



An
Coimisiún
Pleanála

Inspector's Report

323122-25

Development

Demolish existing single storey garage at side and single storey extensions at side and rear, and construct two-storey extension to side, single and two-storey extensions to rear. Continuation of existing attic conversion, with new window to rear at attic level and new velux roof window to front, and all associated site works.

Location

25, Shanowen Drive, Santry, Dublin 9, D09 C592.

Planning Authority

Dublin City Council, North.

Planning Authority Reg. Ref.

WEB 2702/24

Applicant(s)

Raja Mukherji & Rachel McBride.

Type of Application

Permission.

Planning Authority Decision

Grant Permission with conditions

Type of Appeal

Third Party

Appellant(s)

Leslie Shaw.

Observer(s)

None on file.

Date of Site Inspection

6th October 2025.

Inspector

Des Johnson

1.0 Site Location and Description

- 1.1 Shanowen Drive is part of an established housing area located to the west of the Swords Road (R132) in Santry, Dublin 9.
- 1.2 This section of Shanowen Drive comprises predominantly of two-storey houses in terraces of four. The subject dwelling is at the south-western end of a terrace of four houses. No.27 adjoining to the west appears to be currently vacant and damaged by fire.
- 1.3 The subject site is roughly triangular in shape, with a large rear garden with several mature trees. The garden slopes down to the south.

2.0 Proposed Development

- 2.1 The proposal is for the demolition of existing single storey garage at the side, and single storey extensions to the side and rear, and to construct a two-storey extension to the side and single and two-storey extensions to the rear. Also, permission is sought for continuation of existing attic conversion with new window to the rear at attic level and new velux roof window to front, and all associated site works.
- 2.2 The gross floor area of existing building is stated to be 100sqm, the gross floor area proposed is 102.48sqm, the gross floor area for demolition is 8.50sqm, and the site area is 0.082ha. It is proposed to connect to public services.
- 2.3 The Planning Authority sought Further Information expressing concern about the scale of the roof extension, the proximity of the two-storey side extension to the site boundary, potential overbearing impact, potential overshadowing, and surface water management. By way of response, minor amendments were made to the roof design and the omission of the window at attic level. A BRE Digest 365 Report addressed surface water on the site; the proposed extension does not appear to impact on the integrity of a rear culvert due to its location, and as the ground slopes away from the house. Revised drawings were submitted. A Daylight/Sunlight Report concludes that there will be negligible reduction in daylight in adjacent properties, and that the proposed development meets the recommendations for daylight in the BRE guidelines BR209:2022 (third edition).

Relating to sunlight, the report concludes that there will be negligible reduction in sunlight in adjacent dwellings, and an imperceptible reduction in sunlight in adjacent amenity spaces. The proposed development meets the recommendations for sunlight in the BRE guidelines BR209:2022 (third edition). The report includes shadow diagrams to support the conclusions.

3.0 Planning Authority Decision

3.1 The Planning Authority decided to grant permission subject to 8 conditions.

3.1.1. The conditions relate to the following:

1. Standard compliance including with Further Information
2. Development contribution
3. Finishes
4. Drainage requirements
5. Compliance with Codes of Practice – Roads, Streets & Traffic, Drainage, and Noise & Air Pollution
6. Requirements relating to debris, soil, and other material
7. Noise control
8. Hours of site and building works.

3.1.2. The Planning Report states that the site is zoned Z1 with the objective *to protect, provide and improve residential amenities*. The proposed development is permissible in principle under this zoning. There was one objection submission. There is no objection in principle to the demolition/modification of existing single-storey side garage and side garden shed. There is no objection in principle to the extension of the roof profile to an A gable. The applicant submitted a Daylight and Sunlight Assessment Report by way of Further Information, and this demonstrates that the proposed development will not have a significant negative impact on neighbouring property. The garden is of sufficient scale to accommodate a rear return of the height proposed, and the return will not overlook or be overbearing to

any property to the rear or side. The Drainage Report has no objection subject to conditions.

- 3.1.3 The Drainage report (following the submission of Further Information) has no objections subject to conditions.

4.0 Planning History

- 4.1 Reference 3507/01 – permission granted for demolition of existing garage and single-storey extension to side, development of attic conversion to habitable room, and construction of two-storey domestic extension to side and single-storey extension to rear.

5.0 Policy Context

5.1 Development Plan

- 5.1.1 The Dublin City Development Plan 2022-2028 is the current applicable plan for the area.

The site is in an area zoned Z1 with the objective *to protect, provide and improve residential amenities*.

Appendix 18 refers to Ancillary Residential Accommodation.

