Our Case Number: ABP-315597-23

Planning Authority Reference Number: SD22B/0364

An Bord Pleanála

South Dublin County Council
Planning Department
County Hall
Tallaght
Dublin 24

Date: 23 January 2023

Re: Conversion of attic, construction of extension with all associated site works
57, Dodder Road Lower, Dublin 14

Dear Sir / Madam,

Enclosed is a copy of an appeal under the Planning and Development Act, 2000, (as amended).

Submissions of documents etc., to the Board. N.B. Copies of I-plans are not adequate, all drawings and maps should be to scale in accordance with the provisions of the permission regulations.

1. The planning authority is required to forward specified documents to the Board under the provisions of section 128 and section 37(1)(b) of the Planning and Development Act, 2000, (as amended). Please forward, **within a period of 2 weeks beginning on the date of this letter, the following documents:-**

(i) a copy of the planning application made to the planning authority and a copy of any drawings, maps (including ordnance survey number) particulars, evidence, a copy of any environmental impact statement, other written study or further information received or obtained by your authority in accordance with regulations under the Acts. If practicable, the original of any drawing with coloured markings should be provided or a coloured copy,

(ii) a copy of any technical or other reports prepared by or for the planning authority in relation to the application,

(iii) a certified copy of the relevant Manager's Order giving the decision of the planning authority,

(iv) a copy of the notification of decision given to the applicant,

(v) particulars of the applicant's interest in the land or structure, as supplied to the planning authority,

(vi) a copy of the published notice and a copy of the text of the site notice erected on the land or structure,

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64 Marlborough Street
Dublin 1
D01 V902

(vii) a copy of requests (if any) to the applicant for further information relating to the application under appeal together with copies of reply and documents (if any) submitted in response to such requests,

(viii) a copy of any written submissions or observations concerning the proposed development made to the planning authority,

(ix) a copy of any notices to prescribed bodies/other authorities and any responses to same,

(x) a copy of any exemption application/certificate within Part V of the 2000 Act, (as amended), applies,

(xi) a copy of the minutes of any pre-planning meetings.

2. To ensure that the Board has a full and complete set of the material specified above and that it may proceed with full consideration of the appeal, please certify that the planning authority holds no further material relevant to the case coming within the above list of items by signing the certification on page 3 of this letter and returning the letter to the Board.

3. In addition to the documents mentioned above, please supply the following:- Particulars and relevant documents relating to previous decisions affecting the same site or relating to applications for similar development in near proximity. "History" documents should include;

a) Certified Manager's Order,

b) the site location, site layout maps, all plans and

c) particulars and all internal reports.

d) details of any extensions of time given in respect of previous decisions.

Copies of I-plan sheets are not adequate.

Where your records show that a decision was appealed to the Board, it would be helpful if you would indicate the Board's reference.

Submissions or observations by the planning authority.

4. As a party to the appeal you may, under section 129 of the 2000 Act, (as amended), make submissions or observations in writing to the Board in relation to the appeal within a **period of 4 weeks beginning** on the date of this letter. Any submissions or observations received by the Board outside of that period shall not be considered, and where none have been validly received, the Board may determine the appeal without further notice to you.

Contingency Submission

5. If the decision of your authority was to refuse permission, you should consider whether the authority wishes to make a contingency submission to the Board as regards appropriate conditions which, in its view, should be attached to a grant of permission should the Board decide to make such a grant. In particular, your authority may wish to comment on appropriate conditions which might be attached to a permission in accordance with section 48 and/or 49 of the 2000 Planning Act (Development / Supplementary Development Contributions) including any special condition which might be appropriate

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ailtir(eacht)

30 Mountjoy Square, Dublin 1.

tel: 01 8780050 e-mail:info@ailtireacht.ie

19th January 2023

The Secretary,
An Bord Pleanala,
64 Marlborough Street,
Dublin 1.

