



An
Coimisiún
Pleanála

Inspector's Report ABP-322580-25

Development	Demolition of garage, new side extension, construction of rear attic dormer and attic conversion, new pedestrian entrance and all associated site work.
Location	86 Larkfield Gardens, Kimmage, Dublin, D6WFH56
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	WEB1601/25
Applicant(s)	Susan O'Shaughnessy.
Type of Application	Permission.
Planning Authority Decision	Grant Permission with Conditions
Type of Appeal	First Party v Conditions of Permission
Appellant(s)	Susan O'Shaughnessy.
Observer(s)	None.
Date of Site Inspection	4 th July 2025
Inspector	Peadar McQuaid

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
3.4. Prescribed Bodies	6
3.5. Third Party Observations	6
4.0 Planning History	6
5.0 Policy Context	6
5.4. Natural Heritage Designations	8
5.5. EIA Screening	8
6.0 The Appeal	8
6.1. Grounds of Appeal	8
6.2. Planning Authority Response	9
6.3. Observations	9
6.4. Further Responses	9
7.0 Assessment	9
8.0 AA Screening	12
9.0 Water Framework Directive Screening	13
10.0 Recommendation	14
11.0 Reasons and Considerations	14
12.0 Conditions	15
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The appeal site is located at No. 86 Larkfield Gardens area in Kimmage. The site consists of an existing two-storey semi-detached dwelling situated on a corner site. It has an angled frontage onto the junction of Larkfield Garden Road and a short cul-de-sac to the north. The dwelling has been subject to a previous extension to the front and side of the property. The site is served by in curtilage car parking to the front and private garden to the rear which bounds with No. 84 Larkfield Gardens to the southeast. An existing single storey garage is situated in the rear garden and is accessed via a vehicular entrance gate in the side boundary wall. The appeal site has a stated area of 0.023 hectares.
- 1.2. The area surrounding the site is a well-established residential neighbourhood, characterised by either terraced or semi-detached dwellings along Larkfield Gardens with a mix of brick or render external finishes. Whelan Park is circa 85m to the west. Scoil Mológa and Harold's Cross National School are circa 230m to the east along Clareville Road.

2.0 Proposed Development

- 2.1. The proposed development is described as follows:
- Demolition of garage,
 - Construction of two-storey side extension, including modification of existing single-storey side extension,
 - Construction of rear attic dormer and attic conversion,
 - New pedestrian entrance in the side boundary wall onto Larkfield Gardens,
 - Modifications to existing rear lean-to extension,
 - All other associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Dublin City Council (The Planning Authority) issued a notification of decision to GRANT permission for the above-described proposed development on the 14th May 2025, subject to 10 no. condition.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 3.2.2. The Planning Officer's Report dated 9th May 2025 recommended a GRANT of permission and provides the rationale for the Planning Authority decision. The main points were as follows:

- The proposed extension and alterations to a single dwelling unit can be considered permissible in principle within the Z1 "*Sustainable Residential Neighbourhoods*" Land-Use zoning objective.
- Concerns are raised in respect of the layout configuration of the side extension, limited internal connections to main dwelling and potential of the proposed layout to facilitate the provision of a separate dwelling in the side extension.
- No objection in principle to the proposed pedestrian gate in the side boundary wall, however there is concern that it could be used to facilitate the use of the side extension as a separate dwelling.
- The proposed attic conversion and dormer is generally considered acceptable subject to compliance with Building Regulations. A floor-to-ceiling height of the attic room is not shown on the submitted elevational drawings. No section drawing was submitted with the application.
- No objection in principle to the demolition of the garage, which would increase the area of private open space available to the existing dwelling. Overdevelopment of the site is not considered an issue.

- The design of the proposed extension is considered acceptable and in keeping with the design of the existing house and would not unduly impact on existing visual amenities.
- The rear bedroom window of the proposed side extension faces onto the front garden of No. 84 Larkfield Gardens however a separation distance of c.14m between first floor windows is considered an acceptable distance having regard to the indirect nature of any potential overlooking.
- The proposed dormer would be visible from the side road; however, having regard to the size of the proposed dormer and the angle of the site, it is not considered that it would be unduly obtrusive or result in undue overlooking. To ensure that the proposed dormer is not out of keeping with the character of the area, the finish should match the finish of the existing roof.

3.2.3. The Planning Officer concluded that:

- The proposal would be in keeping with the scale and character of the existing dwelling and would not unduly impact on the residential amenities of adjoining occupiers and is considered that the proposed development would not materially contravene the policies and objectives of the development plan and would accord with the proper planning and sustainable development of the area. It is therefore recommended that permission be granted subject to conditions.

