



An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP-323416-25**

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<b>Development</b>	Construction of a first-floor extension (92m <sup>2</sup> ) over existing flat roof including a first-floor roof terrace, elevational changes to existing dwelling including window and door alterations. Retention of (1) garden room, (20m <sup>2</sup> ) converted from existing shed and (2) Home Gym. Associated SuDS works and site works.
<b>Location</b>	Gorsefield, Glenalua Road, Killiney, Co. Dublin, A96FT72
<b>Planning Authority</b>	Dún Laoghaire-Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D25A/0454/WEB
<b>Applicant(s)</b>	Michael Foran
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant Permission and Grant Retention
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Dr Sean, Dr Siobhan & Mr Ryan Pittock Ms M Diez Campa & Mr N McLoughlin.

**Observer(s)**

None.

**Date of Site Inspection**

18<sup>th</sup> November 2025

**Inspector**

Una Smyth

## Table of Contents

1.0	Site Location and Description.....	4
2.0	Proposed Development.....	4
3.0	Planning Authority Decision .....	5
4.0	Planning History .....	7
5.0	Policy Context .....	7
6.0	EIA Screening .....	11
7.0	The Appeal.....	11
8.0	Assessment.....	13
9.0	AA Screening .....	19
10.0	Water Framework Directive.....	19
11.0	Recommendation .....	20
12.0	Reasons and Considerations .....	20
13.0	Conditions .....	21
<b>Appendix A: Form 1 EIA Pre-Screening .....</b>		<b>23</b>
<b>Appendix B: Standard AA Screening Determination Template.....</b>		<b>25</b>

## **1.0 Site Location and Description**

1.1 The subject site is located at Gorsefield, Glenalua Road in the Killiney Architectural Conservation Area. The site, with a given area of 0.25 Ha is situated in a low-density residential area. This vicinity of Killiney is defined by large, detached properties in generous plots, featuring a wide variety of house types and architectural design. The Glenalua Road is a narrow, cul de sac road, bounded by high stone walls and mature vegetation providing glimpses into landscaped gardens and architecturally designed dwellings. At this point the Glenalua Road accesses only three other properties before terminating. The site and surrounding area is undulating with significant views over the surrounding rural landscape and towards the coast.

A single storey flat roofed dwelling with a basement under-build is situated centrally on the site, set in mature landscaped gardens, level variations within the site with steeply rising land to the rear (north/northwest).

## **2.0 Proposed Development**

2.1 The development proposed consists of a first-floor extension (92m<sup>2</sup>), balcony/terrace and green roof terrace, constructed over the existing flat roof. The balcony wraps around 3 elevations of the extension, the southeast, southwest and northwest, while the roof terrace (55sqm) is located on the southwest and northwest elevations. The balcony/terrace is to be enclosed by a 1.3m high glass balustrade. The green roof terrace is located to the north/northeast.

The application also includes elevational changes to existing dwelling in the form of alterations to windows and front entrance and application of external insulation board. Retention permission is also requested for a garden room, (20m<sup>2</sup>) converted from existing shed located in the southeast corner of the site and a Home Gym (20m<sup>2</sup>) located to the rear of the dwelling on the north/northeastern boundary. Associated SuDS works and site works are also proposed.

### **3.0 Planning Authority Decision**

#### **3.1 Decision**

On the 25th of July 2025 Dún Laoghaire-Rathdown County Council issued a decision recommending the granting of permission and grant retention permission for the development sought subject to conditions.

##### **3.1.1. Conditions**

- 1) The development shall be retained and carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.
- 2) The material finishes of the proposed development shall be as per the submitted drawings, unless otherwise agreed in writing with the Planning Authority.
- 3) The entire premises shall be used as a single dwelling unit and shall not be subdivided, sold, let, conveyed or otherwise used as two or more separate habitable units or for non-residential uses.
- 4) The area indicated as an 'extensive green roof' adjacent the proposed external terrace shall not be used as a balcony, roof (terrace) garden or similar amenity area
- 5) The disposal of surface water shall be in accordance with the requirements of the Planning Authority
- 6) All necessary measures shall be taken by the Applicant and Contractor to prevent any mud, dirt, debris or building material being carried onto or placed on the public road or adjoining properties, repair any damage to the public road sand. avoid conflict between construction activities and pedestrian/vehicular movements.
- 7) Restrictions on hours and days of development works.
- 8) Developer contributions for Surface Water Infrastructure benefiting development in the area of the Planning Authority, as provided.

