compliance with various codes of practice, while Condition 8 was to do with drainage.

## 3.2. Planning Authority Reports

### Planning Reports

3.2.1. Planning officer reports dated 5<sup>th</sup> June and 22<sup>nd</sup> July 2025 provided the reasoning for the authority's decision. The main points were as follows:

- It was noted that the proposed bike and general storage area in the extension would be larger than the existing reception rooms in the house and that the windows for the new bedroom would be quite narrow.
- While the applicant is seeking a modern extension to his home to provide additional space for his needs, the design of the extension and in particular the first-floor front elevation is quite stark. The design would result in poor levels of light for Bedroom 3 and is not ideal.
- The applicant should be requested to revisit the design of the extension. Consideration should be given to a change in design or materials to have greater reference to the surrounding structures, including improved fenestration to Bedroom 3. He should also be requested to clarify whether the proposed brick finish at ground-floor level is intended to match the existing.
- The applicant's response to the further information request to revisit the design was acceptable.

### Other Technical Reports

3.2.2. The Council's Drainage Division initially commented that the developer should submit a drainage layout indicating how surface water is to be managed. In response to the additional information provided, it had no objection to the proposed development, subject to conditions.

## 3.3. Prescribed Bodies

3.3.1. No comments were received from Irish Rail or Uisce Éireann.

### 3.4. Third Party Submission

- 3.4.1. The Council received a submission from Philip O'Reilly, writing from an address in Harolds's Cross, Dublin 6W, the substance of which was repeated in his grounds of appeal.

## 4.0 Planning History

### 4.1. Application Site

- 4.1.1. **1865/06:** On 7<sup>th</sup> June 2006, permission was granted for demolition of the existing garage and construction of a two-storey extension to the side of the dwelling, an attic conversion and the widening of the driveway entrance.
- 4.1.2. **4365/16:** On 30<sup>th</sup> March 2017, permission was granted for removal of the existing garage and construction of a new single-storey extension attached to the side of the existing dwelling.
- 4.1.3. **3324/21:** On 7<sup>th</sup> October 2021, the Council decided to refuse permission for conversion of the attic space with a dormer window to the rear roof slope and alterations of the existing gable and roof slope. On 25<sup>th</sup> March 2022, following a first-party appeal (**311814**), An Bord Pleanála refused permission, stating that the development would be visually incongruous and have a negative impact on the scale and character of the dwelling, the streetscape and the visual amenities of the area.

### 4.2. Other Sites

- 4.2.1. **2364/21:** On 21<sup>st</sup> June 2021, permission was granted for a first-floor extension to the side of the existing house at 20 St. Alban's Park. The proposed extension would have a pitched roof with a hipped gable and a parapet to the adjoining boundary and the eaves level would match that existing.
- 4.2.2. **3779/23:** On 28<sup>th</sup> August 2023, permission was granted for construction of a single-storey flat-roofed extension to the rear and a two-storey hipped-roofed extension to the side of 70 St. Alban's Park.
- 4.2.3. **WEB1455/21:** On 15<sup>th</sup> June 2021, the Council decided to grant permission for an 11 square metre detached single-storey artist's studio at the side of 24A Lea Road,

Sandymount. A side passage would be provided to access the rear garden and a 22 square metre sedum plant green flat roof would be extended to form a porch roof. On 8<sup>th</sup> October 2021, following a third-party appeal (**310775**), An Bord Pleanála granted permission for the development, generally in accordance with its Inspector's recommendation. The Inspector referred to the design of the structure, which would have a curved front elevation to reflect the location of the site on the bend of the road, and the change in angle of the front elevation of the existing dwelling on site to the dwelling on the adjoining site at No. 25. He expressed the view that the structure would integrate well with the existing dwelling at No. 24A. He went on to say this:

*I am satisfied that the modest scale of the structure taken in conjunction with its overall design would mean it would not be detrimental to the visual amenities of the area. In this regard I do not consider a precedent is being set for undesirable development with the overall design proposed being satisfactory in terms of its aesthetic appearance and its integration with the existing dwelling on site.*