Date of application: 12th of August, 2022

Date of Decision: 14th December 2022

Planning Authority: South Dublin County Council

Planning Application Reference No: SD22B/0364

Applicant; Aidan McLaughlin and Maria McGrath

Description of development: Attic conversion for storage with 2 dormer windows to the rear. Side first floor extension for 2 additional bedrooms with raised gable to side. 2 storey front extension with gable. Front bay window extension with pitched roof over. Widening of front vehicular access. Raised fencing and gate to front and side of front garden. Single storey extension to rear. 4 velux windows to the front roof area.

Location: 57, Dodder Road Lower, Dublin 14

Date of Council Decision: 14th December 2022

A Chara,

We act on behalf of Ms. Amhairgin Lee, in respect of the subject development described above.

We hereby appeal the decision of South Dublin County Council to grant permission for the above development.

As required please find enclosed;

i. 1 No. Copy of the 3rd Party submission made by Ms. Lee, submitted on the 14th of Sept, 2022
ii. 1 No. Copy of the Acknowledgement of the submission from SDCC of the 15th of Sept, 2022.
iii. 1 No. Cheque to the amount of ¤220 in payment of the appeal fee.

Any correspondence in respect of this appeal should be sent to the offices of Ailtireacht, 30 Mountjoy Square, Dublin 1. D01Y6R9.

Preamble, Description of Site and Environs and Impact of recent development;

57 Dodder Road is a mid-twentieth century semi-detached two storey houses, within an elegant urban set piece of circa 20 semi-detached pairs, comprising simple hipped roofs and single storey garages along an elegant crescent facing onto the adjoining Dodder Quay.

Lower Dodder Road itself is defined by simple elegant homes from the early to mid 20th century in a spacious landscaped Garden City style.

The architectural rhythm of the original development and simplicity of forms along with the mature planting create a beautiful sense of place along the road and river.

The development pattern on this road has various extension alterations to the original semi-detached dwellings. Several houses in the area have extensions or modifications to the front, side or rear at ground level and over two storeys along this stretch of Dodder Road Lower, most of which are disordered, over bearing and visually discordant.

The road has become a disorganised melange where each development overpowers the original primary semi-detached pair and seeks to out do the last in terms of scale and bombast. Destroying the visual amenity of the place, in as series of out of scale over bearing developments, thereby loosing the beauty of the collective whole. From an urban planning standpoint this is a wholly inappropriate approach to existing considered urban housing stock.

A premise and series of precedents accepted by the Local Authority, where the apparent architectural motivation is to entirely individualise each house and to destroy the very beauty and elegance of the original urban composition which has made the homes along the road so desirable.

It is accepted that over time that the housing stock must adapt to changing moires and lifestyle development. In this regard the policies outlined within the Local Authority development plan and Guidelines are to be welcomed.

Where;

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Where said guidelines state;

'While individual extensions may be appropriate the cumulative effect of many different extensions may be jarring on the same house. The street too may suffer from the cumulative effect of many different extensions that detract from the rhythm of the streetscape'

And to;

Avoid extensions that are dominant or over-large in relation to the scale and appearance of the house.

It is their lack of application on a granular level within each individual application which is so disappointing.

Therefore, it is a profound regret that this urban set piece of simplicity and elegance has been eroded over time, with ill considered ad-hoc random development and it is within this context that the proposed development is centrally placed.

Description of the proposed development;

Permission is being sought for:

- Attic conversion (storage, non-habitable) with 2 no. rear dormers.
- First floor side extension with raised full side gable to provide for 2 no. additional bedrooms

- 2 storey front extension with apex pitched element.
- Front bay window extension with pitched roof over.
- Widening of front vehicular access from 2.5m to 3.5m.
- Front & side boundary fence 1.8m high. Front gate 1.8m high.
- Single storey extension to rear.
- 4 no. Velux windows to the front roof area.

