

An  
Coimisiún  
Pleanála

## Inspector's Report

**PL-500003-DN**

**Development**

Construction of a first floor rear extension and an attic conversion with dormer.

**Location**

No. 92, All Saints Road, Dublin 5.

**Planning Authority**

Dublin City Council.

**Planning Authority Reg. Ref.**

3323/25

**Applicant(s)**

Ann Marie Madden & Grzegorz Gralak.

**Type of Application**

Permission.

**Planning Authority Decision**

Grant permission with conditions

**Type of Appeal**

Third Party

**Appellant(s)**

Marion Pidgeon.

**Observer(s)**

(1) Maria Cretaro

**Date of Site Inspection**

25/11/25.

**Inspector**

Anthony Abbott King.

## 1.0 Site Location and Description

- 1.1. No. 92 All Saints Road is a mid-terrace two-storey two-bay house in a terrace of similar houses (nos. 91-96 All Saints Road with an infill house abutting the terrace to the south-west) located on the north-west side of All Saints Road over-looking St. Annes Park.
- 1.2. No. 92 All Saints Road has a substantial existing rear single-storey extension (38 sqm.). The house has also been extended to the front.
- 1.3. The plots on All Saints Road are linear with an indicative north-west / south-east axis allowing for narrow relatively long back gardens (20m in length).
- 1.4. The adjoining houses in the terrace at no. 91 All Saints Road (to the south west) has not been extended to the rear to date and no. 93 (to the north east) has a rear ground floor mono-pitch extension and rear dormer window in the roof.
- 1.5. There is an infill house (in the former side garden of no. 91 All Saints Road) at no. 91A All Saints Road that projects significantly forward of the rear building line of the terrace (approximately 4m) to the west of no. 91 All Saints Road extending the terrace to the south-west.
- 1.6. The back gardens of the houses in the western section of the terrace (nos. 91A-93) adjoin the side boundary of no. 43 Watermill Road. There is a substantial two-storey extension constructed to the side of no. 43 Watermill Road located along the rear northern boundary of the back gardens of nos. 91A & 91 All Saints Road.
- 1.7. The site area is given as 0.0230 hectares.

## 2.0 Proposed Development

- 2.1. The proposed development comprises:
  - (1) A first floor rear extension on top of an existing ground floor extension and;
  - (2) An attic conversion with a dormer window to the rear and a raised ridge level to the front / rear.

## 3.0 Planning Authority Decision

### 3.1. Decision

Grant permission subject to conditions.

#### 3.1.1. Conditions

Condition 3 is relevant:

*The development shall be amended as follows:*

*The first floor extension shall have a maximum length of 4 metres.*

**Reason:** *To avoid excessive overshadowing and overbearing impacts on no. 93 All Saints Road.*

Condition no. 4 is relevant:

*The materials, finishes, and design details of the development shall be as outlined in the application documentation unless otherwise agreed in writing with the Planning Authority.*

**Reason:** *In the interest of orderly development and visual amenity.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

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

#### 3.2.2. Other Technical Reports

- No objection subject to condition.

### 3.3. Third Party Observations

There are 3 number of third party objections on file, including submissions from the adjoining properties at no. 91 all Saints Road (Appellant) and no. 93 All Saints Road (observer). The grounds of objection relate *inter alia* to the following:

- The proposed extension due its scale, form and design would be inconsistent with the pattern of residential extension to the rear of houses on All Saints Road and would have a significant adverse impact on the amenities of

adjoining properties setting an undesirable precedent for incongruous development.

- The proposed development in combination with the existing substantial single-storey extension would result in a loss of daylight and sunlight to adjoining residential properties and would represent over development, in combination with the existing ground floor extension (increasing the floor area of the applicant house by 95%), inconsistent with Appendix 18 of the development plan.
- The cumulative impacts of the proposed development and existing development along the western and northern boundaries of no. 91 All saints Road, at no. 91A All saints road and no. 43 Watermill Road, respectively, would have a significant adverse impact on the rear amenity space of no. 91 All Saints Road in terms of both overshadowing and over bearing impacts.
- A daylight and shadow analysis is required given the narrow widths of the gardens in the terrace and the proximity of the development to the shared property boundaries.
- The proposed dormer would in terms of location (protruding above the ridge line) and material finish would be visually obtrusive, would be inconsistent with the character of the existing houses breaking the definitive ridge line of the terrace and, would cause overlooking and would be inconsistent with Appendix 18 of the development plan.

