



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-323364-25

### Development

PROTECTED STRUCTURE:

Alteration, renovation, and extension of house with associated internal and external works.

### Location

Rossmore, 16 Corrig Avenue, Dun Laoghaire, Dublin, A96 W206

### Planning Authority

Dun Laoghaire Rathdown County Council

### Planning Authority Reg. Ref.

D25A/0407/WEB

### Applicant(s)

Emma Delaney and Jack O'Reilly

### Type of Application

Permission

### Planning Authority Decision

Grant

### Type of Appeal

Third Party Appeal

### Appellant(s)

Francis Eamon O'Neill and Jane O'Neill

### Observer(s)

None.

### Date of Site Inspection

13<sup>th</sup> October 2025

**Inspector**

Carol Smyth

## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 0.081 ha and is located within the administrative area of Dun Laoghaire Rathdown County Council. The site is positioned on the west side of Corrig Avenue. The street runs on a north-south axis and slopes down towards George's Street Upper.
- 1.2. Corrig Avenue largely comprises a mix of period properties and some more recently constructed semi-detached dwellings.
- 1.3. The subject site contains a single storey over basement semi-detached rendered house, which is a Protected Structure. The dwelling is setback from the street with vehicular access and off-street car parking.
- 1.4. The site is bounded by similarly scaled residential property to the north and south which are also protected structures. Northumberland Close runs along the rear of the property which provides access to a mews development constructed to the rear of the properties on Northumberland Avenue.

## **2.0 Proposed Development**

- 2.1. Permission is sought for alterations, renovations, and extension of the existing semi-detached two-storey house which is a protected structure. The proposed works include;
  - Demolition of the existing non-original single storey extensions to the rear & side of the original structure.
  - Construction of a new 18 sqm two-storey extension & a new 49 sqm single-storey extension featuring a canopy overhang & external chimney, all to the rear of the existing structure.
  - Addition of 3 new window openings to the side of the original dwelling.
  - Modifications to the original structure to allow for the new layout & extensions including:
    - Widening of two original window openings at the rear at upper ground floor level to provide access to the new rear single storey extension.

- Forming of two new doorway openings, one at upper ground floor level & one at upper first floor level to provide access to the new rear two storey extension.
  - Removal of original internal walls and two existing internal doors at upper ground floor level to accommodate new hall layout & visit-able WC.
  - Removal of section of wall to hallway at lower ground floor level., -
  - Blocking up of original internal door at upper first floor level forming of new internal doorway with the re-use of the original architrave and internal door in the new opening.
- Modifications of the existing Front Porch to remove the non-original glazing & porch door with repair & restoration of existing front door.
  - New replacement external timber door to lower ground floor front entrance.
  - Refurbishment of an existing retained original sash window along with replacement of non-original aluminium windows in original openings with new replacement timber framed windows throughout the existing building.
  - Repair & restoration of the existing main slate roof & cast-iron rainwater goods; Provision of breathable thermal insulation to the interior of existing external walls at Lower Ground Floor Level.
  - Provision for Solar Panels to the valley roof slope.
  - External works to include repair and restoration of cast iron railings & granite to front entrance steps.
  - All along with associated general restoration & decoration works, site works, services & landscaping.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Dun Laoghaire-Rathdown County Council issued a notification of decision to Grant Permission on the 16<sup>th</sup> July 2025.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The Planners report recommendation is consistent with the notification decision issued.

3.2.2. The Report considered that the proposal would not adversely impact on the residential amenity of adjacent properties by overshadowing, overlooking or overbearing appearance. The report also considered that the proposal would not detract from the character of the protected structure or the surrounding area.

#### 3.2.3. Other Technical Reports

- Transport Report

No objection subject to standard conditions relating to the public road.

- Drainage Report:

No objection subject to conditions relating to surface water runoff and SuDs.

- Conservation Division Report:

No objection subject to condition to omit the solar panels from the front roof pitch and standard conditions relating to the engagement of a conservation accredited architect to oversee and monitor the works.

The Planners report noted that the solar panels are on the internal roof valley of the hip and valley roof and are not on the front elevation as stated in the Conservation Division report. The condition relating to the omission of the solar panels was therefore not included in the grant of permission.

### 3.3. Prescribed Bodies

None received.

### 3.4. Third Party Observations

Two submissions were received in relation to the planning application.

The issues raised in relation to the planning application also form third party observations and are addressed below in Section 7.

