



An  
Bord  
Pleanála

## Inspector's Report

**ABP-322163-25**

### Development

Following previous grant of permission (planning ref: D21A/0220). The areas to be retained are as follows: 1) Flat roof instead of pitched roof to the front extension along with the alterations to the central front window; 2) Area of single storey rear extension increased by 9 square metres (increase in length of 2.2 metres, decrease in width of 0.5 metre); 3) Increase in width of door to garage on front elevation; 4) Alterations to previously granted front wall with pillars and fence to front wall (for security purposes)

### Location

1 Greenville Road, Blackrock, Dublin  
A94PY77

### Planning Authority

Dun Laoghaire Rathdown County  
Council

### Planning Authority Reg. Ref.

D25A/0030/WEB

### Applicant(s)

Olesea Loghin and Slav Demian

### Type of Application

Permission

**Planning Authority Decision**

Split Decision

**Type of Appeal**

First Party

**Appellant(s)**

Olesea Loghin and Slav Demian

**Observer(s)**

None

**Date of Site Inspection**

25 May 2025

**Inspector**

Killian Harrington

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## **Appendix 1 – Form 1: EIA Pre-Screening**

## **1.0 Site Location and Description**

The subject property is a two-storey semi-detached dwelling located on the northern side of Greenville Road – a residential cul-de-sac running east west off Stradbroke Road between the villages of Blackrock and Monkstown. The subject property is the first dwelling in the estate next to the junction with Stradbroke Road. The property consists of off-street parking and amenity space to the front and further private amenity space to the rear. The site has a total area of c. 0.041ha and is bounded by Greenville Court apartment complex to the west and the adjacent dwelling 3 Greenville Road to the east. The two-storey semi-detached dwellings at the western end of Greenville Road are all of similar design. However, the subject property has planning permission for various alterations to the front and rear of the property and these works are now complete.

## **2.0 Proposed Development**

The proposal is for retention planning permission following the previous grant of permission (Reg. Ref. D21A/0220). The areas to be retained are as follows: 1) Flat roof instead of pitched roof to the front extension along with alterations to the central front window, 2) Area of single storey rear extension increased by 9 square metres (increase in length of 2.2 metres, decrease in width of 0.5 metre); 3) Increase in width of door to garage on front elevation; 4) Alterations to previously granted front wall with pillars and fence to front wall (for security purposes).

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Dun Laoghaire-Rathdown County Council issued a split decision. It REFUSED retention permission for the front boundary fencing and pillars of the proposal for the following reason:

*The cumulative height of the roadside boundary treatment, subject of this retention application, results in a negative visual impact upon the streetscape of the host environment, the public realm and is visually discordant with the established*

*boundary treatments and front gardens in the vicinity of the site. It is considered that in permitting the timber fencing and pillars for retention, would set an undesirable precedent for similar type of development in the area and fails to accord with section 12.8.7.2 Boundaries and 12.4.8.2 Visual and Physical Impacts of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area.*

The Council GRANTED retention permission for the alterations to the extension and attached a standard condition that the development should otherwise be in accordance with the terms and conditions of the parent planning permission Reg. Ref. D21A/0220.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

- The proposal is for the retention of front and rear alterations to the parent permission Reg. Ref. D21A/0220. This parent permission involved the construction of partial two storey front extension, a single storey rear extension, attic conversion and works to the roof profile, construction of shed to side of property and widening and relocation of existing entrance along with raising front wall and associated site works
- In the planning authority's split decision, the retention of alterations that was approved consisted of (1) a flat roof instead of pitched roof to the front extension along with the alterations to the central front window, (2) increasing the single storey rear extension by 9 sqm (increase in length of 2.2m, decrease in width of 0.5m) and (3) an increase in width of door to garage on front elevation
- In the planning authority's split decision, the retention of alterations that was refused was front boundary works consisting of 2 no. pillars of 1.8m height and a fence of 1.7m height.
- The planner's report notes that the parent permission allowed a raising of the front wall to 1.24m. A site visit carried out on 31/01/25 confirmed 1.8m pillars

were already in place. Section 12.8.7.2 of the Development Plan specifies that boundaries to the front of the dwelling should 'generally consist of softer, more open boundary treatments such as low-level walls/railings and/or hedging/planted treatment. It was noted that low front boundary walls are in evidence on surrounding sites.