- 4.2.4. **WEB1686/25:** An application was submitted to the Council seeking permission for a single-storey flat-roofed extension to the front and side of 8A Leicester Avenue, Rathmines, Dublin 6. The Council requested further information from the applicant. It considered that a flat roof over the first-floor side extension would not be in keeping with the existing house or the adjoining properties. The applicant was requested to submit revised proposals to address these concerns. A revised set of drawings was submitted showing a hipped roof over the first-floor side extension. On 23<sup>rd</sup> July 2025, permission was granted for the revised development.
- 4.2.5. **3078/25:** On 16<sup>th</sup> May 2025, permission was granted for development which included construction of a single-storey rear extension with a flat-roof skylight at 27 Sandymount Road, Sandymount.
- 4.2.6. **3197/25:** On 11<sup>th</sup> September 2025, permission was granted for development which included construction of a new two-storey extension with a flat roof to the rear of 40 Park Avenue, Sandymount.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. Map H of the Dublin City Development Plan 2022-2028 shows St. Alban's Park, including the application site, within Primary Land Use Zoning Category Z2, Residential Neighbourhoods (Conservation Areas). The Z2 zoning objective, set out in Section 14.7.2 of the Plan, is to protect and/or improve the amenities of residential conservation areas. Section 14.7.2 goes on to say that residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.
- 5.1.2. Policy BHA9 of the Development Plan is to protect the special interest and character of all Dublin's Conservation Areas. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.
- 5.1.3. Section 15.2.2 of the Plan states that all planning applications for development in Conservation Areas shall:
- respect the existing setting and character of the surrounding area;
  - be cognisant and/or complementary to the existing scale, building height and massing of the surrounding context;
  - protect the amenities of the surrounding properties and spaces;
  - provide for an assessment of the visual impact of the development in the surrounding context;
  - ensure materials and finishes are in keeping with the existing built environment;
  - positively contribute to the existing streetscape.
- 5.1.4. Section 15.4.2 of the Plan states that imaginative, innovative and contemporary architecture is encouraged in all development proposals, provided that it respects Dublin's heritage and local distinctiveness and enriches the city environment. Through

the use of high quality materials and finishes and the appropriate building form, the architectural quality of development should positively contribute to the urban design and streetscape, enhancing the overall quality of the urban environment. In particular, development should respond creatively to and respect and enhance its context.

- 5.1.5. Appendix 18 to the Plan deals with ancillary residential accommodation. Section 1.1 acknowledges that residential extensions play an important role in promoting a compact city in line with the core strategy [of the Plan] as well as providing for sustainable neighbourhoods and areas where a wide range of families can live. 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.
- 5.1.6. Section 1.1 of Appendix 18 goes on to say that innovative, contemporary design will be encouraged. A contemporary or modern approach, providing unique designs, can offer a more imaginative solution. However, such proposals are still required to take account of the design issues outlined in [the Plan]. Applications for extensions to existing residential units 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; and
  - make a positive contribution to the streetscape (front extensions).
- 5.1.7. Section 1.3 of Appendix 18 states that 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.
- 5.1.8. Section 1.7 of Appendix 18 says that the extension should not dominate the existing building and should normally be of an overall scale and size to harmonise with the existing house and adjoining buildings; the appearance of the existing structure should

be the reference point for any consideration of change that may be proposed. The materials used should complement those used on the existing building; features such as windows and doors on the new extension should relate to those on the original building in terms of proportion and use of materials.

## 5.2. Natural Heritage Designations

5.2.1. The application site is not in any Natura 2000 site of European nature conservation importance. The nearest Natura 2000 sites are:

- South Dublin Bay and River Tolka Estuary Special Protection Area (SPA), about 125 metres to the east, designated for various bird species;
- North Bull Island SPA, about 4.8 kilometres to the north east, also designated for various bird species;
- South Dublin Bay Special Area of Conservation (SAC), about 125 metres to the east, designated for mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud and embryonic shifting dunes; and
- North Dublin Bay SAC, about 4.8 kilometres to the north east, designated for tidal mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud, salt meadows, shifting and fixed dunes, dune slacks and petalwort.