## 4.0 Planning History

4.1. There is no recent relevant planning history relating to the subject site.

4.2. The following planning history relates to an adjacent property.

- D20A/0433: 18B, Corrig Avenue

Permission granted for the demolition of shed to rear and replacement with 25sqm detached habitable room; erection of a 21.5sqm single storey extension to rear of house with a new 8sqm covered side store passage; and attic conversion of 18.5sqm with the addition of two dormer windows of front and rear roof slope of house; and widening of existing driveway to front of house accessing Corrig Avenue, along with all associated site works.

## 5.0 Policy Context

### 5.1. Development Plan

- 5.1.1. The site is governed by the policy and objectives of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 (referred to hereafter as the Development Plan). The site is zoned 'A' with the objective to provide residential development and improve residential amenity while protecting existing residential amenities. Residential development is listed within the 'Permitted in Principle' category of this zoning objective.
- 5.1.2. The subject site is also situated within the boundary of the proposed Dun Laoghaire and Environs Local Area Plan (LAP) and is identified in Table 2.16: Local Area Plan-Making Programme of the Development Plan with an objective to prepare a new LAP.
- 5.1.3. The site is a Protected Structure and listed on the Record of Protected Structures (RPS) Ref: 1001. Policy Objective HER 8 of the Development Plan seeks to protect the character and special interest of Protected Structures against any works that would negatively impact their distinctive character and appearance.
- 5.1.4. Chapter 11 Heritage and Conservation, includes specific objectives and guidance relating to the protection of the County's heritage under the headings of

archaeological heritage, architectural heritage, and countywide heritage (which includes the DLR Heritage Plan).

- 5.1.5. Section 12.3.7.1 provides development standards for extensions and alterations to dwellings.
- 5.1.6. Section 12.11.2.1 Works to a Protected Structure, provides guidance in relation to works to protected structures including extensions, alterations and change of use etc.

## **5.2. Natural Heritage Designations**

The site is situated approximately 1.26 km to the southwest of the South Dublin Bay and River Tolka Estuary SPA and 2.94 km west of the Rockabill to Dalkey Island SAC, and approximately 520 metres to the southwest of the Dalkey Coastal Zone and Killiney Hill proposed NHA.

## **5.3. EIA Screening**

See EIA Pre-Screening Form 1 in Appendix 1. The development is not a class of development requiring mandatory or sub-threshold EIA and therefore there is no EIA Screening requirement.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

This is a third-party appeal against the Planning Authority's decision to grant permission for the extension and alterations to a protected structure at Rossmore, No. 16 Corrib Avenue, Dun Laoghaire. The following provides a summary of the grounds of appeal.

- The proposal will have a negative impact on the character of the protected structure and adjoining protected structures in terms of loss of legibility and form to the rear. The proposal is contrary to Policy Objective HER 8 and 12.11.2.1 Works to a Protected Structure where full width extensions are not normally permitted.

- The proposed extension is over scaled. The first-floor infill element of the extension should be omitted and the extended canopy area along the boundary with No. 17 Corrib Avenue should also be omitted.
- The proposal will have a negative impact on adjoining residential amenity at No. 17 Corrig Avenue in terms of overbearance and will negatively impact on the courtyard to the rear of No. 17 Corrig Avenue.
- The proposed rear garden chimney and external living space will intensify the use of this space and create an outdoor living space which will cause a significant nuisance and a health hazard to the adjoining property at No. 17 Corrig Avenue. The chimney and extended canopy should therefore be omitted from the development.
- The submitted drawings are inaccurate, and the survey drawings are incomplete. There is no accurate section drawing showing the impact of the development on the neighbouring property.

## 6.2. **Applicant Response**

- The heritage value of the protected structure and best conservation practices have been carefully considered in developing the design proposals which are sensitive and complementary to the protected structure. The development will not have a negative impact on the character of the protected structures. The proposal is supported by the Planning Authority.
- The extension has been carefully designed to accommodate modern functions while minimising the intervention to the protected structure. The scale of the extension is considered appropriate and is supported by the Planning Authority.
- Reducing the scale of the extension would compromise the layout of the proposal.
- The appellant has a significant non-original addition along the mutual boundary wall.
- The first-floor extension has minimal impact on No. 17 Corrib Avenue. The proposal will not overlook or overshadow No. 17 Corrib Avenue and is supported by the Planning Authority.



- Chimneys, barbeques, pizza ovens and covered areas such as canopies and pergolas are typical features of residential gardens and are generally exempt from planning permission.

### **6.3. Planning Authority Response**

The grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority would justify a change in attitude to the proposed development.

