



An  
Bord  
Pleanála

## Inspector's Report

**320893-24**

### Development

Construction of a first-floor extension above part of existing single-storey detached dwelling, to include additional living room & 2no.bedrooms with associated site works.

### Location

19A Shanganagh Vale, Loughlinstown, Dublin 18, D18 FN3Y.

### Planning Authority

Dun Laoghaire-Rathdown Co. Co.

### Planning Authority Reg. Ref.

D24B/0318/WEB

### Applicant(s)

Linda & Paul Hogan.

### Type of Application

Permission.

### Planning Authority Decision

Grant Permission with conditions

### Type of Appeal

Third Party

### Appellant(s)

Jason O'Conaill

### Observer(s)

None on file.

### Date of Site Inspection

5<sup>th</sup> February 2025.

**Inspector**

Des Johnson

## **1.0 Site Location and Description**

Shanganagh Vale is located to the eastern side of the N11, approximately 1km south of Cabinteely Village, and a short distance south of Kilbogget Park. The site is close to the entrance to Shanganagh Vale, which is predominantly a detached bungalow development.

The site is bounded to the north by a laneway, to the west by the estate entrance road, and to the south-east by a single story detached bungalow. The site is occupied by a single storey detached bungalow. There is a public parking bay a short distance north of the site.

There is a new two-storey residential development under construction on the site of 24, Shanganagh Vale, a short distance to the south of the current appeal site.

## **2.0 Proposed Development**

The proposal is for the construction of a first-floor extension above part of an existing single-storey detached dwelling, to include additional living room and 2 no. bedrooms, with associated site works.

The gross floor area of the existing dwelling is stated to be 138sqm, and the gross floor area proposed is 108sqm. The site area is stated to be 0.042ha. It is proposed to connect to existing services.

A shadow study is submitted with the application.

## **3.0 Planning Authority Decision**

### **Decision**

To Grant permission subject to 10 conditions.

### **Conditions**

The conditions relate to the following:

1. Standard compliance
2. Entire dwelling to be used as a single dwelling unit.

3. External finishes to harmonise with existing dwelling unless indicated on submitted plans
4. Traffic safety issues during construction works
5. Mud, dirt, debris and building materials requirements
6. Surface water requirements
7. Financial contribution – surface water infrastructure
8. Financial contribution – transport infrastructure
9. Financial contribution – community & parks facilities & recreational amenities
10. Payment of financial contributions.

### **Planning Authority Reports**

#### **3..1. Planning Reports**

The Planners report states that the site is zoned 'A' with the objective to provide residential development and improve residential amenity while protecting existing residential amenities. Residential development is permissible in principle where it would be compatible with overall policies and objectives for the zone, would not have undesirable effects, and would otherwise be compatible with the proper planning and sustainable development. The proposed development would not unduly impact on neighbouring properties in terms of overlooking, overshadowing, of overbearing appearance. ABP reference PL06D.314193 granted permission for four two-storey dwellings south of the site which will change roof forms in the area. The proposal would not significantly detract from the character of the surrounding area or streetscape. One submission was submitted objecting to the proposed development.

#### **3..2. Other Technical Reports**

None on file.

## 4.0 Planning History

**D18A/1223** – Permission granted for the construction of a single-storey detached 3-bedroom house, 1 new vehicular access, new boundary walls, landscaping and all associated site works on this site.

**ABP 314193** – Permission granted on appeal at 24, Shanganagh Vale for demolition of existing single storey detached house and construction of 4 no. two-storey detached four-bedroom houses each with off-street carparking, landscaping, and all ancillary site works and services.

**ABP 06D.244728** – Permission granted at 16 Shanganagh Vale for single-storey over basement dwelling, with new boundary treatment, and garden areas to front and rear, with new vehicular and pedestrian access off Shanganagh Vale on subdivided site including partial demolition of existing garden wall and installation of rainwater harvesting tank.

**ABP 06D.317698** – Permission granted at 16, Shanganagh Vale for construction of a 2 bedroom, single-storey dwelling on subdivided site with gardens front and rear, and vehicular and pedestrian access from Shanganagh Vale, and installation of rainwater harvesting tank.

## 5.0 Policy Context

### Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 came into effect on 21st April 2022, and is the relevant Plan.

The site is in an area with Zoning Objective 'A' – 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.

Section 12.3.7.(iv) relates to Alterations at Roof/Attic Level. This does not refer directly to first-floor extensions such as proposed but does include criteria by which extensions at roof/attic level could be considered including as follows:

- Careful consideration and special regard to the character and size of the structure,

- The position on the streetscape
- The proximity to adjacent structures
- Existing roof variations on the streetscape
- Distance/contrast/visibility of proposed roof end
- Harmony with the rest of the structure, adjacent structures, and prominence.

Policy Objective PHP20 refers to Protection of Existing Residential Amenity – ‘It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments’.

### **Natural Heritage Designations**

- Rockabill to Dalkey Island SAC – c.3.4km East
- South Dublin Bay SAC – c.5km North
- South Dublin Bay & River Tolka Estuary SPA & pNHA – c.5km North
- Knocksink Wood SAC & pNHA – c.6.1km South South West
- Wicklow Mountains SAC & SPA – c.8.5 km South West.

### **EIA Screening**

The proposed development is not of a Class included in Schedule 5, Parts 1 or 2 of the Planning and Development Regulations 2001, as amended, which lists developments for the purposes of Part 10.