5.2.2. Table 10-2 of the Development Plan lists two other sites of international nature conservation importance in Dublin Bay, namely North Bull Island Ramsar Wetland Site; and Sandymount Strand / Tolka Estuary Ramsar Wetland Site. It also lists North Bull Island National Special Amenity Area and North Bull Island National Nature Reserve.

5.2.3. The application site is not in or near any Natural Heritage Area (NHA). There are five proposed NHAs in the area served by Dublin City Council – North Dublin Bay; South Dublin Bay; Dolphins, Dublin Docks near Pigeon House Harbour; Grand Canal and Royal Canal.

## 6.0 Environmental Impact Assessment Screening

6.1. 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 (or Part V of the 1994 Roads Regulations). 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.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

7.1.1. The grounds of appeal may be summarised as follows:

- St. Alban's Park is a development of 67 houses built between 1926 and 1930. In the last 50 years many of these houses have been subjected to extensions of various types, some well designed and others not so.
- 82 St. Alban's Park is in a highly visible central location in the street and the visual impact of any development at this location would be high. The proposed set forward at ground level and set back at first-floor level are not to be found anywhere else in the street and would result in confusion and visual incongruity. The two-fronted extension would be excessively set back from the front wall of the existing structure. It would not be possible to follow the original building line at No. 82 and still have a satisfactory two-storey side extension. There would have to be some trade off between the building line and the design.
- Having a kink in the front elevation and having different building lines for the ground and first-floor levels would be visually incongruous in this residential conservation area. Right-angle corner treatments are appropriate in the street but the proposed curve is not to be found anywhere in St. Alban's Park. The shape of the application site in relation to No. 80 could be said to be awkward but that is no justification for this proposal.
- The St. Alban's Park houses when originally built consisted of two reception rooms on the ground floor – a sitting room at the front and a dining room at the back, complete with a fine pair of French doors. The [back] room would always

have ample natural light. The proposed ground floor drawing labels the back room as a study/sitting/play room. Contrary to the building regulations, it would be deprived of natural light and become a windowless dungeon.

- The design, type and location of the proposed windows in the front elevation are all wrong. Having regard to the width of the extension, the solid-to-window ratio would not be in keeping with the established built environment. The proposed ground-floor window would be too small and should be centred to maintain balance and symmetry and ensure visual harmony. The proposed first-floor window is of an inappropriate design and likewise inappropriately positioned. The cladding panels which the proposer has insisted on adding to every window, front and back, are an alien architectural element.
- There is no planning stipulation which dictates that any new extension should be subservient to the main dwelling. The extension should be an integral part of the house. It should have a pitched, slated roof which integrates the extension into the house to form a seamless unity and respects the style and harmony of the established local environment.
- The local authority's decision to this application is inconsistent with its approach to the recent application relating to 8A Leicester Avenue, Rathmines (WEB1686/25), which is also in a Z2 residential conservation area. That dwelling is some years younger than 82 St. Alban's Park and inferior in design and character and the street does not have the same homogeneity, yet the Council saw fit to require the provision of a pitched roof.
- There is overwhelming precedent for requiring a pitched roof in side extensions. There are existing pitched roofs at 36, 38, 46, 56, 25, 29, 39 and 55 St. Alban's Park. The approved proposals for Nos. 70 and 20 have not been implemented but were of superior quality to the current proposal for the application site. The flat-roofed extensions constructed to the sides of Nos. 53 and 51 are examples of bad development.
- This is one of the highest flood-risk areas in the city. The overall ground level is regularly below that of the high-water mark at the strand. There must be a drop of at least 4 metres from Strand Road to 84 St. Alban's Park. The area has been subject to serious flooding in 1963, 1965, 1986, 2002 and 2009. Over

the last 50 years there have been three flood-relief enhancement schemes. A new drainage scheme was pushed through 10 years ago but it had significant design flaws and would not prevent the area being seriously flooded again. Given that water levels on Sandymount Strand are rising with every passing year, this area, the lowest built-on area in the whole city, should not be facilitating development of any kind.