3.2.4. Other Technical Reports / Prescribed Bodies

- Drainage - No objection subject to conditions.
- Transportation - No objection subject to conditions.
- Uisce Éireann - No report received.

3.3. Conditions

3.3.1. The Planning Authority granted permission for the proposed development subject to compliance with 10 no. conditions. I note the following conditions:

- Condition number 3 (a) requires the separate staircase in the side extension to be omitted and the first-floor extension to be accessed from the main first floor level.
- Condition number 3 (b) requires the omission of the proposed new pedestrian gate in the side boundary wall.

- Condition number 5 requires the attic space to comply with current Building Regulations if used as habitable accommodation.
- Condition number 6 requires the external finish of the side extension to match the finish of the existing house in respect of materials and colour.
- Condition number 7 requires the dormer extension to be clad in slates/tiles to match the existing roof finish.

3.4. **Prescribed Bodies**

None received.

3.5. **Third Party Observations**

None received.

4.0 **Planning History**

4.1.1. The following planning history relates to the appeal site.

PA Reg Ref No 1296/02: Planning permission granted on 1st August 2002 for the construction of a new single storey extension to front and side of existing dwelling with provision for new car parking space.

5.0 **Policy Context**

5.1. **Development Plan**

5.2. Dublin City Development Plan 2022 – 2028.

- 5.2.1. The appeal site is zoned “Z1 - *Sustainable Residential Neighbourhoods*” with the objective to protect, provide and improve residential amenities. Residential is deemed a permissible use.
- 5.2.2. Section 15.11 outlines the requirements in relation to Floor areas, Aspect, Daylight / Sunlight and Ventilation, Private Open Space and Separation Distances (Houses).
- 5.2.3. Appendix 18 of the plan sets out development management guidelines for ancillary residential accommodation. The relevant sections are outlined below.

- 5.2.4. Section 1.1 sets out general design principles and states that “Applications for extensions to existing residential units should:
- Not have an adverse impact on the scale and character of the existing dwelling.
 - Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight.
 - Achieve a high quality of design.
 - Make a positive contribution to the streetscape (front extensions).
- 5.2.5. Section 1.2 relates to Extensions to Rear.
- 5.2.6. Section 1.3 relates to Extension to Side, stating that “ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity. First floor side extensions built over existing structures and matching existing dwelling design, and height will generally be acceptable”.
- 5.2.7. Sections 1.4, 1.5 and 1.6 relate to Privacy and Amenity, Separation Distances and Daylight and Sunlight respectively.
- 5.2.8. Section 1.7 outlines the requirements in relation to Appearance and Materials, stating that “the extension should not dominate the existing building and should normally be of an overall scale and size to harmonise with the existing house and adjoining buildings” and “materials used should complement those used on the existing building; features such as windows and doors on the new extension should relate to those on the original building in terms of proportion and use of materials”.
- 5.2.9. Sections 5 and 6 relate to Attic Conversions / Dormer Windows and the Subdivision of Dwellings respectively.
- 5.3. **Relevant National or Regional Policy/Ministerial Guidelines**
- 5.3.1. The Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024.
- 5.3.2. Section 5.0 of the guidelines relate to development standards for Housing.

5.4. Natural Heritage Designations

- 5.4.1. The nearest designated Natura 2000 sites are the South Dublin Bay Special Area of Conservation (SAC) (Site Code: 000210) and the South Dublin Bay and River Tolka Estuary Special Protection Area (SPA) (Site Code: 004024), which are located c. 5.58km to the east of the appeal site.

5.5. EIA Screening

- 5.5.1. 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 Appeal

- 6.1.1. The Applicant has submitted a First Party Planning appeal with respect to the Condition Nos. 3 (a) and 7 which have been attached to the grant of permission. The grounds of appeal can be summarised as follows:

- 6.1.2. Condition number 3 (a)

The Applicant has stated that the sole purpose of the proposed extension is to provide additional accommodation for her son who is currently in rental accommodation in the city. The proposed new staircase is to provide ease of access to the new bedrooms and bathroom in the extension and allow for semi-autonomous living within the single dwelling unit. The proposed staircase will also allow for the addition of a stairlift to assist the applicant if mobility becomes an issue in future years.

- 6.1.3. Condition number 7

The applicant contends that the proposed metal clad (standing seam) dormer is an attractive feature and should be retained. Other examples of this design feature are located within the area. Based on aesthetic grounds and design the dormer would

allow for more headroom in the attic space and make it a more comfortable study or work environment.

6.2. Planning Authority Response

- No response was received from the Planning Authority.

6.3. Observations

- None.

6.4. Further Responses

- None sought.

