



An
Coimisiún
Pleanála

Inspector's Report

ACP 323098-25

Development	A two-storey extension to the rear of the existing dwelling and associated alterations to the internal layout and elevations.
Location	61 Cedar Park Ridgewood Swords K67 KF80
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F25A/0125E
Applicant(s)	Ian & Natasha Cloran
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Jennifer & Tony Philips
Observer(s)	N/A
Date of Site Inspection	13 th October 2025
Inspector	Barry Diamond

Table of Contents

1.0	Site Location and Description	3
2.0	Proposed Development	3
3.0	Planning Authority Decision	3
4.0	Planning History	5
5.0	Policy Context	5
6.0	EIA Screening	6
7.0	The Appeal	7
8.0	Assessment	9
9.0	AA Screening	13
10.0	Water Frame Directive	14
11.0	Recommendation	15
12.0	Reasons and Considerations	15
13.0	Conditions	15
Appendix A: Form 1 EIA Pre-Screening		18

1.0 Site Location and Description

- 1.1 The application site comprises a two-storey semi-detached dwelling which is finished in a mixture of brick and render to the front while the side and rear boundaries are finished in render. The dwelling has a pitched gabled roof with concrete roof tiles. The site measures circa 0.024ha with two in-curtilage parking spaces to the front and a private rear garden area.
- 1.2 The rear garden area of the site is bounded on both sides and to the rear by other dwellings. Close boarded fencing approximately 2 metres in height defines the rear common boundaries.
- 1.3 The surrounding area is characterised by a mix of two storey semi-detached and detached dwellings of similar design and finishes to the application dwelling. In addition, there are also three and four storey apartment buildings within the wider housing development.

2.0 Proposed Development

The proposed development seeks permission for a two-storey extension to the rear of the existing dwelling and associated alterations to the internal layout and elevations including:

- A ground floor extension of approx. 50sqm to include a kitchen/dining area and a breakfast/tv room.
- A first floor bedroom extension of approx. 18.9sqm with a total height of 6.8 metres.

3.0 Planning Authority Decision

3.1 Decision

On the 25th June 2025 the Planning Authority issued a decision to grant planning permission subject to conditions.

3.1.1. **Conditions**

The development, if required shall be provided with noise insulation to an appropriate standard having regard to the location within Noise Zone C associated with Dublin Airport.

Reason: In the interests of residential amenity.

3.2 **Planning Authority Reports**

The decision of the planner reflects the need for amendments during the processing of the application and the decision to grant planning permission. It includes the following points:

- The potential subdivision of the dwelling can be controlled through the use of a planning condition;
- Concerns were raised with developing close to the boundary, the impact of overbearing and loss of light and additional/amended information was requested;
- A Daylight and Sunlight Analysis Report was submitted to address the concerns and identifies that the windows of Nos. 60 & 62 Cedar Park will not be significantly affected by loss of sunlight; and
- The rear garden areas of Nos. 60 and 62 will not be affected by loss of sunlight.

3.3 **Other Technical Reports**

- Water Services Section: no objection subject to conditions.
- Transport Planning Section: no objection subject to conditions.

3.4 **Prescribed Bodies**

- Uisce Éireann– No response.
- Dublin Airport Authority – No comments except for consultation to be carried out with Irish Aviation Authority and AirNav Ireland.

3.5. **Third Party Observations**

- 3.5.1 The appellants own a dwelling immediately to the north of the appeal site (No. 62 Cedar Park) raised an observation during the processing of the planning

application which is attached to the file. I consider that the issues raised are also mirrored and expanded upon in their submissions to the Coimisiún and are not replicated in this section.

4.0 Planning History

No relevant history

5.0 Policy Context

5.1 Development Plan

5.1.1 The Fingal Development Plan 2023-2029 is the operational plan for the area. The appeal site is zoned 'RS,' Residential with the associated land use objective 'to provide for residential development and to protect and /or improve residential amenity.' The appeal site is also located within the Dublin Airport Noise Zone C.

5.1.2 The following sections /policies / objectives are pertinent:

SPQHP41 seeks to support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

SPQHO45 seeks to support dwelling extensions of appropriate scale and subject to the protection of residential and visual amenities.

Objective DAO11 and DMSO105 – Requirement for Noise Insulation - The site is identified in the Plan as being located within Dublin Airport Noise Zone C which requires noise insulation where appropriate.

Objective DMSO23 – Separation Distance: A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy.

Objective DMSO26 - Separation Distance between Side Walls of Units: Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units.