## 7.2. Applicant's Response

7.2.1. The applicant's response may be summarised as follows:

- The appellant resides approximately 7 kilometres from the application site. A Freedom of Information request has established that he lodged 383 planning objections to Dublin City Council in the last five years, of which only 185 related to sites in the Dublin 6 and 6W postcode areas. He submitted four third-party appeals in that period. While it is not contended that the present appeal is vexatious or frivolous, the Commission is invited to consider whether the issues raised genuinely relate to the proper planning and sustainable development of the area or whether they reflect a wider tendency to oppose development proposals across the city.
- In the application forming the basis for this appeal, the architectural approach is contemporary yet sensitive, drawing directly from the proportions and materiality of the 1930s house. The first floor of the proposed side extension has been carefully set back from the front façade and the roof ridge to prevent any visual dominance and to avoid the creation of a terracing effect, in full compliance with the guidance set out in the Development Plan. The ground floor extension adopts matching red brick, while the first floor introduces smooth render and limited composite cladding elements to provide a subtle contrast and legible differentiation between old and new. A key design detail is the continuation of the existing brick string course across the extension. This approach ensures that the extension would read as a high-quality contemporary intervention rather than a pastiche.
- The appellant's insistence on replication of traditional pitched roofs, straight façades and right-angled corners reflects a subjective preference rather than a

policy requirement. Contemporary conservation practice supports a legible contrast between old and new. Attempting to mimic the original design would risk undermining the authenticity of the historic architecture. Street-view imagery was submitted to illustrate the varied architectural character of St. Alban's Park, where original styles coexist with contemporary extensions, demonstrating an established pattern of adaption and change along the street.

- Fenestration has been carefully considered to ensure consistency with the rhythm of the existing house. Window head and sill levels are aligned to ensure proportional harmony, while improved fenestration has been introduced to Bedroom 3 to provide enhanced natural light, ventilation and escape provision. The rear elevation incorporates large glazed openings to maximise daylight to the family living spaces, while screening and opaque glazing at first-floor level would ensure the protection of neighbouring privacy.
- The limited use of cladding in this scheme provides articulation and clarity between old and new, without overwhelming the dwelling or streetscape. This design choice aligns with the Development Plan's explicit encouragement of contemporary design within Conservation Areas.
- The appellant's concern about the amount of light that would reach the study/sitting/play room is not directly relevant to the application, as this room forms part of the existing house rather than the proposed extension. The only element of the proposal that would affect this space is the removal of the French doors. These doors would be replaced by a new glazed arrangement designed to allow natural light to filter through into the study from the new rear kitchen/living/dining area which would incorporate skylights. Far from reducing amenity, the result would be an overall improvement in daylight.
- It is well established that precedent is not binding in the assessment of planning applications. Each application must be considered on its individual merits having regard to its site-specific context. The Development Plan provides flexible design principles rather than prescriptive rules. The 8A Leicester Avenue proposal (WEB1686/25) was materially different to the applicant's proposal in terms of site context, scale and architectural setting.

- A balanced view requires consideration of more relevant examples. A particularly instructive example is An Bord Pleanála's decision in respect of 24A Lea Road (310775), which confirmed that flat-roofed additions can integrate successfully with existing dwellings. The Council's recent decisions at 27 Sandymount Road (3078/25) and 40 Park Avenue (3197/25) demonstrate that such extensions are acceptable in Z2 residential conservation areas provided they are well designed, subordinate to the parent dwelling and sympathetic to the architectural context.
- The drainage system has been designed to modern standards and incorporates multiple sustainable features – soakaway, permeable paving, green roof and rainwater harvesting. The proposed development would improve the site's hydrological performance by intercepting, storing and infiltrating storm water that would otherwise contribute to surface water discharge. Far from increasing risk, the proposed system would enhance local resilience to rainfall events.