7.0 Assessment

7.1. Having examined the application details, all appeal documentation on file and having inspected the site, and having regard to national and local policies and guidance, I consider that the only planning matters at issue in this appeal are Condition 3 (a) and 7. I am satisfied that the proposed development is otherwise in accordance with the proper planning and sustainable development of the area, and that the determination by the Commission of the application as if it had been made to it in the first instance would not be warranted. My assessment will therefore be limited to the matters raised in relation to the terms of the subject Conditions, pursuant to the provisions of section 139 of the Planning and Development Act 2000 (as amended) and are assessed below.

7.2. Condition Number 3 (a)

7.2.1. Within their assessment of the planning application, the Planning Authority considered the proposed extension and alterations to a single dwelling to be acceptable in principle, having no undue adverse impact on the residential and visual amenities of the area. However, the Planning Officer did raise concerns with regards to the internal layout of the proposed extension and its lack of connectivity with the main house leading to the potential of a separate dwelling being facilitated within the new extension. Furthermore, the inclusion of a new door in the side of the proposed

extension and a new pedestrian gate in the side boundary wall would further enable the potential of a separate dwelling being established. The concern of the Planning Officer relating the internal layout resulted in condition number 3 (a) being attached to a grant of permission which requires the omission the separate staircase in the side extension and for the first-floor extension to be accessed from the main first floor level.

- 7.2.2. The grounds of the appeal state that the design of the proposed extension is to allow for the provision of semi – autonomous living between the appellant and her son within the dwelling and proposed extension. The existing staircase within the main dwelling is cited as a safety concern with the design of the staircase deem to be potentially dangerous for applicant in future years as she gets older. The possibility of a stairlift being added to the new staircase is cited by the appellant.
- 7.2.3. Having reviewed the plans, I would have concerns in relation to internal layout of the proposed extension. The proposed extension is only internally connected to the main house via the existing front entrance porch at ground floor level. At first floor level and attic level the proposed extension is completely separated with no internal access doors to aide circulation within the dwelling unit. The design and layout of the proposed extension therefore requires the inclusion of a separate staircase to allow occupants access the upper floors.
- 7.2.4. The provision of separate dwelling could be created with relatively minor modifications given the lack of integration or direct access between the main house and proposed extension at first floor level and above. The layout of the proposed extension consisting of living and kitchen areas at ground floor level and 3 no bedrooms at first and attic floor level with its own external access points could easily facilitate change from a single dwelling into multi-occupancy unit. Furthermore, I also have concerns that the layout as proposed would not be readily conducive to the reintegration of the proposed extension into the main house once it no longer fulfils the requirements of the appellant.
- 7.2.5. I note the appellants requirement for semi-autonomous living within the dwelling unit and there is nothing on the file to indicate that the appellant intends to create a separate dwelling nor is it described in the public notices. The appellant has also not specifically sought permission for ancillary family accommodation where under

section 7.0 (Appendix 18) of the Dublin City Development Plan 2022 – 2028 conditions will be attached to the permission limiting the use of the accommodation for ancillary family use only on a temporary basis.

- 7.2.6. I am satisfied that a suitable alternative design solution could be provided to allow for the improved integration of proposed extension with the main house while providing for adequate privacy measures and amenable living area for the occupants. The proposed extension should be accessed from both the main first floor level and off a single staircase.
- 7.2.7. In my opinion notwithstanding condition number 4 which requires the house and extension to be used as a single dwelling unit only, I consider condition number 3 (a) is appropriate and necessary to prevent the potential permanent subdivision of the dwelling into separate units. I recommend that condition number 3 (a) be retained and amended so that the separate staircase in the side extension be omitted and the first-floor extension be accessed from the main first floor level. The Applicant should be requested to submit details of the revised layout for the written agreement of the Planning Authority, prior to the commencement of development.

7.3. Condition Number 7

- 7.3.1. The Appellant has also appealed condition number 7 which stipulates the dormer extension shall be clad in slates/tiles to match the existing roof finish. The proposed material finish of the dormer is metal clad (standing seam) with an Alu-Clad window. I note the Planning officer's rationale for the attachment of the condition is to ensure that the proposed dormer finish is not out of keeping with the character of the area.
- 7.3.2. Appendix 18, Section 5 (Attic Conversions / Dormer Windows) of Dublin City Development Plan 2022-2028 provides guidance in relation to dormers windows. Dormer windows, where proposed should complement the existing roof profile and be sympathetic to the overall design of the dwelling. I note that Dublin City Council granted permission for new rear dormers with similar materiality as the appeal site in the immediate area at numbers 29, 90, 107 Larkfield Gardens and 55 Larkfield Grove under the following under reg ref numbers WEB1301/18, WEB1715/25, 2099/15 and WEB2049/24.
- 7.3.3. I consider the contemporary design/material proposed would create a distinction between the existing dwelling and the new build attic level extension as allowable

under Appendix 18, section 1.1 which encourages innovative contemporary design. The proposed dormer will be visible from the adjoining cul-de-sac and residences to the southeast. However, I am satisfied that the proposed introduction of a contemporary contrasting material in form of metal cladding (standing seam) against the tiles of the existing roof finish will harmonise with the established form and not have any adverse impact on the character of the existing dwelling or adjoining property.