A similar current application reg. ref. SD22B0365 for the immediate neighbouring site to the west No.56 Dodder Road Lower. It is noted SD22B/0365 is seeking permission for the following:

- Single storey extension to front with 2 roof windows.
- 2 storey first floor extension to the side and front with gable to the front to give 2 additional bedrooms.
- Raised gable to the side.
- Widening of front vehicular access.
- Raised fencing and gate to front and side of front garden.
- 2 dormer windows to the rear and 1 dormer to the front roof area.
- 1 Velux window to the front roof area.
- Conversion of garage to living area.

Adjoining Planning History;

Within the immediate area there is a significant of adjoining relevant planning history.

SD20B/0513 58, Dodder Road Lower, Rathfarnham, Dublin 14 Ground, first floor and attic extension to the side, front and rear including an attic conversion resulting in an overall increase in floor area from 107sq.m to 240sq.m and from a three bedroom dwelling to a four bedroom dwelling with all drainage and associated site works. Decision: GRANT PERMISSION

SD20B/0109: 52, Lower Dodder Road, Rathfarnham, Dublin 14.
Alterations and extension to existing dwelling comprising of ground floor extension to the side incorporating the garage and to the rear of 82sq.m.; first floor extension to the side over the existing garage and to the rear of 37sq.m.; overall additional area is 119sq.m.; new bay windows and canopy to front; new windows throughout and all drainage and ancillary works.
Decision: GRANT PERMISSION

SD17B/0251: 62, Lower Dodder Road, Rathfarnham, Dublin 14.
Domestic extension to existing two-storey semi-detached dwelling comprising; single storey extensions to rear and side; dormer construction to side at first floor and attic levels to accommodate new stairs to attic; new dormer structures to attic level to front and rear; elevational changes; and all ancillary works.
Decision: GRANT PERMISSION

SD15B/0033: 62, Lower Dodder Road, Rathfarnham, Dublin 14.
Conversion of the existing garage to a habitable room including a new 3.5sq.m bay window to the front.
Decision: GRANT PERMISSION

SD09B/0143: 33, Lower Dodder Road, Rathfarnham, Dublin 14.
Extension of existing roof to accommodate a bedroom and ensuite in the attic space, rooflights to front and rear and all associated site and landscaping works.
Decision: GRANT PERMISSION

S00B/0741: 46 Dodder Road Lower, Rathfarnham, Dublin 14.
Partial demolition of existing garage, demolition of existing chimney and lean-to structure, and construction of new two storey extension to side of existing two-storey house, plus conversion of existing attic space to habitable room, incorporating 2 no. dormer windows.
Decision: GRANT PERMISSION

Relevant adjoining planning history

S99B/0212: 53 Lower Dodder Road, Dublin 14.
Alterations to front elevation and re-modelling to main roof. Decision: GRANT PERMISSION

Of particular relevance to the current application under consideration is the works as granted at 53 Lower Dodder Road. Where a similar level of development to the front and side of the property has been carried out albeit with a more restrained, sympathetic and subordinate to the primary property.

Zoning
The subject site is subject to zoning objective 'RES' - 'To protect and / or improve Residential Amenity'.

GROUNDS OF APPEAL

Preamble

We respectfully submit that the decision to grant permission for the proposed development is unsustainable and should be dismissed by the Board.

We respectfully submit that the grant of permission, as issued is not based on the facts of the case at hand and does not derive from a complete and meaningful assessment of the development by the planning authority at a micro or macro level and in all other respects. It is the result of a singularly incomplete interpretation and assessment of the proposal as submitted by the applicant.

It is apparent from the planners report that no substantive qualitative assessment of the proposals at hand has taken place in terms of urban planning, architectural impact, visual amenity or impact on amenity of the adjoining properties.

We request that the Board evaluate the issue of the proposed development on the whole at the level of the individual home and those adjoining and refuse the application as it is currently composed.

