



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP 322887-25**

### Development

Demolition of rear single storey extension (approx. 10sqm) and the construction of ground floor single storey flat roof extension to rear (approx. 29sqm). The development will also include internal alterations to internal layouts, proposed rooflights (within existing roof and extension flat roof), proposed solar panels (to rear and side facing existing roofs) and all associated site works.

### Location

90, Sorrento Road, Dalkey, Co. Dublin, A96FT53.

### Planning Authority

Dun Laoghaire Rathdown County Council.

### Planning Authority Reg. Ref.

D25A/0300/WEB.

### Applicant(s)

Meabh Northcote.

### Type of Application

Permission.

### Planning Authority Decision

Grant Permission subject to 5 conditions.

### Type of Appeal

Third Party

### Appellant(s)

Dan Toher.

### Observer(s)

None on file.

**Date of Site Inspection**

1<sup>st</sup> September 2025.

**Inspector**

Des Johnson

## 1.0 Site Location and Description

- 1.1. The site is located on the south-west side of Sorrento Road, Dalkey, a short distance to the north-west and opposite its junction with Rockfort Avenue.
- 1.2. No.90 is a two-storey semi-detached dwelling. To the south-east is a narrow single-storey dwelling (No.89A) and next to it is another single-storey dwelling.
- 1.3. I was unable to gain access to Nos.89 and 90 at the time of inspection. I did gain access to the rear of No. 89A.

## 2.0 Proposed Development

- 2.1. The proposal is for the demolition of rear single storey extension (approx.10sqm) and the construction of ground floor single storey flat roof extension to rear (approx. 29sqm). The development will also include alterations to internal layouts, proposed rooflights (within existing roof and extension flat roof), proposed solar panels (to rear and side facing existing roofs) and all associated site works.
- 2.2. The gross floor area existing is stated to be 111.10sqm, the gross floor area proposed is stated to be 29.08sqm, proposed demolition is stated to be 10.24sqm, and the site area is 0.021ha.

## 3.0 Planning Authority Decision

- 3.1. The Planning Authority granted permission subject to 5 conditions.
- 3.2. The conditions relate to the following: 1. Standard Compliance 2. Material Finishes 3. Entire premises to be used as a single dwelling unit 4. Surface Water requirements 5. Requirements to prevent mud, dirt, debris, or building material.
- 3.3. The Planner's Report states that the location is in Dalkey Village Architectural Conservation Area (ACA). There were 3 submissions/observations made. The site is in an area zoned 'A' with the objective *to provide residential development and improve residential amenity while protecting existing residential amenities*. The proposed development is acceptable in principle. The proposal is relatively modest in scale, and would not be out of character. The contemporary design is of a reasonably high quality. There would be no undue effect on visual amenities of the existing house or neighbouring property. There would be no negative or material impact on the character of the ACA. Roof level proposals would not materially impact on neighbouring property amenities. The solar panels would be in keeping with the overall design. Elevational changes would not have a significant or negative impact on visual amenities. There would be no undue overlooking or overshadowing.
- 3.4. Drainage Report has no objection subject to condition. Transport Planning Report has no objection subject to condition

## **4.0 Planning History**

- 4.1. Reg Ref: D12A/0368 – Permission for demolition of modern single storey extension to the rear, erection of a single storey flat roofed extension to the rear accommodating new kitchen and dining area, new window opening to family bathroom, new opening casement windows throughout, conversion of existing attic space into store accommodating new dormer window to rear and Velux type rooflight to front.

## **5.0 Policy Context**

- 5.1. The Dun Laoghaire Rathdown County Development Plan 2022-2028 is the relevant statutory plan for the area.
- 5.2. The site is in an area zoned 'A' with the objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities'.
- 5.3. Section 12.3.7.1 refers to Extensions to Dwellings. It states that ground floor rear extensions will be considered in terms of their length, height and proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the main house.

Roof alterations/expansions to main roof profiles will be assessed against a number of criteria including: 1. Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures. 2. Existing roof variations on the streetscape 3. Distance/contrast/visibility of proposed roof end. 4. Harmony with the rest of the structure, adjacent structures, and prominence.

## **Natural Heritage Designations**

Dalkey Island SPA & pNHA – c.420m East

Rockabill to Dalkey Island SAC – c.670m East

## **6.0 EIA Screening**

- 6.1. The development proposed is not of a Class for the purposes of Schedule 5. As such, the development is excluded at pre-screening stage.

## **7.0 The Appeal**

- 7.1. The grounds of appeal may be summarized as follows:

1. Planning permission was granted based on poor information

2. Permission was previously granted for 2 large skylights and they flood the attic/office room with light. Additional skylights are unnecessary.
3. The attic floor level is raised and the proposed side roof attic window will overlook the appellant's property. This would result in a gross invasion of privacy
4. The solar panels are better placed at the rear flat roof which is to be expanded
5. The Hall is already amply lit by existing windows
6. The angle of the roof presents a large and very overbearing aspect overlooking the appellant's private patio, garden, roof garden, and front driveway
7. The development would represent a very bad precedent in an ACA as it intrudes on the privacy of neighbouring properties and would be visible along a significant area of Sorrento Road
8. At least two residents at the appellants property have serious health conditions that would be exacerbated by the proposed panels. A better option would be to place them on the lower flat roof
9. The additional rooflight and unsightly solar panels to the side are not in keeping with the ACA and would set a bad precedent.
10. It is unclear if the side facing rooflight would be used to light the hallway, and not to give additional light for the developed roofspace, leading to serious overlooking.

Six photographs are submitted with the grounds of appeal.