#### **3.2. Planning Authority Reports**

- 3.2.1. Planning Reports. The undated planning report dated forms the basis for the decision by the PA to grant permission. In making this recommendation, the

planning officer assessed the information submitted by the applicant against the relevant policy objectives as well as considering the third -party concerns. The planning officers report included the following comments:

- The principle of an extension to the existing residential property is considered acceptable in terms of siting, design, layout, impact on visual and residential amenities and climate action.
- The garden shed and gym buildings to be retained are relatively modest in nature and their location will not adversely affect residential or visual amenities and are considered acceptable. Smoke and noise emissions are subject to separate statutory regimes.
- The elevational alterations proposed will not have a significant or negative impact on visual amenity of the existing house or neighbouring property and the design is in keeping with the character of the area.
- Having regard to the scale, nature design and context of the development proposed, it is not considered that there would be a material impact on the Killiney ACA.
- No issues with traffic and drainage.

### **3.2.2. Other Technical Reports**

Transport Planning – Conditions

Water Service – Conditions

### **3.3. Prescribed Bodies**

Heritage Council - no report received

An Taisce – no report received

The Arts Council/ An Chomhairle Ealaion – no report received

Failte Eireann - no report received

Department of Housing, local Government and Heritage - no report received

### **3.4. Third Party Observations**

3.1 Four third party submission were received from the neighbouring properties.

- Ms Monica Diez Campa & Mr Neil McLoughlin of Asturias, Glenalua Road, Killiney,
- Dr Sean, Dr Siobhan & Mr Ryan Pittock, The Moorings, Glenalua Road, Killiney,
- Rebecca and David Wang. The Moorings, Glenalua Road, Killiney,
- Mr. Paul Rothschild, The Rocks, Glenalua Road, Killiney,

3.2 Two of these four submission proceeded to submit Third Party Appeals with issues similar to those raised in the grounds of appeal which are detailed in Section 7.1.

#### **4.0 Planning History**

4.1 A review of Dún Laoghaire-Rathdown County Council's planning records indicates no planning history in relation to the subject site and that detailed below for an adjacent site

D24A/0560 - Permission granted for 'works to the existing flat roof 3 storey dwelling at Hendre, Saint George's Avenue, Killiney, Co. Dublin, A96FR94 to include the demolition of existing external access stairs, first floor entrance porch and amendments to the existing first floor terrace level to form a new double height entrance area accessed from ground level with a new external access stairs to access existing first floor terrace and extension at second floor over existing flat roof/terrace area with raised parapet height to part second floor level and all associated elevational changes to the main dwelling. Permission is also sought for the conversion of existing 3 storey detached 'coach house' structure to form studio/guest accommodation for the ancillary use of the main dwelling at first floor, conversion of the first floor flat roof to form new access terrace with ancillary accommodation/storage at ground floor of the existing 'coach house' and all ancillary site works necessary to complete the development including a detached single storey 2 car open air carport.

The Asturias appeal statement referenced 4 planning decisions which were refused permission for first floor balconies/terraces

ACP319465 – Talbot House, Talbot Road, Killiney, Co. Dublin, A96 AK15 - Permission is sought for single storey flat roof extension to the rear containing stair and single storey flat roof extension at roof level with a screened terrace at new second floor level to the front, elevational changes to the existing two storey split level flat roof dwelling and all associated site works. – Permission Refused

ABP315908- Wavecrest Drive, Blackrock, County Louth - Retention for the erection of a glazed balcony to the rear of dwelling. Full Permission for alterations to the balcony and all associated site development works – Permission Refused

D21A/0909 – Koti, Cunningham Road, Dalkey, Co Dublin - Permission is sought for the refurbishment and extension of the existing dwelling. Works to include A. Demolition of existing first floor level and roof structure and the construction of a replacement first floor structure and a new second floor structure. B. Alterations to the existing elevations at basement and ground floor level. C. Extension of the existing basement and first floor structures. D. Provision of new external terraces to the front and the rear of the property at ground, first and second floor level. E. Reconfiguration of entrance steps and associated landscaping works to the front, rear and sides of the property - Permission Refused

D20A/0935 - Khyber Pass, Sorrento Heights, Dalkey, County Dublin Permission to demolish the existing house and erect a terrace of three no four storey houses (one with four bedrooms, one with three numbers and one with two bedrooms) plus one roof garden over the house at the North-West end, together with associated site works, including provision of six car parking spaces – Permission Refused.