## **7.0 Assessment**

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

- Adjoining Residential Amenity
- Impact on the Character of the Protected Structures
- Other Matters

### **7.2. Adjoining Residential Amenity**

7.2.1. The Third Party contends that the proposed development will negatively impact upon the residential amenity of the adjoining property in terms of overbearance and nuisance. The grounds of appeal relate to the overbearing nature of the two-storey extension on the adjoining property to the south No. 17 Corrib Avenue. In addition, the Third Party considers that the external canopy structure and outdoor chimney will result in the intensification of the use of the rear garden of the property and will cause a noise nuisance and that the smoke generated from the outdoor chimney will result in a health hazard. The Third-Party requests that the development be either refused or that the first-floor element of the two-storey side extension be omitted with the ground floor element conditioned to comprise a flat roof. The Third Party also requests that the external canopy and outdoor chimney also be omitted.

- 7.2.2. In response to the Third Party appeal the First Party states that reducing the scale of the extension would compromise the layout of the proposal and that the first-floor extension has minimal impact on No. 17 Corrib Avenue. In relation to the external canopy and outdoor chimney the First Party states that chimneys, barbeques, pizza ovens and covered areas such as canopies and pergolas are typical features of residential gardens and are generally exempt from planning permission.
- 7.2.3. The Planning Authority concluded that the proposal would not negatively impact on adjoining residential amenity and granted permission for the proposal.
- 7.2.4. The proposed development comprises a single storey rear extension and a two-storey rear extension. The two-storey extension, which forms part of the grounds of appeal, is positioned to the south of the existing dwelling and is setback circa 610mm from the primary rear elevation of the dwelling and aligns with the mutual side boundary wall with No. 17 Corrib Avenue. The extension matches the eaves height and roof profile of the existing roof structure with the ridge height set down circa 270mm below the ridge of the main roof structure and is 4.3 metres in length along the mutual boundary.
- 7.2.5. Section 12.3.7: Additional Accommodation in Existing Built-Up Areas, of the Development Plan, states that 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 amenities.
- 7.2.6. After visiting the site and having regard to the grounds of appeal and to the scale and mass of the two-storey extension and the aspect of the proposal to the north of No. 17 Corrib Avenue, I am satisfied that any impacts are in line with what might be expected in an established residential area such as this. Having regard to the setback from the rear building line, the lower ridge height and the length of the two-storey rear extension, I consider that the proposal, as submitted to the Planning Authority, is of a scale, height and mass appropriate to the location and context of the site. I am satisfied with the proximity to boundaries proposed in the application to the Planning Authority and I consider that the proposed two storey extension will

not be directly visible from the adjoining property. I therefore consider that the proposed works would not unduly overbear adjoining properties.

7.2.7. The external canopy structure, which also forms part of the Third-Party grounds of appeal, extends from the rear of the single storey extension and spans the full width of the site, with an overall height of 2.9 metres. The canopy structure steps outwards, increasing in depth towards the northern side of the site, to form a partially covered seating area, which also comprises an outdoor chimney along the mutual side boundary with No. 15 Corrib Avenue. I note that where the external canopy adjoins the mutual side boundary with the appellant's property, No. 17 Corrib Avenue, it is just 1.2 metres in width and is offset 6.5 metres from the rear of the proposed two storey extension. I also note that the outdoor chimney is situated a substantial distance of 13.8 metres from the mutual side boundary with No. 17 Corrib Avenue. Therefore, I do not consider that the canopy would appear overbearing in relation the appellant's property No. 17 Corrib Avenue.

7.2.8. Furthermore, I consider the proposed external canopy structure, outdoor chimney and external seating areas to be typical garden features and would not result in an intensity of use other than the ancillary use of the garden by the residents of the dwelling. I therefore do not consider that the proposal as submitted to the Planning Authority would negatively impact on adjoining residential amenity in terms of nuisance or a health risk.

7.2.9. Overall, I am satisfied that the proposal would not negatively impact upon adjoining residential amenity and is in keeping with the policies of the Development Plan.

### **7.3. Impact on the Character of the Protected Structures**

7.3.1. The Third Party contends that the proposal is overscaled and will result in a loss of legibility and form to the rear of the dwelling. In addition, the Third Party considers that the proposal will have a negative visual impact on the character and setting of the pair of protected structures when viewed from the rear. The Third Party considers the proposal to be contrary Policy Objective HER 8 and Section 12.11.2.1: Work to a Protected Structure, of the Development Plan, which states that full width extensions are not normally permitted.

7.3.2. In response to the Third-Party grounds of appeal, the First Party states that the protected structure status of the dwelling and best conservation practices was

considered in developing the design proposals. The First Party considers that the development is sensitive and complementary to the dwelling and will not negatively impact on the character of the protected structure. The First Party further states that the extension has been carefully designed to minimise the intervention to the protected structure while accommodating the modern functions of family living.