- The planner's report concludes therefore that due to its height, the fencing and boundary treatment proposed would result in a negative visual impact upon the streetscape of the host environment and the public realm and is visually discordant with the established boundary treatments of the area. Furthermore it would set an undesirable precedent for the area and does not comply with Section 12.8.7.2 Boundaries and Section 12.4.8.2 Visual and Physical Impacts in the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

#### 3.2.2. Other Technical Reports

- The Drainage department had no objection subject to obligations of the parent permission (Reg. Ref. D21A/0220) being complied with
- Transportation Planning had no objection

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

None

## 4.0 Planning History

### Subject site

Reg. Ref.D21A/0220 – Permission granted. The proposed development will consist of the following: 1) Construction of partial two storey front extension with apex roof and associated internal alterations, 2) Alterations to existing front windows, 3) Construction of single storey rear extension with apex roof along with alterations to

rear facade, 4) Non habitable attic conversion with rooflights to rear along with raising existing gable wall and associated alterations to the profile of the existing roof, 5) Construction of shed to side of property with partial pitched roof to front, 6) Widening and relocation of existing entrance along with raising front wall and associated site works.

There is a planning enforcement file currently open (Ref. ENF25524) for non-compliance of condition 1 of planning permission Reg. Ref. D21A/0220 relating to the flat roof finishing of the first floor extension to the front of the houses not according with approved plans and particulars.

Condition 1 of this permission states:

*'That the development shall be carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, as amended by Further Information received on 17/05/2021, save as may be required by the other conditions attached hereto. REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained'*

## **5.0 Policy Context**

### **5.1. Development Plan**

Under the Dun Laoghaire-Rathdown County Development Plan 2022-2028 the site is subject to the Land Use Zoning Objective 'A', which seeks 'to provide residential development and improve residential amenity while protecting existing residential amenities'. Residential development, including alterations to existing dwellings, is permitted in principle under this zoning.

Development Plan policies:

Chapter 4 (Neighbourhood – People, Homes and Place)

Section 4.3.1.2 Policy Objective PHP19 – Existing Housing Stock – Adaptation

Section 4.3.1.3 Policy Objective PHP20 – Protection of Existing Residential Amenity

Chapter 12 (Development Management)

Section 12.4.8.2 Visual and Physical Impacts



- Any boundary walls, entrance piers and gates and railings shall normally be finished to harmonise in colour, texture, height and size to match the existing streetscape.

#### Section 12.3.7.1 Extensions to Dwellings

- Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. A break in the front building line will be acceptable, over two floors to the front elevation, subject to scale and design however a significant break in the building line should be resisted unless the design can demonstrate to the Planning Authority that the proposal will not impact on the visual or residential amenities of directly adjoining dwellings. Excessive scale should be avoided.
- Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the main house.

#### Section 12.8.7.2 Boundaries

- Boundaries located to the front of dwellings should generally consist of softer, more open boundary treatments, such as low-level walls/railings and/or hedging/planted treatments.

## 5.2. Natural Heritage Designations

The subject site is less than 1km from South Dublin Bay proposed NHA, Booterstown Marsh proposed NHA and European sites South Dublin Bay SAC & South Dublin Bay and River Tolka SPA

## 5.3. EIA Screening

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## **6.0 The Appeal**

### **6.1. Grounds of First Party Appeal**

- The roadside boundary treatment would not result in a 'negative visual impact upon the streetscape of the host environment' due to the fact that the roadside boundary treatment of the adjoining apartment development is at the same level and thus the proposal is a continuation.
- The boundary treatment was installed for security purposes

### **6.2. Planning Authority Response**

- The response confirms that no new matters have arisen that would justify a change of attitude to the proposal and refers the Board to the planner's report

### **6.3. Observations**

- None

### **6.4. Further Responses**

- None

## **7.0 Assessment**

**7.1.** The principal concern in the subject appeal is the retention of alterations to previously granted front wall with pillars and fence to front wall for security purposes.