## **5.0 – Policy Objectives**

- 5.1 - Development Plan. The Dún Laoghaire-Rathdown County Development Plan 2022 2028 is the statutory plan for the area. The site is the subject of Zoning Objective A, is located within the Killiney Architectural Character Area and Specific Local Objective SLO130 is also applicable.

Objective A for which the zoning objective is to “To provide residential development and improve residential amenity while protecting the existing residential amenities”. Residential development is ‘Permitted in Principle’ under this zoning objective.

The Killiney Architectural Character Area (ACA). - The primary objective of the formation of an ACA is to protect the architecture and landscape character of an area, because its distinct character and intrinsic qualities based on the historic built form and layout is perceived to be of value culturally.

Specific Local Objective SLO130 also applies to the site with the objective of ensuring ‘that development within this objective area does not (i) have a significant negative impact on the environmental sensitivities in the area including those identified in the SEA Environmental Report and/or (ii) does not significantly detract from the character of the area either visually or by generating traffic volumes which would necessitate road widening or other significant improvements.

#### **Chapter 4 –Neighbourhood – People, Homes and Place**

4 .3.1.2 Policy Objective PHP19: Existing Housing Stock – Adaptation- it is a policy objective to conserve and improve existing housing stock through supporting improvements and adaption of homes

4 3.1.3 Policy Objective PHP20: Protection of Existing Residential Amenity - it is a policy objective to ensure the residential amenity of existing homes is protected.

4. 4.1.8 Policy Objective PHP42: Building Design & Height -encourage high quality designs of all new development

#### **Chapter 11 – Heritage and Conservation –**

11.4.2 Architectural Conservation Areas 11.4.2.1 Policy Objective HER13:  
Architectural Conservation Areas -it is a policy objective to protect the character and special interest of an ACA, ensure all development proposals are appropriate,

seek high quality design including scale, height, mass, density building lines and materials.

## **Chapter 12 – Development Management –**

12.3.1 Quality Design- it is a policy objective to promote high quality design and layout.

12.3.7.1 Extensions to Dwellings -Provides guidance in respect to extensions and roof alterations. (iv) Alterations at Roof/Attic Level – Careful consideration and regard to the character and size of the structure, streetscape, and harmony with the rest of the structure

Killiney Proposed Architectural Conservation Area 2010 - New development should contribute to the visual enhancement and vibrancy of the area whilst respecting its existing physical character and all new buildings should be to the highest standards of architectural design.

The Council will seek to encourage appropriately scaled extensions and alterations to properties within Killiney ACA that are generally sensitive to the main structure and subsidiary (to the main structure).

**Compact Settlement Guidelines 2024–** (relevant where it supersedes standard thresholds set out in the DLRCDP -) SPPR 1 Separation Distances – Minimum separation distances of 16m between opposing windows serving habitable rooms at the rear or side of houses above ground floor level.

### **5.2. Natural Heritage Designations**

The Rockabill to Dalkey Island SAC (003000) is located approximately 2km east and the Dalkey Islands SPA (004172) is located approximately 2.25km northeast.

## **6.0 EIA Screening**

6.1 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 no requirement for a screening determination. (Refer to Form 1 in Appendix 1 of report.)

## **7.0 The Appeal**

### **7.1 Grounds of Appeal**

7.1.1 Two Third party appeals were received.

7.1.2 Third-party appeal prepared and submitted on behalf of Ms Monica Diez Campa & Mr Neil McLoughlin of Asturias, Glenalua Road, Killiney, the property immediately adjacent and northwest.

7.1.3 Third-party appeal prepared and submitted on behalf of Dr Sean, Dr Siobhan & Mr Ryan Pittock, the owners of The Moorings Glenalua Road, Killiney, the property immediately adjacent and north. The appeal against the planning authority's notification of decision to grant permission can be summarised as follows:

- Concerns that grounds for objection on the application were not addressed or fully addressed by DLRCC.
- First floor roof extension has an adverse impact on residential amenity, by way of overlooking/perception of overlooking of property from upper storey and roof level amenity space into habitable rooms and private garden space.
- Separation distance – should be determined on basis of privacy and amenity – informed by site characteristics not merely quantitative policies (should be qualitative consideration)
- Elevated massing produces a built form which is visually dominant, overbearing and intrusive and incompatible with the character of the ACA

- While concerned with the elevated level of the first-floor extension (9.7m from basement), prepared to accept a reasonable compromise of by retaining the first-floor extension, subject to removal of the balcony/terrace and changes/reductions in window openings on the northwest elevation.
- Clarification that original concerns of 'adverse overbearing' re-worded as 'visually obtrusive due to people moving about the terrace. Activity on the roof terrace will draw attention to the extension.
- Potential of overlooking/noise disturbance from proposed green roof – condition required to ensure it is not used as balcony.
- Scale, massing and design and location of the gym building incompatible with character of Conservation Area and emissions of smoke from 'sauna' impacts amenity of dwelling house.
- Precedent for largescale first floor terraces and balconies
- Depreciation in the value of property.