Objective DMSO27 – Minimum Private Open Space Provision: 3 bedroom houses or less to have a minimum of 60 sq. m. of private open space located behind the front building line of the house.

Section 14.10.2 Residential Extensions: supports applications to amend existing dwelling units to reconfigure and extend as the needs of the household change, subject to specific safeguards. In particular, the design and layout of residential extensions must have regard to and protect the amenities of adjoining properties.

Section 14.10.2.3 Ground Floor Extensions (rear) will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house.

Section 14.10.2.4 First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- Overshadowing, overbearing, and overlooking – along with proximity, height, and length along mutual boundaries.
- Remaining rear private open space, its orientation and usability.
- Degree of set-back from mutual side boundaries.
- External finishes and design, which shall generally be in harmony with existing.

5.3. Natural Heritage Designations

The appeal site is not located on or within proximity to any designated Natura 2000 sites, with the nearest designated site being the Malahide Estuary SPA (004025), located c. 3.6km to the northeast of the site.

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. 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 my report.

7.0 The Appeal

7.1 Grounds of Appeal

The appellants (No. 62 Cedar Park) grounds of appeal can be summarised as follows:

- The proposal due to its height and siting will have an overbearing effect on the objectors property;
- The proposal will block sunlight and photographs are provided showing the overshadowing caused by the existing boundary fence;
- An extension at 41 Brookdale Avenue, Swords (Ref: F19B/0065) was granted subject to a condition requiring the extension to be lowered to 5.5 metres in height. The subject is similar and will impact on sunlight;
- The daylight and sunlight analysis does not address overbearing impacts. No new drawings were submitted to address this issue despite the Planning Authority's request for a reduced scheme;
- The layout of the floorspace indicates that it could lend itself to subdivision with knock-on effects in terms of increased parking issues. A condition should be attached to any grant of permission restricting subdivision;
- A skylight in the extension faces up into the third party's rear bedroom window;
- The proposed clear glazed windows on the northern and southern elevations will cause overlooking of private amenity space;
- The extension will be built upto the shared boundary and damage should not be caused to the existing fence;
- Demolition works are not noted on the site notice;
- There is 60sqm of amenity space required for a 3 bedroom house, the Planning Authority wrongly refers to 40sqm;

- If the extension was reduced it would mean that their property would not be affected as much by a loss of light;
- Conditions should be attached to address issues with dust and noise during construction;
- Construction vehicles will impact on parking in the area;
- No consultation has taken place with the IAA and AirNav Ireland despite a request to do so by Dublin Airport Authority;
- The plans do not indicate the rooflight windows on the rear of the subject property; and
- The application form is not signed.

7.2 **Applicant Response**

The applicant for planning permission states:

- That the proposal complies with the spirit of the planning policy, the garden area exceeds amenity standards;
- The ground floor area is similar in size to exempted development, the first floor is set back off the boundary and has a sympathetic roofline and therefore is not overbearing;
- Alternative designs were considered but did not meet with family needs;
- The extension is necessary to address personal family circumstances;
- The extension avoids the need for further reactive piecemeal extensions in the future;
- A daylight and sunlight assessment has been prepared along with detailed plans;
- No technical evidence has been prepared by the third party appellant;
- The reference to ground floor footprint has been erroneously calculated leading to a false impression of the scale of the extension;
- The velux window is flat and roof facing and does not impact on privacy;

- There will be no encroachment upon the shared boundary; and
- There is no intention to subdivide the property.

7.3. **Planning Authority Response**

The conditions of the grant of planning permission are requested to be upheld and a condition requiring a Section 48 development contribution or Special Development Contribution is requested.

7.4. **Observations**

None

8.0 **Assessment**

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

- Principle of Development
- Design
- Residential Amenity
- Other Matters

8.2 **Principle of Development**

8.2.1 The proposed development comprises a rear two storey extension of an existing dwelling, which is located within zoning 'RS,' Residential, with the associated land use objective 'to provide for residential development and to protect and /or improve residential amenity.'

8.2.2 I note that the Fingal Development Plan 2023-2029 (FDP) is supportive of residential extensions. In this regard Section 14.10.2 Residential Extensions supports applications to amend existing dwelling units to reconfigure and extend

existing dwellings as the needs of the household change, subject to specific safeguards. I consider that the principle of a residential extension is acceptable subject to issues of design, neighbour amenity and other relevant factors.