## 4.0 Planning History

### 4.1. The following recent planning history is relevant.

- Under Reg. Ref. WEB1457/19 grant permission for single-storey front extension and increase width of vehicular access.

Relevant planning history of property adjoining:

No. 43 Watermill Park adjoining to the north-west

- Under Reg. Ref. WEB5120/21 planning permission was granted *inter alia* for the construction of a new ground floor extension to front with two-storey side and rear extension at no. 43 Watermill Park, Raheny, Dublin 5.
- Under Reg. Ref. WEB1892/20 planning permission *inter alia* for the construction of a new ground floor extension to front with a two-storey side and rear extension.

No. 91 All Saints Road adjoining to the south-west

- Under Reg. Ref. 3387/21 planning permission was granted for a vehicular access in the front boundary and off street parking at no. 91, All Saints Road.
- Under Reg. Ref. 244 / 01 planning permission was granted for a two-storey infill house in the side garden of no. 91 All Saints Road (known as no. 91A All Saints Road).

## 5.0 Policy 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.

- **Urban Consolidation**

Chapter 5 (Quality Housing and Sustainable Neighbourhoods), is relevant including:

Policy QHSN6 (Urban Consolidation) is relevant. The policy promotes and supports residential consolidation and sustainable intensification through the consideration of applications *inter alia* for infill development, backland development, mews development, re-use / adaption of existing building stock, and use of upper floors subject to the provision of good quality accommodation.

Policy Objective QHSNO4 (densification of the suburbs) is relevant and states:

*To support the ongoing densification of the suburbs and prepare a design guide regarding innovative housing models, designs and solutions for infill development, backland development, mews development, re-use of existing housing stock and best practice for attic conversions.*

- **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 1.7 (Appearance and Materials) *inter alia* states 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.

- 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**

## 5.2. Relevant National or Regional Policy / Ministerial Guidelines

- The Department of Housing, Local Government and Heritage 'The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities', (15 January, 2024).

## 6.0 **EIA Screening**

6.1. The proposed development is not within a class where EIA applies.

## 7.0 **The Appeal**

### 7.1. **Grounds of Appeal**

The grounds of appeal are summarised below:

- The appellant lives in no. 91 All Saints Road to the south-west of the appeal site. The applicant has already constructed a ground floor rear extension that extends 7.5m in depth and 3.2m in height to the rear of the adjoining property to the north-east abutting the east shared property boundary. The existing extension to the rear of no. 92 All Saints Road is already visually obtrusive and overbearing.
- The extension to the rear of no. 92 All Saints Road extends 5.5m along the shared property boundary fence. It is claimed the fence can only be maintained via access to the appellant's property. Similar developments along the western and northern boundaries also require access / oversailing of the appellant's property.
- The narrow width and northern orientation of the appellant's rear garden makes it vulnerable as an amenity space especially in winter with restricted low sun.
- The appellant claims that the proximity, height and length of the proposed two-storey rear extension in combination with the existing ground floor extension will seriously diminish the use and enjoyment of the narrow rear garden (approximately 5.8m) of the appellant's property by reason of visual obtrusion notwithstanding the condition to reduce the length of the extension imposed by the planning authority.

- Furthermore, the location of the development abutting the eastern boundary and the narrow width of the garden will result in a significant reduction in daylight to both the garden and the rear ground floors rooms of the house.
- The proposed development will have a cumulative serious adverse (to an intense and overwhelming degree) visual, overbearing and overshadowing impacts on the appellant's property in combination with the existing two-storey residential development (5.5m in height) at no. 91A All Saints Road, which it is claims over sails the western shared boundary of the appellant's property (approximately 5m), and the two-storey side and rear extension to no. 43 Windmill Road (6m in height), which abuts the full length of the northern rear garden boundary.
- The appellant cites Appendix 18 (domestic extensions) of the Dublin City Development Plan 2022-2028, including Sections 1.1 (General Design Principles), Section 1.2 (Extensions to Rear), Section 1.6 (Daylight & Sunlight) and Section 1.7 (Appearance & Materials), in support of the inappropriate nature of the proposed development in conjunction with the existing development on the northern and western boundaries, which conflict with the above development plan provisions.
- It is claimed the proposed development located to the south-west of no. 93 All Saints Road, adjoining to the north-west, will adversely impact on the amenities of no. 93 by reason of the orientation, overall height and proximity of the two-storey extension combined with the narrow width of the garden of no. 93. This would contravene Section 1.1 of Appendix 18. The residents of no. 93 lodged an objection to the planning authority.
- The appellant recommends the submission of a Daylight & Sunlight analysis as per BRE guidance given the potential adverse impacts on nos. 91 & 93 All Saints Road.
- The terraces of houses on All Saints Road are plainly visible from St. Annes Park and stand out because of their coherence, commonality of built form and ridge height. The proposed development will be the first to break the ridge height. The appellant disagrees with the planning case officer that the increase

in ridge height would be marginal and would not be highly visible from the street. The appellant argues that while the increase in height may be modest the elevated position of the terrace will ensure visibility from the adjoining road and from within the park.