## **7.2. Applicant Response**

7.2.1 The first party response to the appeal has been prepared and submitted by Sine Kelly, Associate Director, Tom Philips & Associates on behalf of Mr Michael Foran and may be summarised as follows. The applicant's response to the grounds of appeal can be summarised as follows:

- There are a range of architectural styles in the ACA and the proposed development in terms of scale, height and massing and materials are in keeping with both the character of the house and other contemporary buildings in the area.
- The proposed development will not detract from the character of the area visually due to the siting of the dwelling at the base of an existing elevated area, meaning it is tucked in the existing contours as well as being screened by existing mature planting. The additional height created by construction of the second floor remains lower than the ridge of immediately adjoining properties.

- Minimum standards for separation distances as set out in SPPR1 of the Compact Settlement Guidelines are comfortably exceeded with an existing boundary wall and a planted boundary contributing to screening between the proposed development and adjacent properties.
- No objection to inclusion of condition stipulating the green roof cannot be used as a balcony or terrace.
- Confirmation that the sauna element of the gym building will be removed thereby eliminating issues of smoke/nuisance impacting on adjacent property.
- The location of the gym does not pose any overlooking issues over adjacent properties; it is a small outbuilding screened by boundary planting and other vegetation.
- The neighbouring property at Asturias has set the precedent for design of dwellings with large windows and use of balconies/terraces.
- Images submitted by the appellant are highly inaccurate and taken from windows which were subject to a retrospective planning application, which deemed the windows acceptable having regard to the separation distances to adjoining properties.
- No negative impact on adjacent property therefore no associated devaluation of property.

### **7.3. Planning Authority Response**

7.3.1 The Planning Authority's response to the grounds of appeal can be summarised as follows: -

- The grounds of appeal do not raise any new matters which would justify a change of attitude to the proposed development.

### **7.4. Observations**

None

## 8.0 Assessment

8.1. Having examined all the application and appeal documents on file and undertaken an inspection of the site, I concur that the main issues in this appeal are those raised in the grounds of appeal, and I am satisfied that no other substantive issues arise. I consider the proposed alterations to the building façade, and the retention of the garden room which raised no third-party concerns would meet policies and guidance objectives as set out Chapter 12 of the DLRCC Development Plan 2022-2028. The substantive issues in this appeal to be considered are those raised by the appellants in relation to the first-floor extension and associated balcony/terrace area and the retention of the gym building, and the impact these developments have on residential and visual amenities in the Killiney ACA. I will deal with each matter in turn.

- Gym building -(a) impact on residential amenity (b) impact on Killiney ACA.
- First floor extension -(a) impact on residential amenity (b) impact on Killiney ACA.
- Balcony/Terrace -(a) impact on residential amenity (b) impact on Killiney ACA.
- Green roof - impact on residential amenity
- Precedent
- Devaluation of property

8.2 **Gym building** – (a) impact on residential amenity. The retention of the gym building and its impact on residential amenity was raised by both appellants. The building is located just over 2.5m from their front boundary of the Moorings property and just under 7.5m from the front elevation of the dwelling house. The appellants concerns were predominantly in relation to the flue installed to service a sauna and made the point that there was adequate room within the proposed extension to accommodate a home gym and sauna. Having visited the site I note the sauna is an additional structure which is not indicated on the application plans or description. It is located to the rear of gym, wedged between the gym and the boundary hedged. As the sauna structure does not form part of the application, it,

and the associated issues of smoke (flue element removed at time of my site visit) will not form part of my consideration.

The residents of The Moorings raised no issues with visual amenity of the gym building. It is a modest structure, screened from The Moorings by the boundary hedge. It presents no overlooking or dominance issues on the residents of The Moorings.