### **7.3. Planning Authority Response**

- 7.3.1. The planning authority requested the Commission to uphold its decision and if permission is granted to apply a condition requiring payment of a development contribution under Section 48 of the Planning and Development Act 2000.

## **8.0 Assessment**

### **8.1. Issues**

- 8.1.1. Having inspected the site and considered in detail the documentation on file for this third-party appeal, it seems to me that the main planning issues are:
- the nature of the appeal;
  - the effect of the proposed development on the character of the area;
  - its effect on the residential amenity of the existing dwelling; and
  - its effect on flood risk.

## **8.2. Nature of the Appeal**

- 8.2.1. Article 29(1) of the Planning and Development Regulations 2001 states that any person or body, on payment of the prescribed fee, may make a submission or observation in writing to a planning authority in relation to a planning application within five weeks of the receipt of the application. There is no requirement for a person making a submission to live within a specified distance of the application site and there is no restriction on the number of such submissions that an individual may make.
- 8.2.2. Section 37(1)(a) of the Planning and Development Act 2000, as amended, states that any person who made submissions or observations in writing in relation to the planning application may at any time before the expiration of the appropriate period, appeal to the Commission against a decision of a planning authority under Section 34. Section 34(2), as applied by Section 37(1)(b), restricts the Commission when making its decision to considering the proper planning and sustainable development of the area.
- 8.2.3. The concerns raised by the appellant – the effect of the proposed development on the character of the area, its effect on the residential amenity of the existing dwelling and its effect on flood risk – are issues which arise frequently in planning appeals. It seems to me that they are all matters which relate to the proper planning and sustainable development of the area. The applicant has conceded, correctly in my view, that the appeal is not vexatious or frivolous. I consider that the appellant's case is entitled receive the same careful consideration as any other third-party appeal.

## **8.3. Character of the Area**

- 8.3.1. In regard to extensions to existing buildings, it is possible to discern two themes, or principles, running through the Dublin City Development Plan – the need to respect and harmonise with the existing building and the freedom to introduce imaginative and innovative solutions. It seems to me from the way the relevant passages of the Plan are constructed, the second of these principles is generally subordinate to the first. For example, Section 1.1 of Appendix 18 says that a contemporary or modern approach, providing unique designs, can offer a more imaginative solution, but that extensions to existing residential units should not have an adverse impact on the scale and character of the existing dwelling. Section 1.7 of Appendix 18 says that the

appearance of the existing structure should be the reference point for any consideration of change that may be proposed.

- 8.3.2. Another layer of policy derives from the fact that the application site is in a residential conservation area. Policy BHA9 requires the special interest and character of such areas to be protected. Section 15.4.2 encourages imaginative, innovative and contemporary architecture, but subject to the important proviso that heritage and local distinctiveness are respected and the city environment is enriched.
- 8.3.3. I do not discern any policy requirement for an extension to mimic the design features of the existing dwelling. There is no fixed template or set of rules and a variety of acceptable solutions is possible. However, in my view it is of fundamental importance that the form, scale and massing of the extension allow it to harmonise with the existing building. Provided the form is right, there is flexibility to provide a legible contrast between old and new by the creative use of high-quality modern materials.
- 8.3.4. Many of the dwellings in St. Alban's Park have been extended, some with greater aesthetic success than others. Successful extensions, such as those at Nos. 25, 29, 53 and 56, differ from each other in form and materials but they all have one thing in common – they harmonise with the existing dwelling so that the entire structure reads as an integrated entity. Less successful extensions are immediately identifiable as later additions precisely because they do not harmonise with the existing dwelling, for example due to a discontinuity in form between an original hipped-roofed or pitched-roofed dwelling and its flat-roofed two-storey extension.
- 8.3.5. The proposed extension would comprise two box-like structures, one on top of the other and each with a kink in its front presentation. The lower part of the extension would be set back from the existing dwelling and the upper part would be set back from the lower part. There would be no continuity between the two flat-roofed structures and the hipped and pitched roofs of the original dwelling. The front elevation of the extension would have a much higher solid-to-void ratio than that of the original dwelling. The result would be a disjointed building, a confused mixture of visually distinct elements. The extension would seriously harm the character of the dwelling.
- 8.3.6. It was confirmed at additional information stage that the proposed brickwork, dash render and smooth render would match the finishes of the existing dwelling. I do not consider the proposed cladding to be in itself unacceptable.