- The increase in ridge height will set a precedent for ad hoc increases in ridge height in the All Saints terrace(s), which have a common uniform ridge height at present. St Annes Park is designated as amenity / open space and conservation area (Map set C of the development plan), it is claimed that *inter alia* that the coherency of the existing built form, in particular the uniform ridge height of the All Saints terraces, located within the environs of the Park is intrinsic to the enjoyment of St. Annes Park.
- The appellant considers that permission for the proposed development should be refused for 3 reasons.
- (1) The proposed development having regard to the built form, overall height, layout and proximity located on the eastern boundary of no. 91 All Saints Road in conjunction with the existing development on the western and northern boundaries would significantly adversely impact the amenities of no. 91 All Saints Road, including the private garden area by reason of visual obtrusion, overbearance and loss of daylight inconsistent with Appendix 18 of the Dublin City Development Plan 2022-2028.
- (2) The proposed development having regard to the built form, overall height, layout and proximity located on the western boundary of no. 93 All Saints Road would significantly adversely impact the adjoining private amenity area of no. 93 All Saints Road by reason of visual obtrusion, overbearance and loss of daylight and sunlight inconsistent with Appendix 18 of the Dublin City Development Plan 2022-2028.
- (3) The proposed development having regard to the ridge height and the proximity to St. Anne's Park, a designated leisure and conservation area, would in itself and by reason of precedent give rise to the deterioration of the visual and residential amenities of the area, which are characterised by a strong and

coherent layout, ridge height and built form inconsistent with the proper planning and sustainable development of the area.

## 7.2. Applicant Response in the case of a 3<sup>rd</sup> Party Appeal

The applicant response is summarised below:

- The planning authority comprehensively assessed the objection of the neighbouring resident at no. 91 All Saints Road regarding overshadowing and overbearing impacts. The appeal simply repeats the same unfounded claims.
- The Planner's Report correctly identifies that any significant overshadowing or overbearing issues are primarily the result of the existing two-storey development at no. 91A All Saints Road to the south-west and no. 43 Watermill Road to the north-west.
- There are large existing developments which the appellant didn't object to at the time of construction, including the infill development at no. 91A All Saints Road. The house is located on land sold by the appellant. It is unreasonable to attribute the cumulative impacts of existing development unchallenged.
- The planning case officer notes the extension will be set back from the boundary with no. 91 by 2.5m and overshadowing will be minimised to early morning shading given that the applicant site is located to the north-east refuting the appellant's claim of significant overshadowing and obstruction of light.
- The appellant's garden is north-west facing. The extension located to the north-east will have no impact on the amenity area to the rear of no. 91 in terms of sun / shade for the majority of the day.
- In the matter of access to the appellants property to conduct maintenance works, the existing ground floor extension has a durable modern render system finish and does not require frequent maintenance. The proposed two-storey extension will have a similar highly robust finish and will be setback 2.5m from the shared property boundary.

- The proposed increase in ridge height is 560mm. The planning case officer agreed that the height change is modest increase allowing for a new room at attic level. The increase will not be highly visible when viewed from the street and the design avoids an overly dominant roof structure fully according with Appendix 18 guidance.
- The precedent for similar development to the roof ridge is established at no. 50 All Saints Road with permission granted in 2024 (Reg. Ref. 4148/24).
- The applicant asks the Commission to consider the application in the context of proper planning and sustainable development given the requirement of the applicant to extent their property to accommodate their family. It is claimed the proposal will improve the residential amenity of the applicant's property without undue harm to the amenity of neighbours.
- In conclusion the Planner's Report correctly dismisses the appellant's objections, as adverse impacts principally relate to previous unchallenged development. The single required amendment to the extension design was made to protect the amenities of the other adjoining property at no. 93 All Saints Road demonstrating a thorough and fair assessment by the planning authority.

### 7.3. Planning Authority Response

- The planning authority would request the Commission to uphold the decision to grant planning permission.

