



An  
Coimisiún  
Pleanála

## Inspector's Report

### ACP-323386-25

#### Development

The construction part two storey extension and a new single storey extension to the rear of the house. A single storey recreational and home office garden room. New pedestrian entrance. Widening the vehicular entrance at the front of the house and all associated site works.

#### Location

139 The Stiles Road, Clontarf, Dublin 3, D03W6W8

#### Planning Authority

Dublin City Council North

#### Planning Authority Reg. Ref.

3164/25

#### Applicant(s)

Rory Maginn and Clíodhna O'Carroll

#### Type of Application

Permission

#### Planning Authority Decision

Grant Permission

#### Type of Appeal

Third Party

#### Appellant(s)

Ita and Claire Tighe

#### Observer(s)

None

**Date of Site Inspection**

22<sup>nd</sup> October 2025

**Inspector**

Elaine Power

## Contents

1.0 Site Location and Description .....	4
2.0 Proposed Development .....	4
3.0 Planning Authority Decision .....	4
3.1. Decision .....	4
3.2. Planning Authority Reports .....	5
3.3. Prescribed Bodies .....	5
3.4. Third Party Observations .....	5
4.0 Planning History.....	6
5.0 Policy Context.....	6
5.1. Dublin City Development Plan 2022-2028 .....	6
5.2. Natural Heritage Designations .....	7
5.3. EIA Screening .....	7
6.0 The Appeal .....	7
6.1. Grounds of Appeal .....	7
6.2. Applicant Response .....	9
6.3. Planning Authority Response.....	10
6.4. Observations.....	10
6.5. Further Responses .....	11
7.0 Assessment.....	11
8.0 Water Framework Directive (Screening).....	19
9.0 AA Screening.....	20
10.0 Recommendation .....	20
11.0 Reasons and Considerations.....	20
12.0 Conditions .....	20
Appendix 1: Form 1 - EIA Pre-Screening	

## **1.0 Site Location and Description**

- 1.1. The appeal site is located at 139 The Stiles Road, Clontarf, Dublin 3. It has a stated area of 374sqm and accommodates a semi-detached 2-storey house with a single storey garage to the side and an existing single storey extension to the rear accommodating a kitchen and conservatory. The house has a hipped roof profile. The front façade of the house is predominately red brick with a double bay window. The existing dwelling has a stated floor area of c. 140m. There is an existing driveway to the front and private open space to the rear. The site is bound to the rear by a laneway. The appeal site is located in the centre of a row of semi-detached houses with garages fronting onto The Stiles Road. The surrounding area is suburban in nature.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises the demolition of the existing single storey garage to the side of the house, the existing chimney to the side of the house, the existing single storey extension to the rear and side of the house and the existing single storey rear garden shed and the construction of a new part single storey, part two storey extension to the side of the house and a new single storey extension to the rear of the house and alterations to the first floor landing window.
- 2.2. The proposed development includes the construction of a new single storey recreational and home office garden room in the rear garden
- 2.3. The proposed development also includes the formation of a new pedestrian entrance in the existing rear boundary wall from the rear garden to the rear laneway, the widening the vehicular entrance at the front of the house and all ancillary works to facilitate the development.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Permission was granted subject to 8 no. standard conditions.

### 3.2. Planning Authority Reports

#### 3.2.1. *Planning Reports*

The initial Planners report dated 6<sup>th</sup> June 2025 raised some concerns regarding the proposed development and recommended that 2 no. items of further information be sought. These are summarised below.

1. Submit a surface water management plan, including drawings.
2. Clarify the need for the size of the garden room and provide details of its intended use. The applicant should consider a reduction in the scale of the structure to ensure it does not overbear or overshadow the rear garden of neighbouring houses.

The Planners report dated 17<sup>th</sup> July 2025 considered that all items of further information had been adequately addressed and recommended that permission be granted subject to 8 no. standard conditions.