Urban Impact;

The concurrent nature of the proposal with proposed adjoining development at number 56 Lower Dodder Road is noted. In certain instances concurrent development has a positive overall impact in the coordination of a considered development.

In this instance as the concurrent proposals are not within the same semi-detached pair and as a result it will have the opposite impact where the overall massing will undermine the urban rhythm of the overall street and result in the effect creation of a terrace.

In this regard in working outside of the pair the proposal seeks to undermine the urban rhythm of the adjoining 20 semi-detached pairs for no real spatial or urban benefit to the individual properties.

In urban design and planning terms this is on it's face inappropriate and not good planning practice. The development is actively seeking to subvent the existing street pattern and grain of the adjoining properties. This will have a negative impact on the overall urban form, rhythm and block.

In financial terms the re categorisation of Nos. 56 and 58 Lower Dodder Road as 'End of Terrace' properties will lead to a verifiable devaluing of the the respective adjoining properties.

As outlined within the Local Authority development guidelines for residential extensions all extensions should be subordinate to the primary dwelling. The projection of the garage by 1.5m does not result in an improvement in the overall quality of the overall internal space achieved to justify such an over bearing projection.

An extension recessed beyond the front facade of the primary dwelling, as noted within the local authority design guidelines and development plan, would be much more appropriate in urban planning terms, and would result in no material loss of floor area. Again on these grounds and those of the the development proposed adjoining it is requested that the application is refused.

Architectural assessment;
At an individual house level the proposed extensions are empirically substandard in terms of the space to be provided. On this basis the application should be refused.

Plan assessment;

The garage conversion and extension provides for the conversion of the garage to a home office. This is an appropriate use of the space and it's extremely limited 2.4 overall width.

To the rear the single storey extension is spatially ill-defined and over deep, with an obvious dark and dead zone in the centre of the plan, not withstanding any mitigating rooflights. The inherently poor spatial quality off the space is evident in the poor plan layout and furnishing. It illustrates the oversized nature of the proposed development.

Yet, within the DHLGH Design guidelines for sustainable housing the minimum short width of a double bedroom is 3m and a minimum area of 11.6msq. To the first floor within the development as proposed two additional double bedrooms, one the master suite, with a sub standard width of 2.4m are proposed.

In practical terms this means it will not be possible for a person to circulate past the foot of the proposed bed with a duvet dressing. Effectively these rooms are single bedrooms with comically small areas of 7.6 and 9.3msq respectively and despite the 1.5m projection, they as proposed are empirically and evidently sub-standard by any standard. To achieve acceptable standards the rooms should be at the least conditioned as single bedrooms.

Similarly the proposed en- suite and robe represent sub-standard rooms in terms of area and as a result are not useable.

In the bedroom to the rear the proposed rear facing window appears to be effectively on the boundary. This is provide for entirely unencumbered over looking of the rear amenity space of the adjoining property, resulting in a significant reduction in their residential amenity.

Within the proposed attic conversion while noted as 'storage' within the statutory wording there is a proposed double bedroom layout illustrated with en-suite and walk in robe on the plans. This has the effect of making the house a three storey house and all of the additional works this requires to comply with Part B. This slight of hand and ambiguity is a fire hazard and should not be condoned or permitted. In this regard the motivations of the applicant are illustrated clearly and evidently. On this basis and that of fire safety the attic dormers and front facing rooflights should be omitted as they are not required for any storage space.

Most likely, if permitted as shown, the development, will result in unsafe and sub-standard which if implemented as drawn, will represent a threat to the occupants safety. If the application is to be granted it is requested that the area is conditioned for storage only use along with the omission of the extraneous dormers and front facing velux windows. It is my clients intention to insure that any deviation from such a condition will be rigorously enticed by the Local Authority's planning enforcement section.

On completion it is foreseeable that this overall sub-standard development would be a huge disappointment for the applicants and if granted would be illustrative of the effectivity of the planning system in microcosm.