- 8.2.1 The Asturias appellant also raised concerns regarding the 'disproportionate adverse impact' the building has on them, due to its position close to the boundary and its imposing-built form despite acknowledging that the gym did not overlook their property. The structure is located over 9 metres from the boundary with Asturias, and approximately 24 metres to the gable with intervening vegetation. I do not consider the structure to have any impact on the amenity of the occupants of Asturias due to the separation distances and vegetation, and accepting the fact there will be views of a structure, this will not cause a detriment to residential amenity.
- 8.2.2 I agree with the PA's assessment that the modest nature of the structure (18sqm) and location will not result in a detrimental impact on residential
- 8.2.3 **(b) impact on Killiney ACA.** Both appellants raised concerns regarding the impact the building has in relation to the Killiney ACA. The structure is located on one of the highest points within the appeal site boundary with significant views of the surrounding area, but at a similar floor level to that of The Moorings. Views of the structure from public viewpoints in the surrounding area are limited and long distant, and I again agree with the assessment of the PA that the modest nature of the structure at 18sqm, materials (wooden clad) and its location with a backdrop of mature vegetation, results in a building which has no impact on the surrounding ACA.
- 8.3 **First floor extension and balcony/terrace** -(a) impact on residential amenity. Both parties have raised issues with the first-floor platforms and potential for overlooking, but only the Asturias appeal has issues with the built form of the extension. The Moorings concerns regard the first-floor green roof garden terrace which is considered below in 8.4

- 8.3.1 The Asturias appeal raised issues from both the first-floor extension and the terrace. They consider the windows on the northwestern elevation of the extension, and the location and size of the terrace will give rise to overlooking and the perception of overlooking of the habitable rooms in their dwelling house and their private garden area classifying the development as being overbearing, due to the activity of people on the terrace. They have stated that the PA have not fully considered the relevant policies and their concerns adequately, focusing on the technical standards (separation distance) set out in Compact Settlement Guidelines, failing to apply the full policy context to the site which requires new proposals will not have a significant negative impact on the amenity of occupiers of existing residential properties.
- 8.3.2 Policy SPPR1 states that when considering a planning application for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses shall be maintained. It continues by stating that the proposed development will not have a significant negative impact on the amenity of occupiers of existing residential properties. The policy explanation in paragraph 5.3.1 expands on this, stating that separation distances should be determined based on considerations of privacy and amenity, informed by the layout, design and site characteristics of the specific proposed development.
- 8.3.3 The northwestern elevation of the proposed extension, which is referenced by the third party as having 'expansive glazing' has a greater solid to void gable with three full height but narrow windows. This gable of the extension is over 25m to the common boundary and over 40 metres to the southeastern elevation of Asturias, which I note has significantly larger windows and a balcony at first-floor level. The external terrace/balcony is just under 6m wide, with a proposed 1.3m high glass balustrade with planting behind. The distance from the balcony edge to the boundary is over 20m and over 35m to the adjacent dwelling. This separation distance is more than double that of the guide figure of 16m albeit that this standard refers to separation between windows serving habitable rooms. In a traditional development (living accommodation at ground floor and sleeping accommodation at first floor) this separation distance would be more than sufficient to protect privacy, however, the extension proposes primary habitable rooms and

an outdoor terrace at first floor, looking towards habitable rooms and a balcony in the adjacent dwelling also at first floor, so despite the significant separation distance, I consider active living at first floor level has the potential to give rise to some impact on the private amenity of the occupants of both properties when these areas are in use. This issue is easily overcome by obscuring the 1.3m glass balustrade on this south-westerly elevation, which will screen the views of persons sitting on the terrace area from/to the neighbouring property. I do not consider it necessary to increase the height of the balustrade to obscure persons standing or walking on the terrace as these periods are likely to be limited and the 1.3m balustrade can still facilitate casual supervision of users of the garden area of the applicant's property.

8.3.4 Concerns regarding overlooking of the private garden are also considered. The overlooking of the garden area of Asturias from the appeal site is similar to that of the existing overlooking of the garden area of appeal site by Asturias, which has large windows and a first-floor balcony (granted retrospective permission in 2016 under reference D16A/0672). The grounds of the Asturias property are extensive with sufficient area within the grounds for other areas of complete privacy, including the existing private, covered seated area adjacent to the boundary of the appeal site. The Asturias appeal also raises issues of the perception of being overlooked from the new development. As stated above, I consider the separation distance and the obscured balustrade sufficient to address detrimental overlooking and the proposal will not have a significant impact on residential amenity. The first-floor extension and balcony meet the policy test for developments in an urban context where the preservation of privacy is not always possible.