#### 3.2.2. *Other Technical Reports*

Drainage Division: Report dated 26<sup>th</sup> May 2025 recommended that further information be sought regarding surface water management. This item was included in the Planning Authority's request for further information.

Report dated 16<sup>th</sup> July 2025 raised no objection subject to conditions.

Transportation Planning Division: Report dated 26<sup>th</sup> May 2025 raised no concerns subject to conditions.

### 3.3. Prescribed Bodies

None

### 3.4. Third Party Observations

Three observations were received by the Planning Authority. The concerns raised are similar to those summarised in the appeal below.

## 4.0 Planning History

### ***Appeal Site***

None

### ***Surrounding Sites***

There are a large number of planning applications and appeals relating to residential extensions and alterations on The Stiles Road and the surrounding streets. The most relevant and recent are outlined below.

ABP-311384-21, Reg. Ref. WEB1354/21: Permission was granted in 2022 to demolish the existing extension, convert the existing garage to habitable space, construct a side and rear extension, widen the existing vehicular entrance and provide a new pedestrian gate onto the rear laneway at 105 The Stiles Road.

ABP-307054-20, Reg. Ref. 2158/20: Permission was granted in 2020 for a single storey side extension and attic conversion with dormer window to the rear at 135 The Stiles Road.

ABP-304371-19, Reg. Ref. WEB1072/19: Permission was granted in 2019 for a single and two-storey side and rear extension, replacement windows, doors and garage roof and widening of vehicular access at 109 The Stiles Road.

## 5.0 Policy Context

### 5.1. Dublin City Development Plan 2022-2028

The appeal site is zoned Z1: Sustainable Residential Neighbourhoods, with the associated land use objective *to protect, provide and improve residential amenities*.

Appendix 18 of the Development Plan is considered relevant. Section 1.0 out guidance for residential extensions with regard to General Design Principles, Extensions to the rear, Extensions to the Side, Privacy and Amenity, Daylight and Sunlight and Appearance and Materials. Section 2.0 sets out guidance with regard to detached habitable rooms.

## 5.2. **Natural Heritage Designations**

The proposed development is not located within or immediately adjacent to any European Site.

## 5.3. **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 (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Please refer to Form 1 in Appendix 1 of report.

## 6.0 **The Appeal**

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

The main planning grounds of the third-party appeal are summarised below.

#### ***Principle of Development***

- The proposed development is contrary to the sites Z1 zoning objective.
- While there are a small number of garden buildings in the wider area each development must be assessed on its merit having regard to the site context.

#### ***Design Approach***

- The proposed development due to its scale and height would negatively impact on the existing residential amenity of the appellants adjoining property with regard to overshadowing and overbearing impact.
- The proposed development would be visually incongruous when viewed from the appellants property.
- The proposed extension should match the projection of the appellants existing single storey rear extension.

- The garden room is c. 35sqm and is the size of a studio apartment, as set out in the Apartment Guidelines. Concerns that the garden room could be used as a separate domestic dwelling or non-residential use.
- The size of the extension in combination with the garden room is excessive and constitutes overdevelopment of the site.
- The extension is contrary to the guidance set out in Appendix 18 Section 1.0. in particular Section 1.1 General Design, Section 1.2 Rear Extensions, Section 1.4 Privacy and Amenity, Section 1.5 Separation Distances, Section 1.6 Daylight and Sunlight and Section 1.7 Appearance and Materials.
- The garden room does not comply with the guidance set out in Appendix 18 Section 2.0 Detached Habitable Rooms, as its future use is unclear, it has a separate access, and its size exceeds that of a playroom or home office.
- A rationale for the rear gate is not provided.
- A condition is required to ensure that the garden room is ancillary to the house.
- To prevent overdevelopment of the site a condition is required that no further exempt development can be carried within the site, out without a grant of permission.
- The proposed development would devalue the appellants property.

#### *Drainage*

- Concerns that surface water run off from the appeal site would negatively impact on the appellants adjoining property.