Fenestration composition and external massing;

Compositionally the front elevation as proposed in terms of massing and composition is discordant, over bearing and unattractive. There is no architectural relations ship between the elements proposed nor in turn with the primary dwelling or the overall adjoining semi detached composition.

While the composition proposed within the confines of S99B/0212: 53 Lower Dodder Road, Dublin 14. Is broadly acceptable and sub ordinate to the primary dwelling roof form, the one under consideration is not. The front facing gable is discordant and unattractive, its pitch is ill considered and the introduction of a 'Dutch' gable seems like a solution which is worse than the problem.

If granted the gable will detract from the overall architectural composition of the overall dwelling and the overall development adjoining and in turn the sense of place within the immediate environ.

For good reason along the road there is no precedent for front facing velux windows to the front facade, in this instance as composed they have no relationship with the primary dwelling fenestration and will erode the primary semi detached roof form.

As it is proposed that they are illuminating a "storage" area and are facing north, on visual amenity grounds they should be conditioned out without hesitation as effectively they serve no purpose.

Similarly, the rear fenestration as proposed is composed in an ad-hoc ill considered fashion. While it is accepted that it is to the rear of the dwelling, the use of high level windows to the bathroom as elsewhere within the proposal detracts from the primary dwelling form and fenestration and seems rather wilful, again this should be conditioned out on visual amenity grounds.

Concluding Statement

The proposed development is not compliant with the development plan policy or Residential Extension Design Guidelines of South Dublin County Council.

Lower Dodder Road itself is defined by simple elegant semi -detached homes with the adjoining river creates a place of beauty which makes a positive contribution to the adjoining urban realm and community.

This considered urban set piece and urban form has value and should be protected. It's piecemeal erosion should be halted and the remaining houses developed strictly in accordance with the policy and spirt of the Local Authority Guidance. In this regard An Bórd has a key role to play in the micro and the macro.

In this regard numbers 55-58 represent two pairs of houses as yet unencumbered by ad-hoc, sub-standard , uncoordinated development. The application under consideration is substandard in many ways and should be refused.

This will allow for an appropriate level of redesign and considered urban planning. Where any proposal is subordinate to the primary semi-detached dwelling and roof forms. The architectural rhythm of the original development and simplicity of its forms along with the mature planting create a beautiful sense of place along the road.

While a coordinated well designed respectful development shared between 56 and 57 Lower Dodder Road could be welcomed the current proposal is externally over bearing.

It represents a threat to the visual amenity of the area and by extension the intangible attraction of this small yet valuable place and for these reasons along with it's poor level of internal design, unsafe layout, ill-considered fenestration composition and negative impact on the residential amenity of the adding properties should be refused.

Yours sincerely,

Allister Coyne MRIAI

An Rannóg Talamhúsáidè, Pleanála agus Iompair
Land Use, Planning & Transportation Department

Telephone: 01 4149000 Fax: 01 4149104 Email: planningdept@sdublincoco.ie

Comhairle Contae Átha Cliath Theas
Átha Cliath Theas
South Dublin County Council

Amhairgín Lee
55, Dodder Road Lower
Dublin 14

Date: 15-Sep-2022

Dear Sir/Madam,

Register Ref:	SD22B/0364
Development:	Attic conversion for storage with 2 dormer windows to the rear. Side first floor extension for 2 additional bedrooms with raised gable to side. 2 storey front extension with gable. Front bay window extension with pitched roof over. Widening of front vehicular access. Raised fencing and gate to front and side of front garden. Single storey extension to rear. 4 velux windows to the front roof area.
Location:	57, Dodder Road Lower, Dublin 14
Applicant:	Aidan McLaughlin and Maria McGrath
Application Type:	Permission
Date Rec'd:	12-Aug-2022

I wish to acknowledge receipt of your submission in connection with the above planning application. The appropriate fee of €20.00 has been paid and your submission is in accordance with the appropriate provisions of the Planning and Development Regulations 2001(as amended). The contents of your submission will be brought to the attention of the Planning Officer during the course of consideration of this application.