### 7.4. Observations

There is one number observer on this appeal, the resident of the adjoining property at no. 93 All Saints Road. The observation is summarised below:

- The observers property at no. 93 All saints Road directly adjoins the appeal site. The proposed development, comprising a first-floor rear extension and attic dormer, would serious impact the observers property in terms of significant overbearance to the rear garden and home.
- The increase in height and mass along the shared property boundary combined with the narrow garden width would dominate the outlook from the observers

property and significantly reduce the sense of openness depreciating the usability of the private open space.

- The development positioned to the south-west of the observers property would cause a material loss of daylight and sunlight particularly in the afternoon and winter to the garden and rear facing rooms of the house.
- The observer would also like to raise concerns around overdevelopment, visual disruption, (notably the dormer rising above the ridge line) and unclear site boundaries.
- The observer supports the appeal of the resident of no. 91 All Saints Road to refuse planning permission. The applicant at a minimum should be required to provide a full daylight and sunlight assessment (BRE) in order to demonstrate the impact of the development on adjoining properties including no. 93 All Saints Road.

## 8.0 Assessment

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

- Zoning / principle of development
- Urban consolidation
- Rear first floor extension
- Potential impact on adjoining properties
- Dormer extension

### Principal of Development

8.2. The site is zoned Z1(Residential) in the Dublin City Development Plan 2022-2028: *to protect, provide and improve residential amenities*'. Residential development including residential extension is a permissible use.

- 8.3. The proposed development to enlarge the existing dwelling house at first-floor and attic level is acceptable in principle subject to satisfying the overall policies and objectives of the development plan, including the policy framework for domestic extension provided by Appendix 18 (Ancillary Residential Accommodation) of the Dublin City Development Plan 2022-2028.
- 8.4. I note that no. 92 All Saints Road has previously been extended to the rear and front. The front extension was the subject of a planning permission under Reg. Ref. WEB1457/19. The existing substantial rear ground floor extension would appear to be an exempted development.

#### Urban Consolidation

- 8.5. The policy framework provided by the Dublin City Development Plan 2022-2028 supports the infill development of brownfield, vacant and underutilised sites. Policy QHSN6 (Urban Consolidation) of the plan promotes and supports residential consolidation and sustainable intensification through the consideration of applications *inter alia* for the re-use / adaption of the existing building stock
- 8.6. I consider that the proposed development to provide additional accommodation on site aligns with urban consolidation policies and objectives, including Policy Objective QHSNO4 (densification of the suburbs), which supports the ongoing densification of the suburbs.

#### Residential Extension

- 8.7. The Appendix 18 (Ancillary Residential Accommodation) of the Dublin City Development Plan 2022-2028 provides guidance on the extension of existing dwelling houses. The general design principles require extensions to have regard to the amenities of adjoining properties in particular the need for light and privacy.
- 8.8. No. 92 All Saints Road is a mid-terrace house abutting no. 93 All Saints Road to the north-east and no. 91 All Saints Road to the south-west. I interrogate the potential impact of the proposed development on the residential amenities of the adjoining properties below.

#### Rear extension

8.9. Appendix 18, Section 1.1 (general design principles) provides guidance for residential extensions. The appeal site is a mid-terrace house. The appeal site and adjoining houses have a relatively narrow plot width of approximately 6500mm.

8.10. The existing rear extension to no. 92 All Saints Road has an L configuration and extends for the full width of the back garden. The existing single storey extension projects 5700mm along the western boundary with no. 91 All Saints Road abutting to the south-west and 7400mm along the eastern boundary with no. 93 All Saints Road abutting to the north-east. The height of the extension is given as 3256mm.

8.11. The extension along the eastern boundary is indented providing an internalised lightwell between the eastern elevation of the existing ground floor extension and the shared boundary wall with no. 93 All Saints Road.

8.12. The applicant proposes to build a two-storey flat-roof extension above the existing rear single storey extension located onto the eastern boundary with no. 93 All Saints Road. The first floor extension would project approximately 5700mm from the established rear building line of the terrace and would have a width of 3926mm (all external dimensions). The overall height of the extension is given as 5665mm.

8.13. The proposed separation distance between the west elevation of the proposed two-storey extension and the shared boundary with no. 91 All saints Road (the appellant) is given as approximately 2.7m (2628mm).

8.14. The two-storey extension would accommodate a new bedroom and a bathroom extension.

8.15. A covered passageway located along shared property boundary at ground floor level separates no. 92 from no. 93 at ground floor level; the houses abut at first floor level.