#### *Other issues*

- The ground levels are not shown on the drawings submitted. These are required to fully assess the impact of the height of the proposed structures.
- It is unclear how the eastern elevation can be constructed, maintained and finished without encroaching or oversailing the appellants property. No permission has been given by the appellant in this regard.
- The appellant has not given permission for the proposed construction works to occur



## 6.2. Applicant Response

The applicant's response includes 7 no Appendices (A-G). The main planning grounds of the applicant's response to the appeal are summarised below.

### *Principle of Development*

- The proposed development fully complies with the sits Z1 zoning objective and relevant provisions of the Development Plan.
- There is already precedent for similar types of development.
- It is considered that the appeal should be dismissed as it is without substance, without legal basis, speculative and unsubstantiated, made to delay the development and having the effect of delaying essential safety works.

### *Design Approach*

- The works would replace unsafe and deteriorating structures. The chimney poses a risk of collapse which requires urgent intervention and the garage roof is leaking over the main electrical panel. Appendix F includes an extract from a surveyors report which notes that the chimney needs to be removed or rebuilt and that the garage roof needs extensive repair works or replacement. Internal photos of the garage roof and external photos of the chimney are provided in Appendix D and E.
- The proposed development was designed with regard to the impact on neighbouring properties. The original design was reduced in size following consultation with the appellant. The original design concept is attached as Appendix A.
- The height of the garden room was reduced by way of further information from 3m to 2.75m. It was also reduced by c. 5sqm and relocated c. 0.75m from the boundary with the appellant.
- The scale of the development is modest having regard to comparable nearby developments permitted and built. Appendix C provides a list of properties on The Stiles Road which have similar extensions. Appendix D provides a list of properties on The Stiles Road and St. Lawrence Road which have similar garden rooms.

- The majority of the proposed building is single storey in height. Any impact would be limited by the existing 2m high wall between the appeal site and the appellants property.
- The proposed development would not result in overshadowing or overbearing impact.
- The footprint of the proposed development is within site coverage and plot ratio standards and would not result in overdevelopment of the site.
- Over 100sqm of rear private open space would be retained. This is in excess of Development Plan standards.
- The garden room is for ancillary purposes only. The applicant is happy to accept a condition in this regard.
- The gate onto the laneway would provide for bike access, removal of garden waste, maintenance, large deliveries etc. The proposed development would remove the existing side access from the front of the property.
- Construction phase issues are adequately addressed by standard conditions.
- The appellant provided contradictory commentary as the appeal states that the local estate agent stated that the valuation would not be negatively impacted given the location. The subject site has recently been valued, and the site has increased in value in the past year due to high demand and price trends.

#### *Drainage*

- Surface water drainage proposals were assessed and approved by the Drainage Division of Dublin City Council.

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

The Planning Authority request that the decision to grant permission is upheld. If permission is being granted it is requested that a Section 48 financial contribution condition be attached.

### **6.4. Observations**

None

## 6.5. Further Responses

None

## 7.0 Assessment

7.1. Having examined the appeal details and all other documentation on file, including the observations received in relation to the appeal, and inspected the site, and having regard to relevant policies and guidance, I consider that the main issues in this appeal are as follows:

- Principle of Development
- Design Approach
- Drainage
- Other Issues

7.2. In the interest of clarity my assessment relates to the scheme as submitted by way of further information, with reference to the original design and layout where appropriate.

### 7.3. *Principle of Development*

7.3.1. The subject site is zoned Z1 with the associated land use objective to protect, provide and improve residential amenities. Residential is a permissible use on lands zoned Z1. Therefore, the proposed development is considered in accordance with the zoning objective and should be assessed on its merits.