7.2. The applicant's response may be summarized as follows:

1. The proposed rooflight in the side facing hipped roof is to bring natural light into the windowless first floor landing/stairs only, and will not be visible from the attic
2. The proposed rooflight will be centered over the first floor landing and will not give rise to overlooking. The landing currently has no windows
3. Solar panels are proposed in the most advantageous locations on side and rear roofs
4. The applicant will be standing some 3.5m below the rooflight in her landing
5. Site boundaries are long established

### 7.3. Planning Authority Response

The grounds of appeal do not raise any new matter which would justify a change of attitude.

## 8.0 Assessment

8.1 There are several elements to the proposed development as follows:

- Demolition of rear single-storey extension (approx. 10sqm)
- Ground floor single-storey flat roof extension to rear (approx. 29sqm)
- Alterations to internal layout
- Rooflights to existing roof and extension flat roof
- Solar panels to rear and side facing roofs
- All associated site works

8.2 The Planning Authority granted permission subject to 5 conditions. These relate to standard compliance, material finishes, entire premises to be used as single dwelling unit, surface water requirements, and prevention of mud, dirt, debris or building material.

8.3 There is a 3<sup>rd</sup> Party appeal against the decision to grant permission. The grounds of appeal include contention that the permission was based on poor information, additional skylights are unnecessary, solar panels are to be mis-located and would be better placed on the proposed rear flat roof, overlooking, and bad precedent for ACA.

8.4 I submit that the key issues to be addressed are as follows:

- Policy
- Adequacy of submitted information
- Overlooking, overbearing appearance, and invasion of privacy
- Health impacts
- Appropriate Assessment

## Policy

8.5 The site is in an area zoned 'A' with the objective *'to provide residential development and improve residential amenity while protecting the existing residential amenities'*. The proposed development is 'permissible' in principle within this zoning subject to compatibility with other provisions of the Development Plan.

8.6 The site is within Dalkey ACA. The purpose of an ACA is to preserve the overall character of the townscape by controlling and guiding development, ensuring new buildings and works complement the area's special character and comply with development standards. I consider that the proposed development would not have a negative visual impact on the character of the area.

## **Adequacy of submitted information**

- 8.7 The submitted drawings clearly show the existing two rooflights on the roof to the front. These are also shown on the drawings for 'existing attic floor' and 'existing roof plan'. A rooflight is proposed on the side of the roof and is clearly indicated on the roof plan drawing. I consider that the information submitted with the application satisfactorily show the existing dwelling and proposed development.

## **Overlooking, visual impact and privacy**

- 8.8 The proposed development has limited visual impact when seen from the public road; the main impact would be from the side rooflight and solar panels. The demolition of the existing single-storey extension to the rear is acceptable. The proposed rear extension, larger in floor area, would not have any undue impact on the neighbouring dwellings. Visually the rooflights are acceptable, while the proposed solar panels on the side and rear elevations conform in principle to national policy, and are visually acceptable in this Architectural Conservation Area. I consider that the contention that the proposed development would be visually overbearing, is unfounded.
- 8.9 The appellant contends that the rooflight to the side of the main roof would give rise to overlooking of neighbouring property. The applicant states that the subject rooflight would light the landing, and the drawings submitted indicate the rooflight centrally located above the landing at first floor level. I submit that there is no convincing evidence that the proposed development would give rise to overlooking and loss of privacy to neighbouring dwellings.

## **Health Impacts**

- 8.10 The appellants contend that the proposed solar panels could exacerbate health conditions. No convincing evidence is submitted to support this contention. The solar panels are proposed to the side and rear of the main roof. In these circumstances, I conclude that the proposed development would not be detrimental to public health.

## **Appropriate Assessment**

- 8.11 Having considered the nature, scale and location of the development, I am satisfied that it can be eliminated for further assessment because it could not have any effect on a European site. The reason for this conclusion is having regard to the nature and small scale of the development, location in an established residential area, and the distance from and absence of connectivity to European sites.

## **9.0 Recommendation**

- 9.1 I recommend that planning permission be granted.

## **10.0 Reasons and Considerations**

Having regard to the nature and scale of the proposed development, and the provisions of the

Dun Laoghaire-Rathdown County Development Plan 2022-2028, including the residential zoning for the site, it is considered that the proposed development, subject to compliance with the attached conditions, would be visually acceptable and in character with the Architectural Conservation Area designation for the area, would not give rise to undue overlooking or otherwise be detrimental to residential amenities of neighbouring properties, would not be detrimental to public health, and would be in accordance with the proper planning and sustainable development of the area.

## Conditions

1.	<p>The development shall be carried out in its entirety in accordance with the plans, particulars and specifications submitted with the application, save as may be required by the following conditions.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>External finishes shall be as indicated on the submitted drawings unless otherwise agreed with the Planning Authority.</p> <p><b>Reason:</b> In the interests of visual and residential amenities.</p>
3.	<p>The entire premises shall be used as a single dwelling unit, and shall not be subdivided by way of sale or letting or otherwise.</p> <p><b>Reason:</b> In the interest of residential amenity.</p>
4.	<p>Surface water run-off disposal shall be to the requirements of the Planning Authority.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>The applicant shall prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining property as a result of the site construction works and repair any damage to the public road arising from carrying out the works. There shall be no storage of construction materials on the public road/footway unless agreed in writing with the Planning Authority.</p> <p><b>Reason:</b> To protect the amenities of the area and in the interests of public safety.</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.

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Des Johnson

Planning Inspector

05 September 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	322887-25		
<b>Proposed Development Summary</b>	Demolition of single storey extension, construction of single storey extension, internal alterations, rooflights and solar panels.		
<b>Development Address</b>	90, Sorrento Road, Dalkey, Co. Dublin, A96FT53.		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	Yes	
	<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>			
<b>No</b>	No		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>			
<b>No</b>			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>			

5. Has Schedule 7A information been submitted?		
No		
Yes		

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

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