

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB1871/26
PROPOSAL	Amendments to planning references 4074/19 and 3298/20 comprising internal alterations at first floor level; the construction of a zinc clad box dormer and roof terrace at the rear; and the installation of 1no. Rooflight to the front elevation.
LOCATION	Oak Mews, 70 Charleville Close, Rathmines, Dublin 6
APPLICANT	Fintan and Anne O'Shea
DATE LODGED	16-Apr-2026
ZONING	
APPLICATION TYPE	Permission

4/6/26

Site Notice Inspection: In place on the 6th of May 2026.

Description of Site and Surroundings:

The site is located at the end of Charleville Close, a cul de sac, and comprises a two-storey semi-detached dwelling. The eastern boundary of the site backs on to a laneway, which runs from Prince Arthur Terrace and Leinster Square.

Proposed Development

The proposed development comprises of amendments to planning references 4074/19 and 3298/20 comprising internal alterations at first floor level; the construction of a zinc clad box dormer and roof terrace at the rear; and the installation of 1no. Rooflight to the front elevation

Zoning

The subject site is located on lands zoned Z2:Residential Neighbourhoods (Conservation Areas), with the zoning objective 'to protect and/or improve the amenities of residential conservation areas'.

Residential is a permissible use in this zoning.

5.0 Pre-Planning Consultation

None indicated on planning application form.

6.0 Recent Planning History

3298/20: Planning permission granted at number 70 Charleville Close for amendments to Planning Reference 4074/19 including the creation of pedestrian access between Charleville Close and Leinster Square, and the relocation of first floor window in accordance with Planning Condition No. 2(b) onto the northern facing elevation.

4074/19: Permission granted by Dublin City Council and ABP (Ref. ABP-306179-19) for demolition of internal walls and part of existing boundary walls, formation of a new vehicular access from Leinster Square and construction of a new two storey extension to the front and rear of the property to include garage, utility room, first floor bedroom, extended living room and first floor bedroom. Works also include the installation of new external windows and doors, site landscaping and site works.

Condition 2 of the permission required;

(a) The proposed vehicular entrance along the eastern boundary of the site accessing the laneway at Leinster Square shall be omitted from the scheme.

(b) The window serving bedroom number one at first floor level located on the eastern elevation shall be omitted and a new window on the northern elevation facing onto Charleville Close shall be constructed in its place.

Reason: In the interest of orderly development and to protect the amenities of adjoining property.

7.0 Relevant Enforcement History

EO186/25: Alleged removal of a wall at 70 Charleville Close.

EI214/24: Breach of conditions 2,3,4, & 5 at 70 Charleville Close. File Closed.

8.0 Consultations

Internal Consultees:

- Drainage Division: No objections subject to conditions.

No further Reports.

Prescribed Bodies

TII: In the case of this planning application, Transport Infrastructure Ireland requests that the planning authority has regard to the provisions of official policy for development proposals as follows: proposals impacting national roads, to the DoECLG Spatial Planning and National Roads Guidelines for Planning Authorities and relevant TII Publications and proposals impacting the existing light rail network, to TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system".

No further submissions

9.0 Submissions/Observations /Representations

Last date for observations was the 20th of May 2026

Four observations submitted. The main issues are as follows:

- Objection to proposed dormer and roof terrace,
- Loss of light to their rear garden
- Impact of the original gable wall of number 70 is exacerbated by the permitted extension to the front of number 70
- Dormer would impact the views from their rear garden,
- Overlooking issues



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- Proposed roof terraces would result in a loss of privacy adjoining properties
- Incompatible with the local character in terms of size and scale.
- Current front extension is not in accordance with planner permission, is higher than permitted.
- Site notice not in the location indicated on site plans.
- The bay window already built impacts on their privacy.
- Proposed roof balcony terrace would exacerbate this
- Loss of privacy
- Overshadowing
- Loss of amenity
- Scale of proposed development.
- Owners of this building have already demolished part of a historic, eighteenth-century wall

The submissions lodged relating to the application have been considered in the overall assessment of the proposed development.

10.0 Relevant Policies, Objectives and Standards Dublin City Development Plan 2022 – 2028

Appendix 18 – Section 1.1 General Design Principles

Appendix 18 – Section 1.2 Extensions to Rear.

Appendix 18 – Section 1.4 Privacy and Amenity.

Appendix 18 – Section 5: Attic Conversions / Dormer Windows

Policy BHA9 – Conservation Areas.

11.0 Planning Assessment

The subject site is located within a designed Residential Conservation Area, with a zoning objective Z2, which is 'to protect and/or improve the amenities of residential conservation areas'.

Designated Conservation Areas include extensive groupings of buildings, streetscapes and associated open spaces and include (parts of) the medieval/walled city, the Georgian Core, the 19th and 20th century city, and the city quays, rivers and canals. The special interest/value of Conservation Areas lies in the historic and architectural interest and the design and scale of these areas. Therefore, all of these areas require special care in terms of development proposals. The City Council will encourage development which enhances the setting and character of Conservation Areas.

