An Coimisiún Pleanála

Commission Order
PL-501706-DF-26

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: FW26A/0176E

Appeal by Adrian Kearney against the decision made on the 18th day of June 2026 by Fingal County Council to grant permission to Joey Murphy in accordance with the plans and particulars lodged with the said Council.

Proposed Development: Development comprising of the erection of a new bay window to front, ground and first floor extensions to rear, alterations to front facade to include a parapet flat roof over entrance and garage, conversion of existing garage to habitable space, installation of two number roof lights to front, widening of existing vehicular entrance from 3.1 metres to 3.5 metres along with all associated site works at 26 Roselawn Road, Blanchardstown, Dublin

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

The Zoning Objective for the 'RS Residential' zoning, in which the site is located, Policy SPQHP41 (Residential Extensions), Objective SPQHO45 (Domestic Extensions), Section 14.10.2 (Residential Extensions (General)), Section 14.10.2.3 (Ground Floor Extensions (Rear)), and Section 14.10.2.4 (First Floor Extensions (Rear)) of the Fingal County Development Plan, 2023-2029 support the addition of residential rear extensions in general, and two storey and ground floor rear extensions in particular, subject to, inter alia, the protection of the residential amenities of adjoining properties.

Having regard to the location of the site and to the design and scale of the proposed development, it is considered that the proposed development would not be injurious to the general amenity and architectural quality of the area and would not seriously injure the visual or residential amenities of property in the vicinity and would not give rise to a traffic or pedestrian hazard. It is considered that the proposed part two storey and part single-storey extension would not have a significant impact on adjoining residential amenities by reason of overshadowing of the rear amenity space or that significant overbearing impacts arose from the scale and proximity of the development to the adjoining residential properties given that the length of the two-storey extension is three metres. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission for the proposed part two-storey and part single-storey extension, the Commission agreed with the Inspector that there were impacts on rear garden amenity and a degree of overbearance but considered that this was acceptable having regard to the suburban context of the area and the length of the two storey extension at three metres.

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. (a) The proposed widening of the existing vehicular access shall not exceed 3.5 metres.

   (b) No objects, structures, landscaping or planting shall be placed or installed within the visibility splays (as defined by Design Manual for Urban Roads and Streets (DMURS) and as per the submitted Site Plan) exceeding a height of 900 millimetres which would interfere or obstruct (or obstruct over time) the required visibility splays.

   (c) No gate shall open across a public footpath/roadway.

   Reason: In the interest of amenity and of traffic and pedestrian safety.

3. All necessary measures shall be taken by the applicant/developer to prevent the spillage or deposit of any materials including clay, rubble or other debris on adjoining roads during the course of development. In the event of any such spillage or deposit, immediate steps shall be taken to remove the material from the road surface at the applicant/developers own expense.

Reason: In the interest of amenity and of traffic and pedestrian safety.

4. The external finishes of the proposed extension (including roof tiles/slates) shall harmonise with those of the existing dwelling in respect of colour and texture.

Reason: In the interest of visual amenity.

5. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management and to prevent flooding.

6. Site development and building works shall be carried out between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the residential amenities of property in the vicinity.

7. The glazing to all bathroom and en-suite windows shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

8. The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.

Reason: To restrict the use of the extension in the interest of residential amenity.

9. 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. The contribution shall be paid prior to 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 An Coimisiún 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.

Marie O'Connor

Marie O'Connor
Planning Commissioner of An Coimisiún Pleanála duly authorised to authenticate the seal of the Commission.

Dated this 04th **day of** November **2026**