## **6.0 The Appeal**

### **Grounds of Appeal**

These may be summarised as follows:

- This is an infill house that was designed and promoted as a single-storey dwelling originally.
- The proposed dwelling is not in keeping with the character of the area, surrounded by single-storey homes. It would be inconsistent with the low-rise nature of surrounding single-storey homes.
- The proposed dwelling would overlook the other homes.

- The proposed dwelling does not contribute to increased house density, providing new living space for new residents.

### **Applicant Response**

None on file.

### **Planning Authority Response**

The grounds of appeal do not raise any new matter that would justify a change of attitude.

### **Observations**

None on file

## **7.0 Assessment**

The proposal is for the construction of an extension at roof-level at an existing single-storey, flat roof detached dwelling. The extension would provide 2 bedrooms (making it a 5 bedroom dwelling), second living room, second bathroom and office. The gross floor area of the existing dwelling is stated to be 138sqm, and the gross floor area proposed is 108sqm. The site area is stated to be 0.042ha. The proposed development would have a flat roof. It is proposed to connect to existing services. Proposed finishes include cedar cladding, zinc, and selected render.

The Planning Authority granted permission subject to conditions. It is a condition of the permission that the entire dwelling be used as a single dwelling unit and not be sub-divided in any manner, for reason of preventing unauthorised development.

There is one third party appeal. The grounds of appeal contend that the house was originally designed and promoted as a single-storey dwelling, the proposed development is out of character with the surrounding area and would be inconsistent with the low-rise nature of surrounding development, overlooking, and the proposed development does not contribute to increased housing density.

I submit that the key issues to be addressed are as follows:

- Development Plan Policy
- Residential amenities

- Impact on the character of the surrounding area

### **Development Plan Policy**

The site is in an existing 1960's estate of predominantly single-storey, flat or partly pitched roof single-storey dwellings. It is in an area zoned 'A' with the objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities'. The proposed development of a first-floor extension to an existing dwelling is permissible in principle under this zoning objective.

The existing dwelling is not designated as a Protected Structure and the estate is not an Architectural Conservation Area or candidate Architectural Conservation Area in the current County Development Plan. The proposed development does not conflict with any designations in the Plan.

### **Residential Amenities**

The site is on the entrance road to the estate. It is close to the entrance, and is on a sizeable site. The existing dwelling (orientated south-west to north-east) does not directly back on to any other site.

The proposed development introduces a two-storey element, whereas the dwellings in the immediate vicinity are single storey. Under Reg Ref: 314193-24, An Bord Pleanála granted permission for a two-storey development on a nearby site to the south and this development is currently under construction.

The proposed development would have a corner window serving a proposed living room in the western corner at first-floor level. This would not give rise to direct overlooking of any surrounding site and is acceptable. An office window is proposed at first-floor level serving a proposed office. This would not directly overlook any surrounding property and is acceptable. No other proposed windows would give rise to overlooking.

Having regard to the scale, and orientation of the proposal relative to existing dwellings no serious overshadowing would arise.

On this issue I conclude that the proposed development would not give rise to undue loss of amenity to existing residential property.

### **Character of the area**



The existing estate was constructed in the 1960s. The character of the estate includes different roof profiles, and the two-storey development currently under construction on a prominent site a short distance to the south of the appeal site. In this context the proposed development would not be seriously injurious to the existing character of the estate.

Having regard to the location of the site, orientation of the existing dwelling relative to surrounding properties, I consider that the proposed finishes are acceptable.

## **8.0 AA Screening**

I have considered the permitted development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in an established residential area, separated from designated European sites as detailed in Section 5 of this report. The proposed development consists of the construction of a first-floor extension to an existing single storey, detached dwelling. No nature conservation concerns are raised. Having regard to the nature and scale of development, location in an existing residential area, and separation from and absence of connectivity to European sites, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## **9.0 Recommendation**

I recommend that planning permission be granted.

## **10.0 Reasons and Considerations**

Having regard to the scale and design of the extension, the location and orientation of the existing dwelling and associated site relative to surrounding properties, the zoning objective 'A' relating to the area, and to the recent planning history for the estate, it is considered that the proposed development, subject to compliance with the attached conditions, would not be injurious to the overall character of the estate or detrimental to the residential amenities of surrounding property, would be

consistent with the zoning objective, and in accordance with the proper planning and sustainable development of the area.

## 11.0 Conditions

1.	<p>The proposed 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</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The entire dwelling shall be used as a single dwelling unit and shall not be subdivided by way of sale or letting or otherwise be used as two or more habitable units.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>Before development commences the developer shall submit and agree details of the following matters with the Planning Authority in writing:</p> <ul style="list-style-type: none"><li>- a construction management plan for the development which shall provide details of intended construction practice, including noise management measures, and off-site disposal of construction waste</li><li>– surface water disposal</li></ul> <p>The development shall be carried out in accordance with the agreed written details.</p> <p><b>Reason:</b> In the interests of residential amenity, and public health.</p>
4.	<p>The developer shall pay to the planning authority a Financial Contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended.</p> <p>The contribution shall be paid prior to commencement of development or in such</p>

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 An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

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Planning Inspector

12<sup>th</sup> February 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	320893-24		
<b>Proposed Development Summary</b>	Second-storey domestic extension.		
<b>Development Address</b>	19A, Shanganagh Vale, Loughlinstown, Dublin 18, D18 FN3Y.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	Yes	
	<b>No</b>		
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>	No		
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>	N/A		
<b>No</b>	N/A		
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>	N/A		
<b>5. Has Schedule 7A information been submitted?</b>			

<b>No</b>	N/A	
<b>Yes</b>	N/A	

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_