8.3 Design

- 8.3.1 The existing dwelling is 8.5 metres in height while the proposed extension is limited to 6.8 metres and therefore the extension is subordinate in height to the existing dwelling and would not alter the roofscape along Cedar Park. The proposed finishes are listed as being smooth render and concrete roof tiles to match the existing dwelling and the window fenestration on the upper floors, mirrors those of the existing first floor windows. A large patio door opens onto the rear garden area at ground floor level, however, there is no visibility of this aspect of the proposal from any public vantage point as the extension backs onto other residential properties along Cedar View.
- 8.3.2 The rear amenity space is measured as being 60sqm and while the third party states that the Planning Authority referred to the appropriate level of amenity space being 40sqm, this is likely to be a typographical error. In any case, Objective DMSO27 of the FDP requires a minimum of 60 sqm for a three bedroom house which is indicated to be retained under the proposed development.
- 8.3.3 Building along the common boundary line was raised as a concern by the third party. Section 14.10.2.4 of the FDP seeks a setback from the common boundary, however, this only applies to first floor extensions. In the subject case the first floor element of the proposed development has been set back.
- 8.3.4 I am of the opinion that the design, scale, finishes and window fenestration to be acceptable in accordance with the policies for rear extensions in the FDP.

8.4 Residential Amenity

- 8.4.1 The impact upon the residential amenity of neighbouring properties is an essential part of the assessment and in this regard I consider that dominance, overshadowing/loss of light and overlooking are the main areas to be considered in respect to residential amenity.
- 8.4.2 The proposed extension has been designed so that the single storey element has a larger floorspace than the two-storey element. The single storey element has a

flat roof with an overall height of 3.05 metres above finished ground level while the height of the two-storey element is 6.8 metres. In addition, the two storey element is set back off the boundary line with No. 61 by 1.77metres and by 2.38 metres from the building line of No. 59.

- 8.4.3 I consider that the proposed extension would not have a domineering effect on the neighbouring properties either side of the application site given the modest height of the single storey extension and the set back of the two storey element from the neighbouring properties which helps to reduce the impact of dominance that a two storey extension would have if it was set along the common boundary.
- 8.4.4 Overshadowing was raised as a concern by the Planning Authority during the course of their assessment and in response the applicant submitted a Daylight and Sunlight Assessment which is stated as being carried out in accordance with 'BS EN 17037:2018 Daylight in Buildings,' and BRE 209, 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice', Third Edition 2022, by P. J. Littlefair.
- 8.4.5 The analysis examined the impacts on the adjoining neighbouring windows and garden areas to ascertain if the impact was significant. In both cases the report found that the impact from the proposed extension would have a marginal impact but was not significant. I note that that the third party has presented photographs of the overshadowing caused by the existing fence as evidence of the likely impact in the future. I have viewed the site and the orientation of the proposed building in relation to the sun path and I am of the opinion that some loss of light is likely to occur to the adjoining properties, however, it is likely to be for a short duration during certain times of the day and is not likely to be significant.
- 8.4.6 Objective DMSO23 of the FDP indicates that a minimum separation distance of 22 metres between directly opposing rear first floor windows shall generally be observed. In this case, there is a first floor rear bedroom window directly opposing first floor windows on No. 23 Cedar View, however, this is at a distance of 22.8 metres which is considered acceptable.
- 8.4.7 The proposed first floor bedroom window mirrors the size of the existing window and offers a view into the amenity spaces of the neighbouring dwellings, however, the size of the window or the view that it provides does not differ significantly from

the view currently afforded by the existing rear windows and I do not consider any significant adverse impact will arise from this aspect of the proposal.

8.4.8 A skylight is proposed on the roof of the ground floor extension and this is sited close to the common boundary with No. 62 who also raised concerns that this would provide a view into their first floor bedroom. I am of the opinion that the viewpoint from the ground floor extension would offer an oblique view of the neighbouring first floor windows and while it may present a view of the window, it would not offer a view into the bedroom area and therefore a loss of privacy would not occur.

8.4.9 The third party appellant stated that if the extension was reduced, this would mitigate the effect on their property and while this critique has merit, the proposal has to be assessed on its acceptability and amendments can only be required if the proposal is unacceptable. I am of the opinion that the proposal as presented is acceptable and no reductions/amendments are necessary and the proposed development would not have an adverse effect on the residential amenity of any of the neighbouring properties.

8.5 Other Matters

8.5.1 Concerns were raised by the third party with noise and dust during construction along with a loss of parking due to contractors parking during the construction phase. Construction impacts can have impacts on amenity, however, these are normally short term and can be controlled through the use of appropriately worded conditions. A condition was attached to the Planning Authority's decision notice and I am of the view that a similar condition should be attached in this case.

