



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP-322467-25**

---

<b>Development</b>	Demolition of shed, construction of extensions, internal alterations, and ancillary works.
<b>Location</b>	30 Upper Grattan Park, Greystones, Co. Wicklow A63RK00
<b>Planning Authority</b>	Wicklow County Council
<b>Planning Authority Reg. Ref.</b>	2560123
<b>Applicants</b>	Alan Rogers and Carol Ryan
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellants</b>	Debbie and David Howard
<b>Observer</b>	None
<b>Date of Site Inspection</b>	27 <sup>th</sup> June 2025
<b>Inspector</b>	John Duffy

## Contents

1.0 Site Location and Description .....	3
2.0 Proposed Development .....	3
3.0 Planning Authority Decision.....	4
3.1. Decision.....	4
3.2. Planning Authority Reports .....	4
3.3. Prescribed Bodies.....	4
3.4. Third Party Observations .....	4
4.0 Planning History .....	4
5.0 Policy Context .....	5
6.0 EIA Screening .....	6
7.0 The Appeal.....	6
7.1. Grounds of Appeal.....	6
7.2. Applicant Response.....	7
7.3. Planning Authority Response.....	7
7.4. Observations .....	7
8.0 Assessment.....	7
9.0 AA Screening .....	10
10.0 Recommendation .....	10
11.0 Reasons and Considerations .....	10
12.0 Conditions .....	11

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

## **1.0 Site Location and Description**

- 1.1. The site, located on an incline, has a stated area of 0.022 hectares and accommodates an end two-storey semi-detached house (76 sqm) with a pitched gable roof, located on the north-western side of Upper Grattan Park. A laneway runs to the rear of the property. At the side (northern) elevation, a lower pitched gable roof covers a recessed element, which provides the entrance / access to the house. The property has the benefit of off-street car parking and a rear garden which contains a concrete built shed (23 sqm) with monopitched roof. The property is located within an established and mature suburban housing estate with varying house types comprising single and two storey dwellings with front gardens, driveways, and rear gardens.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises demolition of the existing shed in the rear garden and the extension of and alterations to the house as follows:
- (i) Extension to the northern side of the house which involves extending the existing recessed element so that it aligns with the ridge height (c 8.1 m) and established building line of the house. Four new windows are proposed in the side / northern elevation of the extension.
  - (ii) A part single and part two storey rear extension to the rear (west) of the house. The single storey element will project approximately 4 m from the existing rear wall and its height is given as 3.5 m. This extension will facilitate an open plan kitchen, dining and living area. The two-storey element above spans the width of the house and it projects c 1.5 m from its rear wall. This extension facilitates larger bedrooms and a new bathroom at first floor level.
  - (iii) Provision of a front flat roofed porch, with a depth of c 1.8 m, a width of c 2.1 m and a height of c 3.3 m.

The gross floor space of proposed works is stated as 54 sqm.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

The Planning Authority granted permission on the 15<sup>th</sup> of April 2025 subject to four conditions which are standard in nature.

#### **3.2. Planning Authority Report**

##### **3.2.1. Planning Report**

The report of the area planner notes the policy context and the third-party submission made in respect of the planning application. The principle of the proposed development is considered acceptable given the residential zoning of the site. The report considers the proposed extensions would not unduly impact on the visual amenities of the area or residential amenities of adjoining properties. A grant of permission is recommended.

##### **3.2.2. Other Technical Reports**

None.

#### **3.3. Prescribed Bodies**

No reports received.

#### **3.4. Third Party Observations**

A third-party submission was received by the planning authority in respect of the proposed development from the residents of the attached and adjoining neighbouring property at No. 29 Upper Grattan Park. Concern is raised regarding the proposed rear two storey extension on the basis that it would close in the back of the neighbour's house. The observation notes there is no objection to the proposed single storey extension or other elements of the proposal.

### **4.0 Planning History**

Appeal Site

None.

#### In the vicinity

Planning Authority Reference 22/194 refers to a May 2022 decision to grant permission for demolition of existing extensions, construction of new extensions and attic conversion at 25 Upper Grattan Park.