Policy BHA9 in relation to conservation areas, sets out that *'development within or affecting a Conservation Areas must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible'*.

Planning permission was granted under Reg. 4074/19 (ABP-206179-19) for demolition of internal walls and part of existing boundary walls, and formation of a new vehicular access from Leinster Square and construction of a new two-storey extension to the front and rear of the property to include garage, utility room, first floor bedroom, extended living room and first floor bedroom. Works also include the installation of new external windows and doors, site landscaping and site works. It is noted that Condition 2 of this permission omitted out the proposed vehicular entrance along the eastern boundary of the site accessing the laneway at Leinster Square and also omitted the window serving bedroom number one at first floor level located on the eastern elevation.

Planning permission was granted under Reg. 3298/20 for amendments to Planning Reference 4074/19 including the creation of pedestrian access between Charleville Close and Leinster Square, and the relocation of first floor window in accordance with Planning Condition No. 2(b) onto the northern facing elevation.

This current application seeks permission for amendments to previously permitted planning references 4074/19 and 3298/2, comprising internal alterations at first floor level; the construction of a zinc clad box dormer and roof terrace at the rear; and the installation of 1no. Rooflight to the front elevation. It is noted that both these permissions have expired.

Appendix 18, Section 5 of the Dublin City Development Plan 2022-2028 sets out guidance on attic conversions and dormer windows. Dormer windows should be visually subordinate to the roof slope enabling a large proportion of the original roof to remain visible, be set back from the eaves to minimise their visual impact and reduce the potential for overlooking of adjoining properties and should sit below the ridge line of the existing roof. Side dormers should be set back from the boundary.

The existing mews dwelling has already been extensively extended both to the rear and front of the premises. To the rear the house has a part single, part two storey extension, comprising an open plan living room/dining area at ground floor and a bedroom extension at first floor level with a projecting bay window feature. To the front/side of the property the house has also been extended with a two-storey extension. This provides accommodation for a large utility room, bathroom at ground floor and a bedroom with en-suite bathroom at first floor level. All existing bedrooms at first floor level have ensuite facilities.

The proposed amendments will now provide for a fourth bedroom at attic level with an ensuite bathroom. The rear dormer will have access out onto a balcony over the flat roof part of the first-floor extension. The terrace measures 9.4m². The bedroom complies with the minimum size for a double bedroom at 15.8m². The dormer measures c3m in width and sits just below the ridge line of the existing roof.

There are a number of observations submitted from residents along Prince Arthur Terrace, located to the east of the subject site. A number of the rear gardens of these properties would be impacted by the proposed dormer, including the adjoining mews at number 68 Charleville Close. Concerns were raised in relation to the size of the dormer and terrace, overlooking issues, loss of privacy, loss of light, incompatible with the character of the area, site notice issues, and existing bay window. The submissions lodged relating to the application have been considered in the overall assessment of the proposed development.

After reviewing the submitted application, the Planning Authority would have serious concerns regarding the proposed dormer and related terrace area. Due to the design of the dormer, which

extends to the eaves of the existing roof to the rear, and the scale and width of the proposed terrace, it is considered that the proposed development would result in excessive overlooking and loss of privacy to the adjoining properties both to the east and west of this property, which would seriously injure their residential amenities and would be contrary to Appendix 18, section 5 of the Dublin City Development Plan, which states that dormers should be designed to be set back from the eaves to minimise overlooking issues. A modest rear dormer may be acceptable at this location, however, in their current design the rear dormer and terrace are not acceptable, and planning permission should be refused in this instance. It is further noted that the permissions referenced in the development description have both expired and if a new application was to be submitted at a later date, reference to these applications would not be relevant and should be excluded from the description.

It is recommended that planning permission be refused.

12.0 Services and Drainage

The site is located within Flood Zone C (See Map H Vol.7 Dublin City Development Plan 2022-2028). Drainage in their report have no objections to the proposal subject to conditions if a grant of permission was forthcoming. This is noted and concurred with. However as detailed above, the proposed development is not considered acceptable in this instance.

13.0 Screening for Appropriate Assessment

Having regard to the nature and scale of the proposed development, and the distance to the nearest European site, it is considered that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

14.0 Environmental Impact Assessment

Having regard to the nature and scale of the proposed development and the distance of the site from nearby sensitive receptors, there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

15.0 Recommendation

REFUSE PERMISSION

It is recommended that planning permission be refused for the following reason:

1. Having regard to the design of the rear dormer, which extends to the eaves of the existing roof to the rear, and to the scale and width of the proposed terrace, it is considered that the proposed development would result in excessive overlooking and loss of privacy to the adjoining properties to the east and west of this property, a number of which are protected structures, which would seriously injure their residential amenities and would be contrary to Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of the Dublin City Development Plan 2022-2028. The proposed development would set an undesirable precedent which would be contrary to the Z2 zoning for the site, which seeks 'to protect and/or improve the amenities of residential conservation areas', and to Policy BHA9, in relation to Conservation Areas. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.