8.5.2 A lack of consultation by the Planning Authority with IAA and AirNav Ireland was also raised as a concern and while this is not ideal I consider that the extension is subordinate to the height of the existing dwelling and would not constitute an obstacle to air traffic nor would it interfere with radar. The impact of noise from air traffic on the residents of the extended dwelling could be an issue if the extension was not constructed with appropriate sound attenuation measures. I am of the opinion that this is a matter that can be controlled through the use of an appropriately worded condition.

- 8.5.3 The third party appellant also considered that the layout of the rear extension could be utilised as a separate residential unit, however, while this is unlikely, the matter could be addressed through the use of a condition requiring the existing dwelling and proposed extension to be used as a single unit of occupation.
- 8.5.4 I note that the Planning Authority's decision refers to the development being carried out in accordance with the plans and particulars submitted on the 6th June 2025, however, the only submission on this date was the Daylight and Sunlight Assessment and therefore the plans and particulars dated the 18th February 2025 are the relevant plans for the purposes of the decision.
- 8.5.5 While the demolition of the existing rear annex was not included in the description of development it was accepted by the Planning Authority. I note that the proposed extension includes the footprint of the existing rear annex and the demolition does not relate to some other aspect of the existing dwelling. I am satisfied that the omission did not prevent the concerned party from making representations. The above assessment represents my de novo consideration of all planning issues relating to the proposed development.

9.0 AA Screening

- 9.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at 61 Cedar Park Ridgewood, Swords, no relevant designated sites are close by.
- 9.2 The proposed development comprises a two-storey extension to the rear of the existing dwelling and associated alterations to the internal layout and elevations. 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.
- 9.3 The reason for this conclusion is as follows:
- Small scale and nature of the development; and

- Distance from nearest European site and lack of connections.

9.4 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 Water Frame Directive

10.1 The subject site is located at 61 Cedar Park Ridgewood Swords which is 860 metres south of the nearest water body.

10.2 The proposed development comprises a two-storey extension to the rear of the existing dwelling and associated alterations to the internal layout and elevations. No water deterioration concerns were raised in the planning appeal.

10.3 I have assessed the 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.

10.4 The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development ; and
- Distance from nearest water bodies and/or lack of hydrological connections.

10.5 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.

11.0 Recommendation

That planning permission be granted for the reasons and considerations set out below and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to the design, appearance of the proposed extension, it is the Commissions view that, subject to compliance with conditions below, the development proposed would not seriously injure the visual amenities of the area or residential amenities of any property in the vicinity and would not adversely impact on the character of the area. The proposed development, therefore, would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the Planning Authority on the 18th day of February 2025, 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. The rear extension shall be finished in painted render to match the render finish of the existing dwelling.

Reason: In the interests of visual amenity.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of

surface water from the site for the written agreement of the Planning Authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

4. Building noise insulation shall be provided to an appropriate standard having regard to the location of the site within Dublin Airport Noise Zone C.

Reason: In the interests of residential amenity and to ensure compliance with Objective DMSO105 of the Fingal Development Plan 2023-2029.

5. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 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.

Reason: In order to safeguard the residential amenities of property in the vicinity.

6. The existing dwelling and extension shall be used as a single dwelling unit apart from such use as may be exempted development for the purposes of the Planning and Development Regulations

Reason: In the interests of clarity and to ensure the proper and sustainable development of the area.

7.
 - a) All necessary measures shall be taken by the applicant to prevent any spillage or deposition of clay, dust, rubble or other debris, whether arising from vehicle wheels or otherwise, on the adjoining and/or adjacent public road and footpath network during the course of the construction works.
 - b) Any damage to roads, footpaths or other public property caused by the development shall be made good to the satisfaction of the District Engineer.

Reason: In the interest of traffic safety and proper control of development.

8. 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 Bord 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.

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.

Barry Diamond
Planning Inspector

22 October 2025

Appendix A: Form 1 EIA Pre-Screening

Case Reference	ACP-323098-25
Proposed Development Summary	A two-storey extension to the rear of the existing dwelling and associated alterations to the internal layout and elevations.
Development Address	61 Cedar Park Ridgewood Swords K67KF80
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?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
<div style="border: 1px solid black; padding: 5px;"> (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) </div>	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, 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 <u>Part 2</u>, 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?	

<p><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 development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	<p>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 Act.</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>		
<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)?</p>		
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>	
<p>No <input type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>	

Inspector: _____ **Date:** _____