**7.2.** The retention of the flat roof of the front two-storey extension together with the central front window feature would not appear incongruous or have a harmful visual impact on the residential character of the street. The flat roof is c. 0.5 m above the eaves of the host dwelling and the extension would have a 2.3m projection. The height has reduced slightly (0.2m) from the previously approved pitched roof. Overall

this still appears subservient to the host dwelling and the window feature would not give rise to any overlooking impact due to its orientation and distance from neighbouring dwellings. This element would therefore accord with Section 12.3.7.1 of the Development Plan.

- 7.3.** An additional 2.2 metres to the ground floor extension would not cause any unacceptable harm to the privacy and amenity of the surrounding properties and would not give rise to any shadow impacts due to its low profile. It would therefore accord with Section 12.3.7.1 (Extension to Dwellings) of the Development Plan.
- 7.4.** The retention of the increased garage door width (2.6m wide) would not impact on adjacent properties or cause any hazards to passing pedestrians or vehicular traffic due to it being set back within the curtilage and I find this similarly acceptable.
- 7.5.** I am therefore satisfied that the retention of all other areas are acceptable in planning terms. For clarity, this encompasses (1) flat roof instead of pitched roof to the front extension along with the alterations to the central front window (2) the area of single storey rear extension increasing by 9 sqm (increase in length of 2.2m, decrease in width of 0.5m) and (3) an increase in width of door to garage on front elevation.
- 7.6.** The final element, the retention of 2 no. pillars of 1.8m height and a fence of 1.7m height, would be above the approved 1.24m height that the front boundary wall was to be raised to. A site inspection carried out on 25th May 2025 confirmed the pillars were in place but not the fencing. The height of the pillars was noticeably above the front boundary walls of adjacent properties and there was a visual discordance.
- 7.7.** The need to secure the dwelling is acknowledged. However, it is noted how the front boundaries of properties on this residential street comprise low front boundary walls with soft landscaping and hedging. Section 12.8.7.2 of the Development Plan states that boundaries located to the front of dwellings should generally consist of softer,

more open boundary treatments, such as low-level walls, railings and/or hedging/planted treatments’.

- 7.8.** The appeal refers to the adjacent apartment block on Stradbrook Road as having a higher boundary wall. It should be noted that this is a large site consisting of two block of apartments on a busy connecting road that is not a residential street. Greenville Road is a cul-de-sac of semi-detached two-storey dwellings with a similar typology and appearance. The exception to this is 16A, which appears to have been constructed more recently on an irregular-shaped infill site. This property is detached, gable-fronted and is not of the same design or form as the other properties in the cul-de-sac. All of the similar sized semi-detached dwellings have the same low-lying front boundary wall and this is a need to retain this feature of the residential character of Greenville Road.
- 7.9.** Furthermore, the subject property sits at the junction of Stradbrook Road and Greenville Road and there is a need to avoid traffic hazards owing to reduced visibility at this corner for vehicles entering Greenville Road.
- 7.10.** It is considered that the raised pillars and proposed timber fencing on the front boundary would not be consistent with softer, more open boundary envisaged in the Development and would thus set an undesirable precedent. These elements would not be visually harmonious with the prevailing front boundary treatments on Greenville Road and would not be in accordance with Section 12.8.7.2 Boundaries and Section 12.4.8.2 Visual and Physical Impacts of the Development Plan and would not support the proper planning and sustainable development of the area.