8.16. The first floor extension would extend to the rear above the line of the ground floor passageway covering an existing enclosed lightwell, located between the east elevation of the extension and the shared boundary wall with no. 93 All Saints Road, created by the existing single-storey extension. The lightwell presently lights a utility space in the extended house.

8.17. Section 1.2 (rear extensions) lists the following matters for consideration in the assessment of rear extensions to existing dwelling houses: overshadowing, overbearing, and overlooking / along with proximity, height, and length along mutual

boundaries; remaining rear private open space; degree of set-back from mutual side boundaries; external finishes and design, which shall generally be in harmony with existing.

- 8.18. There is an existing single-storey extension to the rear of no. 93 All Saints Road. I note that the proposed material render finish would match the existing render finish of the single-storey extension.
- 8.19. The planning authority notification of decision to grant permission includes condition 4 requiring that the materials, finishes, and the design details of the development shall be as detailed in the submitted documentation. The regulation of the material finish and design of the extension and dormer can be dealt with by way of condition if a positive recommendation is recorded.
- 8.20. The dwelling house retains a substantial rear amenity space subsequent to the construction of the existing single-storey extension. I note the proposed development would not extend the ground floor footprint of the dwelling house.

No. 93 All saints Road (observer)

- 8.21. There is an existing extension to the rear of no. 93 All Saints Road that projects approximately 4m from the established rear building line of the terrace. The rear extension to no. 93 All Saints Road has a mono-pitched roof and is set back from the property boundary with no. 92 All Saints Road by approximately 600mm.
- 8.22. The proposed two-storey extension would be 5665mm to parapet height and would exhibit a blank elevation onto the adjoining boundary with no. 93 All saints Road. The massing of the proposed extension would be located directly onto the boundary with no. 93 All Saints Road and would extend at first floor level 5700mm beyond the main rear building line of the terrace.
- 8.23. The observer on the appeal who is the resident of no. 93 All Saints Road supports the appeal of the resident at no. 91 All Saints Road. It is claimed that the applicant at a minimum should be required to provide a full daylight and sunlight assessment (BRE) in order to demonstrate the impact of the development on adjoining properties including no. 93 All Saints Road.
- 8.24. Section 1.6 (Daylight) of Appendix 18 *inter alia* states that 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.

- 8.25. The proposed extension is to the south-west of no. 93 All Saints Road. The proposed two-storey extension would extend beyond the rear ground floor extension to no. 93 All Saints Road (which projects approximately 4m from the main rear elevation).
- 8.26. I consider that the proposed two-storey extension would have significant overbearing and overshadowing impacts on no. 93 All Saints Road given that both properties are mid-terrace houses abutting.
- 8.27. The planning case officer acknowledged the overbearing and overshadowing impact of the proposed extension on the adjoining property, which presently receives good levels of sunlight that would be adversely impacted by the excessive projection of the two-storey extension (5641mm).
- 8.28. The planning authority reduced the projection of the two-storey extension to 4m in order to protect the existing amenities of no. 93 All saints Road. The planning case officer considered that the provision of an additional bedroom to no. 92 All Saints Road internally would be achievable while protected the residential amenities of no. 93 All Saints Road by restricting the dept of the two-storey extension to 4m.
- 8.29. I would concur with the planning case officer. There is an existing single-storey extension to the rear of no. 93 All Saints Road projecting approximately 4m from the main rear elevation. I conclude that a reduction in the dept of the two-storey rear extension to a maximum length of 4m would significantly mitigate the overbearing and overshadowing impacts of the proposed development in no. 93 All Saints Road.
- 8.30. This matter can be dealt with by way of condition if a positive recommendation is recorded.

#### No. 43 Watermill Road

- 8.31. No. 43 Watermill Road is located to the north-west of no. 92 All Saints Road and the properties share a boundary. No. 43 Watermill Road has a large two-storey side

extension located on the shared boundary with a clerestory horizontal window opening at first floor level.