An Bord Pleanála Reference ABP-311577-21 / Planning Authority Ref. 21/633 refers to an April 2022 decision to grant permission for removal of side and rear extensions and construction of new extensions, elevational and layout changes converting single storey house to a four-bedroom unit at 2 Upper Grattan Park.

Planning Authority Reference 16/1239 refers to a February 2017 decision to grant permission for extensions, including two storey extensions to the rear and front at 37 Upper Grattan Park.

Planning Authority Reference 13/8240 refers to a December 2013 decision to grant permission for a single storey rear extension, two storey side extension, raising of existing roof to side to match existing main roof and all associated site works at 21 Upper Grattan Park (opposite the appeal property).

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1 The operative Development Plan is the Wicklow County Development Plan 2022-2028.

5.1.2 Appendix 1 sets out design standards for house extensions.

5.1.3 Objective CPO 6.21 is relevant and states the following:

*In areas zoned 'Existing Residential' house improvements, alterations and extensions and appropriate infill residential development in accordance with principles of good design and protection of existing residential amenity will normally be permitted (other than on lands permitted or designated as open space, see CPO 6.25 below). While new developments shall have regard to the protection of the residential and architectural amenities of houses in the immediate environs, alternative and*

*contemporary designs shall be encouraged (including alternative materials, heights and building forms), to provide for visual diversity.*

## **5.2. Draft Local Planning Framework (LPF) and Adopted Local Area Plan (LAP)**

5.2.1 The Draft Greystones / Delgany and Kilcoole Local Planning Framework (LPF) 2025 is being prepared under proposed Variation No. 4 of the Wicklow County Development Plan 2022-2028. The Consultation Stage closed on 20<sup>th</sup> June 2025.

5.2.2 In Map No. 1 of the LPF titled 'Land Use Zoning Objectives' which is in Draft form, the appeal site and adjoining development is zoned RE: Existing Residential.

5.2.3 I note that in the Adopted Greystones-Delgany and Kilcoole Local Area Plan 2013-2019 the appeal site is also zoned RE: Existing Residential with the Objective 'To protect, provide for and improve residential amenities of adjoining properties and areas while allowing for infill residential development that reflects the established character of the area in which it is located.'

## **5.3. Natural Heritage Designations**

None.

## **6.0 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 (or Part V of the 1994 Roads Regulations). 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.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

This is a third-party appeal from Debbie and David Howard of No. 29 Upper Grattan Park, Greystones, Co. Wicklow. The grounds of appeal, as they relate to planning matters, are summarised as follows;

- The proposed two storey rear extension will close in the rear garden area of No. 29 and the first-floor extension will be directly adjacent to the appellant's bedroom window.
- The proposed first storey wall will project 1.5 metres and it will be the full height of the house. To have another high wall at this location will be suffocating and will close in the house.
- There is no other extension in the area of this scale.
- No objections are raised to any other aspects of the proposed development.

The appeal submission includes the following attachments:

- A copy of the 3D images of the proposed development
- A copy of a medical letter.

## **7.2. Applicant Response**

No valid response received.

## **7.3. Planning Authority Response**

None.

## **7.4. Observations**

None.

## **8.0 Assessment**

8.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, the report of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Land-use and nature of the proposed development
- Impact on the visual and residential amenities of the area

- Water Framework Directive – Screening
- Planning Authority conditions
- Appropriate Assessment

## **8.2. Land-use and nature of proposed development**

- 8.2.1. The proposed development comprises demolition of a domestic shed (23 sqm) and construction of domestic extensions (c 54 sqm) along with internal alterations to an existing house in an established residential area. This development type is acceptable in principle at this location which is zoned Objective 'RE – Existing Residential.' CPO 6.21 and Appendix 1 of the Wicklow County Development Plan supports the development of well-designed residential extensions providing proposals do not have significant impacts on surrounding residential and visual amenities. These matters are examined below.