### 7.4. *Design Approach*

7.4.1. The subject site currently accommodates a semi-detached dwelling with a single storey garage to the side and a single storey rear extension. The existing house has a stated area of 140sqm. The proposed development comprises the demolition of the existing single storey garage to the side of the house, the existing chimney to the side of the house, the existing single storey extension to the rear and side of the house and the existing single storey rear garden shed, the construction of a new part single storey, part two storey extension to the side of the house and a new single storey extension to the rear of the house and alterations to the first floor landing window. The works would result in a dwelling with a total gross floor area of 150.5sqm.

### Demolition Works

- 7.4.2. It is proposed to demolish an existing single storey garage (12.5sqm) to the side of the house, the existing chimney to the side of the house, the existing single storey extension (c. 29.5sqm) to the rear and side of the house and the existing single storey rear garden shed (2.25sqm). The structures to be demolished have a stated area of 44.25 sqm. The response to the appeal notes that the chimney poses a risk of collapse which requires urgent intervention and the garage roof is leaking over the main electrical panel. Extracts from the applicant's surveyors report are provided in Appendix F of the response to the appeal. Having regard to the information submitted and having carried out a site visit on the 22<sup>nd</sup> October 2025 it is my opinion that the structures to be demolished are of no architectural merit, and that the existing chimney and garden are a health and safety risk. Therefore, I have no objection to their demolition. It is noted that no objection to the demolition of existing structures was raised by the Planning Authority or the third party.

### Rear and Side Extensions

- 7.4.3. As noted above it is proposed to demolish the existing garage (c. 12.5sqm) to the side of the existing house and demolish a rear and side extension (c. 29.5sqm) and construct a part single storey and part 2-storey side extension. The ground floor of the proposed side extension would accommodate a study, utility room and part of the proposed new kitchen which also forms part of the rear extension. The first-floor side extension would accommodate a single bedroom (8.8sqm). To facilitate the side extension it is also proposed to slightly alter the size and position of the first-floor landing window. The third party raised concerns that the proposed extension is contrary to the guidance set out in Section 1.0 Appendix 18 of the Development Plan.
- 7.4.4. Section 1.0 of Appendix 18 of the Development Plan provides guidance for Residential extensions with regard to general design principles, extensions to the rear, extensions to the side, privacy and amenity, daylight and sunlight and appearance and materials.

### Rear Extension

- 7.4.5. Section 1.2 of Appendix 18 states that *ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the*

*main house*. The existing single storey rear extension is c. 7.7m in width by c. 3.3m in depth with a gross floor area of c. 25.5sqm. It sits at the site's boundary with no. 137 The Stiles Road and is located c. 0.9m from the boundary with no. 141 The Stiles Road. It is proposed to demolish this existing extension and construct a new single storey rear extension which would connect to the proposed side extension and would accommodate part of the new a kitchen / living / dining room area. The rear extension extends the full width (c. 8.6m) of the site and sits at the boundary with both no. 137 and no. 141. The depth of the rear extension varies from c. 2.5m at the site's boundary with no. 141 The Stiles Road to 4.7m at its boundary with no. 137 The Stiles Road. It has a flat roof with a maximum height of c. 3.2m. The rear extension would be finished in render, to match the existing rear elevation. In response to the appeal that applicant notes that in excess of c. 100sqm of private open space would be retained in the rear garden.

- 7.4.6. The third party raised concerns that the single storey rear extension would overshadow their adjoining property. Section 1.5 of Appendix 18 states that *large single or two-storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses*. The proposed single storey rear extension would extend c. 1.5m beyond the rear building line of the existing rear extension and c. 1.5m beyond the existing rear single storey extension at the appellants property. Given the relatively limited height (3.3m) of the proposed residential extension, I am satisfied that it would not result in overshadowing of any existing residential dwellings, and a technical assessment of daylight, sunlight and overshadowing performance is not necessary in this instance.
- 7.4.7. With regard to overbearing impact, it is noted that the higher elements of the extension would be visible from the appellants house and garden. However, given the relatively limited height and size of the proposed development and the existing 2m high boundary wall I am satisfied that it would not result in an overbearing impact.
- 7.4.8. Section 1.4 of Appendix 18 states that extensions should not result in any significant loss of privacy to the residents of adjoining properties. The proposed rear extension does not incorporate any windows on the side elevations and, therefore, would not result in any undue overlooking of neighbouring properties.