- 8.32. I note that the existing clerestory widow opening is a secondary window opening to a first floor bedroom (2.1m above floor level).
- 8.33. The separation distance between the side elevation of no. 43 Watermill Road and the proposed first floor rear window of the two-storey extension to the rear of no. 92 All Saints Road is approximately 14m. I note that the proposed first-floor bedroom window opening and the existing clerestory horizontal window are not directly opposing.
- 8.34. I consider that the reduction in the length of the proposed extension (5641mm) by condition to 4m would provide an amended separation distance between the rear elevation of the two-storey extension and the side extension to no. 43 watermill Road of approximately 16m.
- 8.35. SPPR 1 Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024), requires that when considering a planning application a separation distance of at least 16m between opposing windows serving habitable rooms above ground floor level at the rear and side of houses should be maintained.
- 8.36. I consider that the proposed separation distance between No. 43 Watermill Road and the proposed rear two-storey extension to no. 92 All Saints Road (and as amended by condition to a maximum length of 4m) would protect existing residential amenities given that the proposed and existing window openings are not directly opposing and the high level positioning (2.1m above floor level) of the existing single window opening in the side elevation of no. No. 43 Watermill Road.
- 8.37. I conclude that no direct overlooking of no. 43 Watermill Road would result from the proposed development.

No. 91 All Saints Road (appellant)

8.38. The appellant claims that the location of the development abutting the eastern boundary of no. 91 All Saints Road and the narrow width of the garden will result in a significant reduction in daylight to both the garden and the rear ground floors rooms of the house.

8.39. The applicant response states that the planning case officer notes the extension will be set back from the boundary with no. 91 All Saints Road by 2.5m and overshadowing will be minimised to early morning shading given that the applicant site is located to the north-east.

8.40. The appellant claims that development will have a cumulative serious adverse (to an intense and overwhelming degree) visual, overbearing and overshadowing impacts on the appellant's property in combination with the existing two-storey residential development (5.5m in height) at no. 91A All Saints Road, which it claims over sails the western shared boundary of the appellant's property (approximately 5m), and the two-storey side and rear extension to no. 43 Windmill Road (6m in height), which abuts the full length of the northern rear garden boundary.

8.41. The applicant response claims that the Planner's Report correctly identifies that any significant overshadowing or overbearing issues are primarily the result of the existing two-storey development at no. 91A All Saints Road to the south-west and no. 43 Watermill Road to the north-west.

8.42. I concur with the planning case officer that the proposed two-storey extension located on the eastern boundary with no. 91 All Saints Road, would not have a significant impact in terms of overbearing and overshadowing impacts, given the orientation of the extension (to the north-east), its flat roof profile and setback from the boundary by approximately 2.7m (2628mm).

8.43. I conclude that the proposed extension would result in a change in the receiving environment to the rear of no. 91 All Saint Road. However, notwithstanding the mid-terrace location of the proposed development and the narrow garden width of no. 91 All Saints Road (approximately 6500mm), I do not consider that the proposed two-storey extension would result in significant overbearing and overshadowing impacts given the flat roof profile and significant set-back of the extension from the western boundary with no. 91 All Saint Road (2628mm).

8.44. In the matter of cumulative impacts and enclosure. The western boundary remains open at the rear of the garden. The eastern boundary is open to the sky along the length of the boundary above ground floor level.

8.45. I consider that the proposed two-storey extension, and as amended by condition, would not result in adverse combination impacts with the existing two-storey development on the western boundary, at no. 91A All Saints Road to the south-west, and the existing development on the northern boundary, at no. 43 Watermill Road to the north-west, depreciating the prospect enjoyed by the appellant to the rear of their property greater than the existing situation on site given the set-back of the proposed two-storey extension from the shared property boundary by 2628mm

8.46. I conclude that the proposed development, given the separation distance proposed between the two-storey extension and the shared property boundary (2628mm) with no. 91 All Saints Road, would not result in the enclosure of the immediate rear amenity space of no.91 All Saints Road and would not result in a significant depreciation in prospect inconsistent with Appendix 18 of the Dublin City Development Plan 2022-2028.

#### Dormer Extension

8.47. Appendix 18, Section 5 (Attic Conversions / Dormer Windows), *inter alia* supports the principle of attic conversion. However, guidance is provided in terms of dormer design. The guidance requires dormer windows where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling.

8.48. The applicant proposes to accommodate an attic room within the existing roof space with a maximum internal floor to ceiling dimension of 2180mm. The attic space would be accessed via a new dedicated staircase.

8.49. I note that there is a modest dormer window located to the rear of the adjoining house at no. 93 All Saints Road positioned in the roof plane of the terrace below the ridge height and above the eaves height.

8.50. The proposed dormer would be positioned above the ridge height of the roof (560mm) and above the eaves height. It would project approximately 3m from the existing roof apex. The dormer would have a maximum height of 7908mm which is higher than the

terrace ridge height but is below the maximum height of the chimney stacks punctuating the roof of the terrace.