- 7.3.3. The Planning Authority and its Conservation Division considered that the scale, massing and height of the single storey extension was acceptable and would not visually over-power or detract from the Protected Structure. The Planning Authority further considered that the proposed two-storey extension to the rear, which has a lower ridge height and is set back from the building line of the Protected Structure, is also acceptable and reduces any impacts on the Protected Structure. The proposal was considered to accord with the provisions of Policy Objective HER 8 in relation to works to protected structures.
- 7.3.4. In terms of policy and guidance, Policy Objective HER8 of the Development Plan, seeks to protect buildings listed on the Record of Protected Structures from any works that would negatively impact their special character and appearance. Section 12.11.2.1: Works to a Protected Structure, of the Development Plan further states that appropriately scaled extensions should complement and be subsidiary to the main structure, should be positioned to the rear and that full width extension will normally not be permitted where the composition and form of the elevation is negatively impacted upon.
- 7.3.5. Having regard to the height, mass and position of the rear two storey which is setback from the rear building line and has a lower ridge height than the main structure, and the single storey extension, which comprises a flat roof with a maximum overall height of 3.35 metres, I consider that the extensions are subordinate to the Protected Structure in terms of scale. In addition, in terms of materiality I am satisfied that the uses of contemporary finishes such as the proposed metal standing seam roof, and brick finish differentiates between the new and the old and in this regard adheres to best conservation practice when extending Protected Structures. I therefore consider that the proposal will not detract from the significance of the Protected Structure.

7.3.6. Furthermore, having regard to the layout and position of the two-storey rear extension which is setback from the primary rear building line of the main structure, I do not consider that the proposal spans the full width of the dwelling. I am therefore satisfied that the proposal will not have a negative visual impact on the Protected Structure. Furthermore, having regard to the scale and mass of the extensions I do not consider that the proposal would negatively impact on the composition of the pair of semi-detached Protected Structures and therefore accords with the policies of the Development Plan.

#### **7.4. Other Matters**

7.4.1. Third Party grounds of appeal refer to inaccuracies in the drawings submitted and incomplete survey drawings. In particular the grounds of appeal refer to the section drawing which does not indicate the impact of the development on the neighbouring property.

7.4.2. I note that the lower ground floor level height has been indicated on the existing and proposed rear elevations. Therefore, I do not consider that a further section drawing through the proposed two-storey extension and the adjoining property, No. 17 Corrib Avenue would materially affect my assessment.

### **8.0 AA Screening**

8.1. The proposed development comprises the extension and alterations to a domestic dwelling in an established suburban area. No nature conservation concerns were raised in the planning appeal.

8.2. Having considered the nature, small scale and location of the project, and taking account of the screening determination of the Planning Authority, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.

8.3. 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. Appropriate Assessment, therefore, is not required.

## 9.0 Water Framework Directive

- 9.1. Having regard to the modest nature and scale of the proposed development, it is concluded 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

I recommend permission be GRANTED subject to conditions.

## 11.0 Reasons and Considerations

Having regard to the land use zoning objective 'A' for the site, and Development Plan policy, including Policy Objective HER 8 Works to Protected Structures, Section 12.3.7: Additional Accommodation in Existing Built-Up Areas and Section 12.12.11.2.1 Works to a Protected Structure, and to the design, aspect, location and scale of the proposed development, I consider that subject to compliance with conditions below, that the proposed development would not seriously injure the adjoining residential amenity or the character of the protected structure or adjoining protected structures. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.</p> <p><b>Reason:</b> To clarify the plans and particulars for which permission is granted.</p>
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2.	<p>Prior to the commencement of development on the Protected Structure the developer shall submit for the written agreement of the planning authority confirmation that:</p> <p>a) The development will be monitored by a suitably qualified architect with conservation expertise and accreditation and,</p> <p>b) Competent site supervision, project management and crafts personnel will be engaged, suitably qualified and experienced in conservation works.</p> <p><b>Reason:</b> In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity and to ensure an appropriate high standard of development.</p>
4.	<p>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.</p> <p><b>Reason:</b> To prevent flooding and in the interests of sustainable drainage.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 07:00 to 19:00 Mondays to Friday inclusive, between 08:00 to 14:00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the</p>

	<p>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.</p> <p><b>Reason:</b> 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.</p>
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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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Carol Smyth  
Planning Inspector

7<sup>th</sup> November 2025



### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323364-25
<b>Proposed Development Summary</b>	PROTECTED STRUCTURE: Alteration, renovation, and extension of house with associated internal and external works.
<b>Development Address</b>	Rossmore, 16 Corrig Avenue, Dun Laoghaire, Dublin, A96 W206
	<b>In all cases check box /or leave blank</b>
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.  <input checked="" type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road	

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

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

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