- 7.4.9. Given the relatively limited size, the design and the external finishes of the proposed single storey rear extension I am satisfied that it is in accordance with the provisions of Appendix 18 of the Development Plan and would not negatively impact on the visual amenities of the area or on residential amenities of the adjacent properties.

#### *Side Extension*

- 7.4.10. Section 1.3 of Appendix 18 notes 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*. The ground floor side extension is c. 2.5m in width by 8.8m in depth and sits at the site's southern boundary with an existing single storey garage at no. 141 The Stiles Road. The side extension is in a similar location to the existing single storey garage and side extension to be demolished. The single storey element of the side extension has a flat roof with a maximum height of 3.3m. It projects c. 0.4m beyond the front building line of the house, which is the established building line of the existing garage to be demolished and the building line of the existing garage at no. 141 The Stiles Road.
- 7.4.11. Section 1.3 of Appendix 18 also states that *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*. The 2-storey element of the side extension is c. 2.5m in width by c. 4.5m in depth and also sits at the site southern boundary with no. 141 The Stiles Road. It is set back c. 4.4m from the front building line and has a hipped roof profile with a maximum height of c. 7m and sits c. 1.4m below the ridge of the original roof. I am satisfied that adequate consideration has been given to the design and layout of the side extension and that it would be subordinate to the original house.
- 7.4.12. The proposed side extension does not incorporate any windows on the side elevations and, therefore, would not result in any undue overlooking of neighbouring properties.
- 7.4.13. Given the relatively limited size, the design and the external finishes of the proposed side extension, the existing garage (to be demolished) and the established pattern of development on The Stiles Road, I am satisfied that it is in accordance with the

provisions of Appendix 18 of the Development Plan and would not negatively impact on the visual amenities of the area or on residential amenities of the adjacent properties. It was also noted during my site visit that a number of properties along The Stiles Road have converted the original side garage to habitable space and / or constructed a first-floor side extension.

### *Materials*

- 7.4.14. Section 1.3 and Section 1.7 of Appendix 18 further notes that external finishes shall complement the existing building. It is proposed that the front elevation of the single storey element, which sits at the front building line would be finished in brick, similar to the existing external finish of the house and the first-floor side extension would be finished in render. I am satisfied that the external materials would harmonise with the existing house and have no concerns in this regard.

### *Conclusion*

- 7.4.15. In conclusion, while the concerns of the third party are noted I am satisfied that the proposed side and rear house extensions would result in a high quality development which is in accordance with the provisions of Section 1.0 of Appendix 18 of the Development Plan as it would not have an adverse impact on the scale and character of the existing dwelling, would not adversely affect existing visual amenities of the area and would not adversely affect residential amenities in terms of overlooking, overshadowing or overbearing. It is also noted that the Planning Authority raised no concerns in this regard.

### *Garden Room*

- 7.4.16. The proposed development also includes the construction of a new single storey recreational and home office garden room in the rear garden. The garden room would have a gross floor area of c. 35sqm with a flat roof c. 2.75m in height. It is sited at the rear of the garden, c. 1m from the rear boundary wall, c. 1m from the southern boundary and c. 0.75m from the northern boundary. It is located c. 10.5m from the rear elevation of the proposed single storey extension.

7.4.17. The third party raised concerns regarding the intended use of the proposed garden room. Section 2.0 of Appendix 18 of the Development Plan states that the purpose of detached habitable rooms *is to provide for additional space within the rear garden of an existing dwelling for study/ home office use or additional living/ children's playroom.* It further states that *all planning applications for detached habitable rooms will be subject to a condition to restrict the use of the room as ancillary living space to the main dwelling. The room may not be sold or rented separately from the main dwelling unit.* The information submitted indicates that the proposed structure would be ancillary to the main dwelling. I have no objection in principle to the provision of a garden room. If permission is being contemplated it is recommended that a condition be attached that the garden room be ancillary to the main dwelling.