- 8.51. Appendix 18, Section 5 (Attic Conversions / Dormer Windows), Table 8.1 (Dormer Window Guidance) of the Dublin City Development Plan 2022-2028 requires that dormer windows that are over dominant in appearance and give an impression of a flat roof should be avoided.
- 8.52. I acknowledge that the proposed dormer is significant in scale especially in comparison to the existing dormer located to the rear of the adjoining house at no. 93 All Saints Road. However, I note that the width of the dormer is approximately 5.5m, which is less than the width span of the roof of no. 92 All Stains Road (approximately 6.5m) consistent with Table 18.1 guidance to avoid extending for the full width of the roof.
- 8.53. Therefore, I do not consider that the proposed dormer would dominant the overall rear roof plane of the terrace or exhibit as a flat roof structure at roof level.
- 8.54. In terms of precedent and overlooking, there is an existing dormer at no. 93 All Saints Road. I do not consider that the introduction of a dormer to the rear of no. 92 All Saints Road would set a negative precedent in the roof plane of the terrace. Furthermore, I do not consider the dormer would result in significant overlooking given the set-back of the proposed dormer window from the eaves.
- 8.55. In terms of material finish, the applicant proposes to use concrete ridge tiles to match the existing. The dormer would have a zinc external finish. The fenestration would match the existing rear elevation fenestration. I consider that the material finish of the dormer would be consistent with Appendix 18, Section 5 (Attic Conversions / Dormer Windows).
- 8.56. Appendix 18, Section 5 (Attic Conversions / Dormer Windows), Table 8.1 requires dormer windows to reflect the existing fenestration scheme on the lower floors of the dwelling. The proposed position of the window in the dormer does not mirror the window and door openings on the lower floors.
- 8.57. However, I consider that the non-aligned position of the window in the dormer with the existing fenestration is acceptable in the instance of the proposed development, as the position of the window optimises the internal light to the attic room.

8.58. The appellant claims that the increase in ridge height will set a precedent for ad hoc increases in ridge height in the All Saints terrace(s), which have a common uniform ridge height at present. The coherency of the existing built form, in particular the uniform ridge height of the All Saints terraces, located within the environs of the Park is intrinsic to the enjoyment of St. Annes Park.

8.59. Appendix 18, Section 5 (Attic Conversions / Dormer Windows), Table 8.1 (Dormer Window Guidance) of the Dublin City Development Plan 2022-2028 *inter alia* states to avoid extending above the main roof ridge line of the receiving property. The proposed dormer would be positioned above the ridge line of the terrace breaking the uniform ridge line.

8.60. I consider that the proposed extension of the dormer above the ridge line of the terrace by greater than half a metre would be visible from the street. However, I note similar extant instances of raised ridge heights to accommodate rear dormers within the wider vicinity, including at no. 39 Watermill Drive, no. 70 St. Anne's Avenue and no. 62 All Saints Road (non-exhaustive).

8.61. I note the concerns of the appellant in the matter of visual amenity and in particular views from the street and St. Anne's Park. The appellant expresses concern that the development would set an undesirable precedent adversely impacting visual amenity and the appreciation of the built environment by reason of introducing a discordant element into the streetscape.

8.62. I do not consider that the extended roof slope and raised ridge height is a dominant feature in the streetscape where it has previously randomly occurred.

8.63. The applicant response cites no. 50 All Saints Road, as a precedent for the raising of the ridge of the roof to accommodate a rear dormer. The planning authority granted planning permission for a 400mm increase above ridge height to accommodate a rear dormer citing precedent in the vicinity (Reg. Ref. 4148/14).

8.64. The planner's report *inter alia* notes that the site is located opposite a public park (no. 50 All saints Road) and the existing variations on ridge height on a number of houses are not considered overly dominant feature when viewed from the park and street. I would concur with this assessment and as it would apply to no. 92 All Saints Road.

- 8.65. I note that the increase in ridge height is 160mm greater than that previously granted planning permission. I also note that the previous permission was granted under a different development plan. However, there is policy continuity between plans.
- 8.66. I acknowledge that the uniform ridge height of the terrace is a defining characteristic of the streetscape (nos. 91A-96 All Saints Road). However, I consider that the increase in ridge height (560mm) would not represent an incongruous element in the streetscape given that it would extend the front plane of the roof at the same angle as the existing roof slope.
- 8.67. Furthermore, I note that the increase in ridge height and extension of the front roof plane would mitigate the flat roof appearance of the dormer on the rear roof plane. Thus allowing the dormer to exhibit an angled profile above the rear roof plane – please see section B-B.
- 8.68. I consider that the wider instances in the vicinity of the raising of the roof slope above ridge level do not visually detract from the front roof plane of the overall terrace in the locations where the alteration occurs. I conclude that the position of the dormer above the roof ridge would not set an undesirable precedent.
- 8.69. On balance I concur with the planning case officer that the raised roof slope (560mm) will not be highly visible as viewed from the street and would result in a net benefit by increasing the internal floor to ceiling height within the converted attic space.
- 8.70. I conclude that the proposed attic conversion and associated dormer would in general be consistent with Appendix 18, Section 5 (Attic Conversions / Dormer Windows).