Section 1.0 refers to Residential Extensions.

Section 1.2 refers to Extension to Rear. It states that first floor rear extensions will only be permitted where the planning authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities.

Section 1.3 refers to Extensions to Side. It states 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. However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect. External finishes shall normally be in harmony with the existing.

5.3. Natural Heritage Designations

- North Dublin Bay SAC – c. 5.8km to South East
- North Bull Island SPA & pNHA – c. 5.8km to the South East
- South Dublin Bay & River Tolka Estuary SPA & pNHA – c. 3.4km to South South East.

6.0 EIA Screening

6.1 The proposal is for the demolition of domestic extensions and the construction of domestic extensions. 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 summarised as follows:

- The proposed extension is against Planning law. It should be at least 2m away from any boundary and the first floor must not exceed 12sqm for semi-detached houses. The proposed extension is on the boundary line and the proposed master bedroom is 24.7sqm.
- Windows above ground floor level are required to be at least 11m from the facing boundary, but the proposed front and rear windows of the adjacent extension are approx. 1m from the boundary between nos. 27 and 25.
- The proposal would totally block the view from the east facing window above the converted garage of No. 27.
- The first-floor window at the back of the proposed extension will overlook the garden of No. 27.
- The proposed extension is off-scale, out of character with previous extensions on Shanowen Drive, and would be destructive to the harmony and symmetry of the streetscape. It would be physically oppressive and visually overbearing to No. 27.

7.2. Applicant Response

7.2.1 This may be summarised as follows:

- The separation dimensions referred to relate to exempted development only, and do not apply to a development seeking planning permission.
- The main purpose of the window above the garage at No. 27 is to light the stairwell and landing area. It is not designed to provide a view. There will be no diminution in light that this window currently provides.
- The southerly orientation of the proposed window to the rear is in keeping with adjacent properties.
- The proposal is not out of character with the current established pattern of development and streetscape within the Shanowen Drive area.

7.3. Planning Authority Response

7.3.1 The Planning Authority requests that the Board uphold its decision, and request that a condition be applied to any grant requiring a Section 48 development contribution

7.4. Observations

7.4.1 None on file.

8.0 Assessment

8.1. The proposal is for the demolition of an existing single storey garage at the side, and single storey extensions to the side and rear, and to construct a two storey extension to the side and single and two storey extensions to the rear. Also, permission is sought for continuation of existing attic conversion with new window to the rear at attic level, and new velux roof window to front, and all associated site works.

8.1.1 By way of a Further Information submission, minor amendments were made to the rear roof profile without any reduction in height, and an attic window to the rear was removed. The gross floor area proposed is 102.48sqm, which more than doubles the existing gross floor area stated to be 100sqm.

- 8.2 The Planning Authority decided to grant permission for the development amended by way of Further Information, subject to 8 conditions.
- 8.3 There is a Third-Party appeal against the decision to grant. The grounds of appeal contend that the proposed extension is contrary to Planning law due to inadequate separation distances, obstruction of a view, overlooking, and the proposed development is visually overbearing and out of character with existing development in the area.
- 8.4 I consider that the key issues to be addressed in this appeal are as follows:
- Principle of development
 - Visual amenities
 - Residential amenities
 - Appropriate Assessment

Principle of Development

- 8.5 The site is in an area zoned Z1 with the objective *to protect, provide and improve residential amenities*. The proposal is for an extension to an existing residential property. As such, I consider that the proposed development is permissible in principle. The proposed development includes the demolition of a single storey garage and other structures, The structures proposed for demolition are not of any particular architectural importance, and their demolition is acceptable.

The separation restrictions referred to in the grounds of appeal relate to exempted development. The applicant is not claiming exempted development, and has submitted an application for planning permission for the development.

Visual Amenities

- 8.6 The proposed development would lead to an extension and alteration of the main roof profile westwards towards no.27. This would be the most visually prominent feature when seen from the public road. The front of the appeal premises is at an angle to the front elevation of No.27, as it is on a bend in Shanowen Drive. The roof profiles on other houses on Shanowen Drive vary. I consider that this element of the proposal is acceptable.

- 8.6.1 Where there is a single-storey garage on the western boundary with No.27, this would be replaced by a two-storey extension. I consider that this element of the proposed development would not be detrimental to the visual amenities of the area. The rear extension would extend into the large rear garden, and while prominent in its setting, would not be visually overbearing to adjoining neighbours.