7.4.18. The third party also raised concerns that the proposed garden room would negatively impact on the residential and visual amenity of their property. The third-party notes Section 1.5 of Appendix 18 which relates to separation distances for residential extensions. It is noted that this guidance relates to back-to-back dwellings. Due the location of the proposed garden room in the neighbouring property there are no directly opposing windows. Given the intended use of the structure as an ancillary garden room, its relatively limited size and height, the existing 2m high boundary wall and the c. 13m separation distance to the rear elevation of the third parties ground floor rear extension it is my opinion that the garden room would not adversely impact on the existing residential or visual amenities of the third party or any residential property.

The third party also raised concerns that the proposed garden room in combination with the house extension would result in overdevelopment of the site. The proposed development results in a single residential dwelling with a stated gross floor area of c. 150.5sqm and an ancillary garden room with a stated floor area of c. 35sqm on a c. 374sqm site. In excess of c. 100sqm of rear private open space would be retained. I am satisfied that the proposed development would not result in overdevelopment of the site.

#### Laneway Access

7.4.19. The proposed development also includes the formation of a new 1m wide pedestrian gate from the sites rear (western) boundary with the laneway. Concerns are raised by the third party that the rear laneway access would provide a separate access for the



garden room, which would allow for its use as a separate residential unit or a commercial unit, which does not comply with Section 2.0 of Appendix 18 of the Development Plan.

7.4.20. Section 2.0 states that detached habitable rooms refer to backland development within the curtilage of an existing dwelling that does not contain a separate vehicular access point. The proposed access to the laneway is for a 1m wide pedestrian access. It is not intended to provide a new vehicular entrance from the laneway. In response to the appeal the applicant states that the garden room would be ancillary to the main house and that the access to the laneway would allow for bike access, removal of garden waste, maintenance, large deliveries etc, as the existing side access to the house would be omitted as part of the proposed development. It is not intended that the garden room would be separate to the main house. As noted above, it is recommended that a condition be attached in this regard.

7.4.21. The rear laneway is c. 650m in length and varies in width from c. 4m to c. 7m. It is c. 5m in width to the rear of the appeal site. Access to the laneway is available from Clontarf Road, The Stiles Road and St. Lawrence Road. During my site visit on the 22<sup>nd</sup> October 2025 it was noted that there are a significant number of existing vehicular and pedestrian access points onto the laneway serving the existing dwellings. There is also a commercial unit (car garage) on the laneway. Given the established pattern of vehicular and pedestrian access along the laneway I have no objection to the provision of a pedestrian access from the appeal site onto the laneway.

#### *Vehicular Entrance*

7.4.22. It is also proposed to widen the existing vehicular entrance on The Stiles Road, from 2.5m to 3m. Section 4.3.1 of Appendix 5 of the Development Plan states that vehicular entrances shall be at most 3m in width. Therefore, the proposed vehicular entrance is in accordance with Development Plan standards. I have no objection to the increased width of the existing vehicular entrance, and it is noted that no concerns were raised by the Planning Authority or the third party in this regard.

#### **7.5. *Drainage***

7.5.1. The third party raised concerns that surface water run-off from the appeal site could negatively impact on the appellants adjoining property. The Dublin City Council

Strategic Flood Risk Assessment Maps indicate that the appeal site is not at risk of flooding (Flood Zone C). In response to the request for further information a soakaway was added to the rear garden. In addition, a flower bed was provided along the site's northern boundary wall with no. 137 The Stiles Road. Given the urban location and the relatively scale of the proposed development the drainage proposals are considered reasonable. I am satisfied that the proposed development would not increase the risk of flooding within the appeal site or on any adjacent sites. It is noted that the Drainage Division of Dublin City Council raised no concerns in this regard.