- 7.3.4. In addition, I do not consider the use of this material will have any undue impact on the visual amenities of the area or adjoining streetscape. The appeal site is located within a mature urban neighbourhood that has evolved over the years with various extensions and interventions added to the existing housing stock. Metal cladding (standing seam) is a build material already in use within the area as noted on inspection of the site and surrounds. The appeal site is not a protected structure nor within or adjoining any Conservation Areas/Architectural Conservation Area (ACA) designation. Therefore, it is my opinion that there is no architectural or built heritage merit to prohibit the use of this material in this instance.
- 7.3.5. On balance I consider the imposition of condition number 7 is not warranted having regard to the rationale of the attachment of the condition, the grounds of appeal and the policy framework provided by the Dublin City Development Plan 2022-2028 (Appendix 18). I recommend that the subject condition should be omitted.

8.0 AA Screening

- 8.1. 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 not located within or adjacent to any European Site(s). The closest European sites are South Dublin Bay Special Area of Conservation (SAC) (Site Code: 000210) and the South Dublin Bay and River Tolka Estuary Special Protection Area (SPA) (Site Code: 004024), which are located c. 5.58km to the east of the appeal site.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the development proposed, 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

- The nature of the development proposal.
- The location of the development in a serviced urban area.
- The distance to the Natura 2000 site network and the absence of pathways to any European site.

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 Water Framework Directive Screening

The subject site is located within an urban area circa 370m away from the nearest waterbody (River Poddle). The proposed development comprises of a proposed extension and modifications to an existing dwelling. No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed 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 & ground water waterbodies 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/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows

- Nature and scale of the development.
- Distance from nearest Water bodies and lack of hydrological connections.

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.

10.0 Recommendation

10.1. Having regard to the nature of the conditions the subject of the appeal, the Commission is satisfied that the determination by the Commission of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to

- a) REMOVE condition number 7 and the reason therefor.
- b) AMEND condition number 3 (a) as follows:

3. *The development hereby permitted shall incorporate the following amendments:*

- (a) The separate staircase in the side extension shall be omitted and the first-floor extension shall be accessed from the main first floor level. Revised drawings showing compliance with the above requirement shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.*

11.0 Reasons and Considerations

11.1. Having regard to the grounds of appeal, the nature and scale of the proposed development, the residential land use zoning for the site, and the pattern of development in the area, it is considered that the proposed development subject to conditions and internal layout amendment would ensure that the proposed extension is fully integrated with the main dwelling for use as single dwelling unit only, would not seriously injure the residential and visual amenities of the area or of property in the vicinity and would be consistent with Appendix 18 (Ancillary Residential Accommodation) of the Dublin City Development Plan 2022-2028 and therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

3.	<p>The development hereby permitted shall incorporate the following amendments:</p> <ul style="list-style-type: none">a) The separate staircase in the side extension shall be omitted and the first-floor extension shall be accessed from the main first floor level. Revised drawings showing compliance with the above requirement shall be submitted to and agreed in writing with the Planning Authority prior to the commencement of development.b) The proposed new pedestrian gate in the side boundary wall shall be omitted. <p>Reason: To ensure integration between the extension and the main house for use as a single dwelling unit in accordance with the permission</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.

Peadar McQuaid
Planning Inspector

10 July 2025

Form 1 - EIA Pre-Screening

Case Reference	ABP 322580-25
Proposed Development Summary	Planning permission for the following works (a) demolition of garage, (b) construction of two-storey side extension, including modification of existing single-storey side extension, (c) construction of rear attic dormer and attic conversion, (d) forming new pedestrian entrance in the side boundary wall onto Larkfield Gardens, (e) modifications to existing rear lean-to extension, (f) associated site works.
Development Address	86 Larkfield Gardens, Kimmage, Dublin, D6WFH56
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (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.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

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)?	
Yes <input type="checkbox"/>	<p>Screening Determination required (Complete Form 3)</p> <p><i>[Delete if not relevant]</i></p>
No <input type="checkbox"/>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p> <p><i>[Delete if not relevant]</i></p>

Inspector: _____

Date: _____