## 9.0 AA Screening

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established suburban area and is connected to piped services and is not immediate to a European Site. The proposed development comprises an extension of an existing building.

No significant 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 it could not have any effect on a European Site given the small-scale nature of the development.

I conclude that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

- 9.1. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

## 10.0 Water Framework Directive

- 10.1. The site is located in a mature city location. It is approximately 200m to a visible watercourse (Santry River).

The proposed development comprises the refurbishment of an existing building.

No water deterioration concerns were raised in the planning appeal.

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.

The reason for this conclusion is the small scale and nature of the development.

- 10.2. I conclude based on objective information, the proposed development will not result in a risk of deterioration of 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 a grant of planning permission subject to condition for the reasons and considerations outlined below.

## 12.0 Reasons and Considerations

Having regard to the residential zoning objective, the pattern of development in the area comprising terraced housing with front and back gardens and the policy framework provided by Appendix 18 (Ancillary Residential Accommodation) of the Dublin City Development plan 2022-2028, it is considered that the proposed two-storey rear bedroom extension and roof-level dormer extension, subject to condition, would in general be consistent with Appendix 18, including Section 1.2 (Rear Extensions), Section 1.6 (Daylight) and Section 5 (Attic Conversions / Dormer Windows), would not result in a depreciation of the residential and visual amenities of adjoining properties in the terrace or generally, and, as such, would be consistent with the proper planning and sustainable development of the area.

## 13.0 Conditions

1. 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.  
**Reason:** In the interest of clarity.
2. Prior to the commencement of development the applicant shall submit for the written agreement of the planning authority revised floor plans and elevation drawings restricting the length of the two-storey rear extension to 4m maximum dept as measured from the main rear elevation of the terrace (no. 92 All saints Road).

**Reason:** In order to protect of the residential amenities of the adjoining property at no. 93 All Saints Road.

3. Details of the external finishes of the proposed development shall be submitted to, and agreed in writing, with the planning authority prior to the commencement of development.

Reason: In the interests of visual amenity.

4. The site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

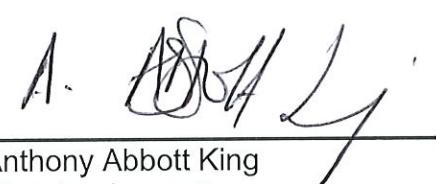
**Reason:** To prevent flooding and in the interests of sustainable drainage.

6. 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.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme

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".

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Anthony Abbott King  
Planning Inspector

02 December 2025

## Appendix 1: Form 1 EIA Pre-Screening

|   |  |  |
|---|--|--|
| <b>Case Reference</b>   | PL-500003-DN   |  |
| <b>Proposed Development Summary</b>   | Rear 2-storey extension and dormer   |  |
| <b>Development Address</b>  | No. 92, All Saints Road, Dublin 5.   |  |
| <b>IN ALL CASES CHECK BOX / OR LEAVE BLANK</b>  |  |  |
| 1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?   | <input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2<br><input type="checkbox"/> No, No further action required. |  |
| (For the purposes of the Directive, "Project" means:<br><br>- The execution of construction works or of other installations or schemes,<br><br>- Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) |  |  |
| 2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?  |  |  |
| <input type="checkbox"/> Yes, it is a Class specified in Part 1.<br><br><b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>   | N/A  |  |
| <input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3  |  |  |

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?

|  |   |
|--|---|
| <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.<br><b>No Screening required.</b> |   |
| <input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.<br><b>EIA is Mandatory. No Screening Required</b>  | <b>N/A</b>  |
| <input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.<br><b>Preliminary examination required. (Form 2)</b><br><b>OR</b><br><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b> | <b>N/A</b>  |
| <p>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)?</p>  |   |
| <b>Yes</b> <input type="checkbox"/>  | <b>Screening Determination required (Complete Form 3)</b>                 |
| <b>No</b> <input checked="" type="checkbox"/>  | <b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b> |

Inspector: A. ASHLEY Date: 02/12/2025