## **8.0 AA Screening**

- 8.1.** I have considered the proposed domestic extension in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in a well-serviced urban settlement less than 1km from European sites South Dublin Bay SAC & South Dublin Bay and River Tolka SPA. The proposed development comprises retention of alterations to the previously granted front two-storey and extension single storey rear extension, alterations to previously granted

front wall with pillars and fence to front wall and associated works as per Section 2.0 of this report. No nature conservation concerns were raised in the planning appeal.

**8.2.** 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. The reason for this conclusion is as follows:

- Nature of works
- Location in an established, serviced residential area
- Lack of connections to nearest European sites

**8.3.** I conclude, on the basis of objective information, 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. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required

## **9.0 Recommendation**

**9.1.** I recommend a SPLIT DECISION

**9.2.** It is recommended that a decision to REFUSE RETENTION PERMISSION for the front boundary fencing and pillars of the proposal, be made under the Planning and Development Act 2000, as amended.

**9.3.** It is recommended to GRANT RETENTION PERMISSION for all other alterations set out in this report subject to the conditions set out in the parent planning permission.

## **10.0 Reasons and Considerations**

**10.1.** Having regard to the Objective A zoning of the site, and policies and objectives as set out in the Dun Laoghaire-Rathdown County Development Plan 2022-2028, it is considered that the cumulative height of the roadside boundary treatment would, if retained, result in a negative visual impact upon the immediate streetscape, the

public realm and would be visually discordant with the established boundary treatments and front gardens in the vicinity of the site. It is considered that this would set an undesirable precedent for similar type of development in the area and would fail to accord with section 12.8.7.2 Boundaries and 12.4.8.2 Visual and Physical Impacts of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would therefore be contrary to the proper planning and sustainable development of the area

- 10.2.** Having regard to the Objective A zoning of the site and policies and objectives as set out in the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and the pattern of development in the area, it is considered that the retention of all other works consisting of (1) flat roof instead of pitched roof to the front extension along with the alterations to the central front window; (2) increase of single-storey extension by 9 square metres and (3) increase in width of door to garage on front elevation would not seriously injure the character or residential amenities, would accord with the provisions of the Development Plan and with the proper planning and sustainable development of the area.

## **11.0 Conditions**

1.	<p>The development shall be retained and completed in strict accordance with the terms and conditions of Planning Permission Reg. Ref. D21A/0220.</p> <p>This permission shall expire at the same time as Reg. Ref. D21A/0220.</p> <p>Reason: In the interests of proper planning and sustainable development</p>
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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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Killian Harrington  
Planning Inspector  
30 May 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	322163-25		
<b>Proposed Development Summary</b>	Following previous grant of permission (planning ref: D21A/0220). The areas to be retained are as follows: 1) Flat roof instead of pitched roof to the front extension along with the alterations to the central front window; 2) Area of single storey rear extension increased by 9 square metres (increase in length of 2.2 metres, decrease in width of 0.5 metre); 3) Increase in width of door to garage on front elevation; 4) Alterations to previously granted front wall with pillars and fence to front wall (for security purposes)		
<b>Development Address</b>	1 Greenville Road, Blackrock, Dublin A94PY77		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> <small>(that is involving construction works, demolition, or interventions in the natural surroundings)</small>	<b>Yes</b>	<b>X</b>	
	<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>		State the Class here.	Proceed to Q3.
<b>No</b>	<b>X</b>		Tick if relevant. No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>	Tick/or leave blank	State the relevant threshold here for the Class of development.	EIA Mandatory EIAR required
<b>No</b>	Tick/or leave blank		Proceed to Q4
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			



<b>Yes</b>	Tick/or leave blank	State the relevant threshold here for the Class of development and indicate the size of the development relative to the threshold.	Preliminary examination required (Form 2)
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<b>5. Has Schedule 7A information been submitted?</b>		
<b>No</b>	Tick/or leave blank	<b>Screening determination remains as above (Q1 to Q4)</b>
<b>Yes</b>	Tick/or leave blank	<b>Screening Determination required</b>

**Inspector:**

**Date: 30 May 2025**