Residential Amenities

- 8.7 The subject premises and the adjoining dwellings in this terrace front to the north west, whereas No.27 fronts to the north. The proposed two-storey side extension would adjoin the western site boundary, and would be set back from the front building line of adjoining No.27, and extend to the main rear line of No.27. Having regard to its extent and orientation, I consider that this element of the development would not give rise to any significant loss of residential amenity to adjoining property.
- 8.7.1 The appellants contend that the proposed development would totally block the existing view from the east facing window above the converted garage of No.27. I contend that there is no protected views across the subject site. The window referred to appears to give light to a stairs and landing and is not specifically a viewing window. In these circumstances, I consider that any loss to this private view would not be a reasonable ground for refusal.
- 8.7.2 The proposed two-storey extension to the rear would have a north west/south east orientation and is separated away from site boundaries. While prominent in the setting of the rear garden of the subject premises, I consider that this element of the proposed development would not be injurious to the residential property in the vicinity by reason of overbearing appearance, overshadowing or overlooking.
- 8.7.3 The appellants contend that the proposed first floor bedroom window next to the western site boundary would give rise to overlooking of the rear garden of No.27. Having regard to the proposed use as a bedroom of this section of the proposed development, I consider that the window would not give rise to significant loss of privacy to No.27.
- 8.7.4 The proposal includes the continuation of the existing attic conversion. I consider that this is acceptable. The Planning Authority decision is for this conversion with

the elimination of the upper window at roof level. This would give a three-storey appearance to the extension which would be out of character with the development in the area. I consider its elimination is reasonable.

The proposed development includes the provision of a velux rooflight to the front. I consider that this is acceptable.

9.0 AA Screening

- 9.1. The proposal is for the demolition of domestic extensions and the construction of domestic extensions. The development proposed is not of a Class for the purposes of Schedule 5. As such, the development is excluded at pre-screening stage.

10.0 Water Framework Directive

- 10.1. The subject site is located in an established residential area. The proposed development relates to demolition of domestic extensions, and the construction of domestic extensions. No water deterioration concerns are raised in the appeal. I have assessed the development in the context of the objectives of the Water Framework Directive. Having regard to the nature, scale, and location of the development, I am satisfied that it can be eliminated from further assessment as there is no conceivable risk to any surface and/or groundwater bodies either qualitatively or quantitatively.

11.0 Recommendation

- 11.1. I recommend that planning permission be granted.

12.0 Reasons and Considerations

Having regard to the nature and scale of development, the provisions of the Dublin City Development Plan 2022-2028, and the established pattern of development in the area, it is considered that, subject to the following conditions, the proposed development would be visually acceptable, would not be unduly injurious to the residential amenities of property in the vicinity by way of overlooking,

overshadowing, or obstruction of important views, and would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, as amended by the submission of Further Information received by the Planning Authority on 17.06.2025, save as may be required by any of the conditions attached.

Reason: In the interest of clarity.

2. External finishes shall be as indicated on the lodged drawings unless otherwise agreed with the Planning Authority in writing.

Reason: In the interest of visual and residential amenities.

3. 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.

Reason: To protect the amenities of the area and in the interests of public safety.

4. Foul and surface water drainage arrangements shall be to the requirements of the Planning Authority.

Reason: In the interest of public health.

5. The site and building works required to implement the development shall only be carried out between the following hours:

Monday to Friday – 8.00am to 6.00pm

Saturday – 8.00am to 2.00pm

Sundays and Public Holidays – no activity

Any deviation from the hours shall be subject to the advance written agreement of the Planning Authority.

Reason: In the interest of residential amenity.

6. The developer shall pay a financial contribution to the Planning Authority as a contribution that was and/or is proposed to be incurred by the Planning Authority in respect of public infrastructure and facilities benefiting development in the administrative area of the Authority in accordance with Dublin City Council's Section 48 Development Contribution Scheme. The contribution is payable on commencement of development. If prior to commencement of development an indexation increase is applied to the current Development Contribution Scheme or if a new Section 48 Development Contribution Scheme is made, the contribution payable shall be adjusted accordingly.

Details of any phased payment of the contribution shall be agreed with the Planning Authority in writing in advance of the commencement of development.

Reason: It is considered reasonable that the payment of a development contribution should be made in respect of the public infrastructure and facilities benefiting development in the administrative area of the Local Authority.

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.

Des Johnson
Planning Inspector

XX October 2025

Form 1
EIA Pre-Screening

An Coimisiún Pleanála Case Reference	323122-25		
Proposed Development Summary	Demolition of domestic extensions and construction of domestic extensions.		
Development Address	25, Shanowen Drive, Santry, Dublin 9, D09 C592.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		YES	Yes
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes			
No	No		
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			
No			
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes			

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

Inspector: _____

Date: _____