## **8.3 Impact on the visual and residential amenities of the area**

- 8.3.1 The appellants' primary ground of appeal relates to the proximity of the proposed first floor rear extension to their property with concern raised it would have an overbearing impact closing in their rear garden area, and that the extension would adjoin the window of the main bedroom.
- 8.3.2 I note the proposed first floor element with flat roof projects 1.5 m from the rear wall of the subject house. Given the limited extent of the projection, I consider that the proposed first floor element would not cause an overbearing impact on the adjoining property to the south, No. 29 Upper Grattan Park. I am of the opinion that the nature, design, and scale of the proposed development is acceptable in this residential area.
- 8.3.3 Having regard to the orientation of the site relative to the path of the sun, I am satisfied that the proposed development would not cause undue overshadowing impacts on the adjoining property at No. 29 Upper Grattan Park, or on its rear private amenity space.
- 8.3.4 I am of the view that the proposed first floor extension would not give rise to a significant increase in overlooking over and above the existing situation. In this regard, Drawing No. 210 indicates a separation distance of above 25m between the rear elevation of the proposed first floor extension and the rear opposing first floor windows of No. 31 Upper Grattan Park to the west.



8.3.5 External finishes / materials will accord with the existing house and those in the immediate area and I am satisfied that the proposed development would not seriously injure the visual amenity of the adjoining area.

8.3.6 To conclude, the proposed development would not seriously injure the residential or visual amenities of the area.

#### **8.4 Water Framework Directive – Screening**

8.4.1 The subject site is in a residential area in Greystones, Co. Wicklow. The proposed development comprises, inter alia, demolition of an existing domestic shed and the construction of extensions to an existing house.

8.4.2 I have assessed the proposed domestic development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and groundwater water bodies either qualitatively or quantitatively. The reason for this is as follows:

- The nature of the works comprising a small scale and nature of development.
- Location-distance from nearest waterbodies and the lack of direct hydrological connections from the site to any surface and transitional water bodies.
- Standard pollution controls that would be implemented.

8.4.3 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

#### **8.5 Planning Authority Conditions**

8.5.1 The conditions reflected in the planning authority's grant of permission are of a standard nature and are appropriate to the proposed development. Should the

Commission decide to grant permission, I recommend the nature of the conditions are reflected in the Commission's Order.

## **9.0 AA Screening**

9.1.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.

The subject site is located in a residential area in the built-up area of Greystones.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:

- Small scale and nature of the development
- Location-distance from nearest European Site and lack of connections
- Taking into account the determination by the Planning Authority

I conclude that 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 (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Recommendation**

10.1. I recommend that planning permission be granted for the proposed development subject to the conditions set out below.

## **11.0 Reasons and Considerations**

11.1 Having regard to the location of the site in an area zoned 'RE – Existing Residential' in both the Draft Greystones / Delgany and Kilcoole LPF being prepared under proposed Variation No. 4 of the Wicklow County Development Plan 2022-2028 and the adopted Greystones-Delgany and Kilcoole Local Area Plan 2013-2019, it is

considered that, subject to compliance with the conditions set out below, the proposed development would not be injurious to the residential and visual amenities in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>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.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The existing dwelling and the proposed extensions shall be jointly occupied as a single residential unit and the extensions shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p><b>Reason:</b> To restrict the use of the extension in the interest of residential amenity.</p>
3.	<p>Drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0700 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p>

	<b>Reason:</b> In order to safeguard the amenities of property in the vicinity.
5.	<p>That all necessary measures be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works.</p> <p><b>Reason:</b> To protect the amenities of the area.</p>

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.

---

John Duffy  
Planning Inspector

31<sup>st</sup> July 2025

## Form 1 - EIA Pre-Screening

### No EIAR Submitted

<b>Case Reference</b>	ABP-322467-25
<b>Proposed Development Summary</b>	Demolition of shed, construction of extensions, internal alterations, and ancillary works.
<b>Development Address</b>	30 Upper Grattan Park, Greystones, Co. Wicklow, A63RK00
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q2.
	<input type="checkbox"/> No, no further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></p>

<p><b>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_