This is an important document. You will be required to produce this document to An Bord Pleanala if you wish to appeal the decision of the Council when it is made. You will be informed of the decision in due course. Please be advised that all current applications are available for inspection at the public counter and on the Council's Website, www.sdublincoco.ie.

You may wish to avail of the Planning Departments email notification system on our website. When in the ***Planning Applications*** part of the Council website, www.sdublincoco.ie, and when viewing an application on which a decision has not been made, you can input your email address into the box named ***"Notify me of changes"*** and click on ***"Subscribe"***. You should automatically receive an email notification when the decision is made. Please ensure that you submit a valid email address.

Comhairle Contae
Átha Cliath Theas
South Dublin County Council

Please note: If you make a submission in respect of a planning application, the Council is obliged to make that document publicly available for inspection as soon as possible after receipt. Submissions are made available on the planning file at the Planning Department's public counter and with the exception of those of a personal nature, are also published on the Council's website along with the full contents of a planning application.

Yours faithfully,

M. Furney
for **Senior Planner**

14 September 2022

55 Dodder Road Lower

Rathfarnham

D14 PR 64

Subject: Objection to Planning Reference No. SD22B/0364 (57 Dodder Road Lower, Rathfarnham, D14)

To whom it concerns:

Lower Dodder Road is a beautiful tree lined road, part of the Dodder River Greenway conservation project, with houses from 1-92 on one side of the road only facing the Dodder River. The houses were built between the 1930's and the 1970's with numbers 55 and 57 built in 1956 in a row of identical 3 bed semi-detached houses that run from numbers 50 to 75.

Given that the properties face on to a river and the unpredictability of flood patterns in the future resulting from climate change, the greater the area that is changed from grass/earth covered to concrete covered will reduce drainage overflow.

We strongly object to the planning application referenced above in the subject on the following grounds:

1. **Extension of front of house by 1.5m over 3 floors**
   i) There is no precedent for this. None of the other houses on Lower Dodder Road extend by 1.5m from the garage over 3 floors
   ii) This would result in a significant loss of light to the north facing front garden, sitting room and bedrooms to the front of no. 55, negatively affecting heat retention as we move into an era of higher energy costs
   iii) This would result in a loss of view of the beautiful tree lined road to the right of no. 55 (see photos below)
   iv) This would result in a devaluation of the property value of no. 55

2. **Extension to front, side and back of house over garage**
   i) This would result in a significant loss of light to the south facing back garden, sitting room, kitchen and bedroom to the back of no. 55, negatively affecting heat retention as we move into an era of higher energy costs
   ii) This would result in a devaluation of the property value of no. 55

3. **Erection of 1.8m fence around front garden**
   This is a friendly, safe, community centred road. The Dodder River Greenway is an amenity used not only by the residents, but also by the local community. The majority of houses are attached to another house. This is a not a road of large stand-alone properties where a high fence surrounding the property might be required for security reasons.
   i) There is no precedent for this. None of the other houses on Lower Dodder have a 1.8m fence surrounding the front of the property

ii) This would result in a loss of view of the beautiful tree lined road to the right of no. 55 (see photos below)
iii) This would result in a devaluation of the property value of no. 55
iv) This would contribute to a loss of the open, friendly, community centred spirit of the road

For information, we note that:

i) The planning application at the front of the house is a white laminated A4 sheet placed on a white gatepost. This is invisible until one is standing directly in front of it (please see photo below)
ii) No. 58 the property contiguous with no. 57 has just been sold. We are unsure if the new owners are aware of the planning application.

No. 55 has been owned and occupied by three generations of the Lee family for 66 years since 1956. We are seeking to retain the original character of the houses and the open, friendly spirit of the community.

Yours sincerely,

Amhairgín Lee Amhairgín Lee

Prof. John Joseph Lee