- 8.3.7. The application site occupies a prominent position in St. Alban's Park. Its frontage is in full view from the side street opposite (Nos. 29-55). I consider that, due to its inappropriate form, the proposed extension would impact negatively on the architectural quality of the residential conservation area and would neither protect nor enhance its character or appearance.
- 8.3.8. Every planning application site has unique characteristics. The approved extensions at Lea Road, Sandymount Road and Park Avenue cited by the applicant differ from his proposals with respect to factors such as size, design, physical relationship with the existing dwelling and visibility from the public realm. In my opinion, none of these permissions lends support to the applicant's case.

#### **8.4. Residential Amenity of Existing Dwelling**

- 8.4.1. The existing/demolitions ground floor plan shows the removal of 2.66-metre wide French doors and an internal wall between the back reception room of the dwelling and the kitchen/dining area. The proposed ground floor plan shows the insertion of sliding doors between the two rooms, which according to the applicant's evidence would be glazed. The proposed kitchen/dining living area would be extensively glazed on its outer (northern) side and there would be skylights in the flat roof above it. Having regard to the evidence about the nature of the sliding doors, I do not accept that the proposed study/sitting/play room would be deprived of natural light. The appellant's concerns about the residential amenity of the existing dwelling are not well founded.

#### **8.5. Flood Risk**

- 8.5.1. The Council's Drainage Division had no objection to the applicant's sustainable drainage layout, implementation of which could be secured by attaching a condition to any grant of permission. The proposed extension is unlikely to add materially to surface water run off or to flood risk.

### **9.0 Appropriate Assessment Screening**

- 9.1. Having considered the nature, location and small scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the availability of public piped services to

accommodate the foul effluent arising therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

## **10.0 Water Framework Directive**

- 10.1. The application site is located about 150 metres from Dublin Bay. The proposed development comprises the removal of a garage and extension and the construction of a new extension to the side and rear of a house. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface and 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.
- 10.3. The reasons for this conclusion are the nature and small scale of the works, the distance from the nearest water body and the lack of known hydrological connections.
- 10.4. I conclude on the basis of objective information that 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.

## **11.0 Recommendation**

- 11.1. I recommend to the Commission that planning permission be refused.

## 12.0 Reasons and Considerations

- 12.1. Having regard to the Dublin City Development Plan 2022-2028 and in particular to the Z2 zoning objective, Policy BHA9 and Appendix 18, it is considered that due to its inappropriate form the proposed extension would do serious harm to the existing character of the dwelling, would impact negatively on the architectural quality of the residential conservation area, and would neither protect nor enhance the character or appearance of the area. The proposed development would not, therefore, be in accordance with 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.



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**TREVOR A RUE**

Planning Inspector

11<sup>th</sup> November 2025

## Appendix A: Form 1 – EIA Pre-Screening

<b>Case Reference</b>	ACP-323477-25
<b>Proposed Development Summary</b>	Removal of garage and extension and construction of a new extension to side and rear of house
<b>Development Address</b>	82 St. Alban's Park, Dublin 4
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	<b>No Screening required.</b>
<b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b>	
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

Inspector: Trevor A Rue

Date: 11<sup>th</sup> November 2025

**TREVOR A RUE**