## **7.6. *Other Issues***

### *Property Value*

- 7.6.1. The third party raised concerns that the proposed development would devalue their property. No evidence has been submitted in this regard and section 5.7 of the appeal notes that a recent property valuation from a local estate agent noted that the appellants house would not be negatively impacted, given the location of the house. In response to the appeal the applicant notes that a recent valuation of their property indicates that the value of the site has increased in the past year due to high demand and price trends. Due to the residential nature and the relatively limited scale of the proposed development I am satisfied that it would not devalue the third party's property.

### *Construction and Maintenance*

- 7.6.2. The third party considers that it is unclear how the eastern elevation of the rear extension can be constructed, maintained and finished without encroaching or oversailing the appellants property and notes that no permission has been given by the appellant in this regard. The concerns of the third party are noted, however, the drawings submitted indicate that the proposed extension would be wholly contained within the appeal site and would not oversail the appellants property. Therefore, I have no concerns in this regard. Given the nature and scale of the proposed extension, I am also satisfied that it could be constructed and maintained within the boundary of the appeal site and that access to the neighbouring property would not be required.

## *Levels*

- 7.6.3. The third party raised concerns that the documentation submitted does not include any details on the levels in the rear garden, which could potentially impact on the finished floor levels of the garden room. The site section on drawing no. P04-25-03 indicates that the rear garden is c. 0.2m below the finished floor level of the existing house. During my site visit it was also noted that the rear garden was flat.

## **8.0 Water Framework Directive (Screening)**

- 8.1.1. The subject site is located the suburban area of Dublin. There are no watercourses within the appeal site. The site is located c. 350m north of Dublin Bay. No water deterioration concerns were raised in the planning appeal.
- 8.1.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and 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.
- 8.1.3. The reason for this conclusion is as follows
- The small scale and nature of the development
  - Location-distance from nearest water bodies
  - Lack of hydrological connections
- 8.1.4. 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.

## **9.0 AA Screening**

9.1. In accordance with Section 177U of the Planning and Development Act 2000, as amended and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European sites in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required. This determination is based on:

- The small scale and nature of the scheme,
- The urban location of the site,
- The separation distance from nearest European site, and
- The lack of a direct or indirect pathway to any designated site.

## **10.0 Recommendation**

It is recommended that permission be granted subject to conditions.

## **11.0 Reasons and Considerations**

11.1. Having regard to the site's residential zoning objective, the provisions of the Dublin City Development Plan, 2022 -2028, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be acceptable and would not seriously injure the residential or visual amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **12.0 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 24<sup>th</sup> day of June

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 existing dwelling, the proposed extension and the proposed garden room shall be jointly occupied as a single residential unit and the garden room shall not be sold, let or otherwise transferred or conveyed, save as part of the dwelling.

**Reason:** To restrict the use of the garden room in the interest of residential amenity.

3. A schedule of all external finishes to be used shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

**Reason:** In the interest of visual amenity and to ensure an appropriate high standard of development.

4. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays 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

5. Drainage arrangements, including the disposal and attenuation of surface water, shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health and surface water management.

6. 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.

---

Elaine Power

Senior Planning Inspector

23<sup>rd</sup> October 2025

## Appendix 1:

### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323386-25
<b>Proposed Development Summary</b>	Demolition of existing structures and the construction part two storey extension and a new single storey extension to the rear of the house. A single storey recreational and home office garden room. New pedestrian entrance. Widening the vehicular entrance at the front of the house and all associated site works.
<b>Development Address</b>	139 The Stiles Road, Clontarf, Dublin 3.
	<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 checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input 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 development under Article 8 of the Roads Regulations, 1994.  <b>No Screening required.</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.  <b>EIA is Mandatory. No Screening Required</b>	
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</b>  <b>OR</b>  <b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b>	

<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>	
<b>Yes</b> <input type="checkbox"/>	
<b>No</b> <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

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