8.3.5 The Asturias appeal referenced 4 planning applications for balcony/terraces in a wide vicinity, which were subsequently refused planning permission. Having assessed the proposals, they have little weight on my considerations as they are in no way comparable to the appeal site due to

ACP319465 –Separation distances.

ABP315908- Context and separation distances.

D21A/0909 – Scale of the development and separation distances.

D20A/0935 -Scale and context.

- 8.3.6 **(b) impact on Killiney ACA** – The Asturias appeal raised concerns regarding the proposal considering the height of the upper floor and terrace would ‘adversely impact on the ACA. They refer to the 9.7 m height of the structure. It should be noted that this 9.7m height on the southeastern elevation is the maximum height of the structure, the measurement taken from the lowest point of the sloping site incorporating the basement/undercroft. The opposite elevation is 6.3 metre from finished floor level to ridge of proposed first floor. Overall ridge height is lower than that of The Moorings which lies to the rear. Elevations to the southwest are predominantly glazed so the first floor will look light from long distance views.
- 8.3.7 The scale, massing and design of the dwelling are in keeping with the character of the house and surrounding area and given the limited views of the site, I do not consider will detract from the character of this ACA, but indeed the architectural design will enhance the area. The proposal is located in a residential area where glimpses of architecturally designed dwellings are visible through gaps in boundary walls and mature vegetation, and long-distance views show detached dwellings peppering the highly vegetated landscape. The proposed works and extension will not alter any of these views, hence I consider the proposal meets the policy tests set out in Chapter 11 of the DLRCC Development Plan 2022-2028 and the associated Killiney Character Assessment.
- 8.4 **Green roof -impact on residential amenity.** The Moorings appeal raised concerns regard the first-floor green roof garden terrace with the potential for overlooking or noise disturbance. I note this green roof floor level is only marginally higher than the floor level of The Moorings, and given the topography of the site, separation distance of around 10m to the dwelling frontage and the mature boundary hedge providing screening and privacy, I am satisfied that a condition ensuring the roof is not used as a balcony/roof (terrace)/garden or similar amenity would ensure the amenity to the residents of The Moorings is protected.
- 8.5 **Precedent** The approval of any one application rarely sets a precedent for similar development as all applications for development are assessed on the individual and site-specific merits of the site and proposal. The proposal, subject to conditions, represents an acceptable form of development.

8.6 **Devaluation of property.** Given the proposal is acceptable in policy terms and I consider will not result in a detrimental impact on residential amenity or the character of the ACA, it is not considered the proposal will result in devaluation of any properties in the area.

## 9.0 AA Screening

9.1. I have considered the proposal for the single storey extensions the side and rear of the existing dwelling in light of the requirements of S177U of the Planning and development Act 2000 as amended.

The subject site is not located within, adjoining or directly adjoining any designated site with the Dalkey Islands SPA located approximately some 2.250km northwest and the Rockabill to Dalkey Island SAC located approximately 2km west.

The proposed works are modest in scale and are domestic in purpose.

No nature conservation concerns were raised in the planning appeal.

Having considered the domestic nature and modest scale of the project, its location and the screening report of the LPA, I can 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.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177 V of the Planning and Development Act 2000) is not required.

## 10.0 Water Framework Directive

10.1. The subject site is located approximately 2.250km southeast from the Dalkey Islands SPA and approximately 2km east of the Rockabill to Dalkey Island SAC.

10.2 The proposed development is for the construction of a first-floor extension (92m<sup>2</sup>) over existing flat roof, including a first-floor roof terrace, elevational changes to existing dwelling including window and door alterations and the retention of (1) a garden room, (20m<sup>2</sup>) converted from existing shed and (2) a Home Gym, associated SuDS works and site works.

- 10.3 No water deterioration concerns were raised in the planning application or appeal.
- 10.4 I have assessed the proposal 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 bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows

- the modest nature, limited scale and domestic use of the development sought,
- the distance from the nearest water body
- the nil concern from the LPA,

I conclude that 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**

- 11.1. I recommend that permission is granted for the development as proposed.

## **12.0 Reasons and Considerations**

- 12.1. Having regard to the nature and scale of the proposed development which comprises of a first floor extension and associated first floor terrace/balcony, retention of two modest outbuildings, elevational changes to the dwelling and associated site works, it is considered that, subject to compliance with the conditions set out below, the proposed development would not impact on the residential amenity of adjoining properties or negatively impact the established character or visual amenity of the Killiney ACA. The proposed development would,

therefore, be in accordance with the proper planning and sustainable development of the area.

### 13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, received by the planning authority on the 8th day of June 2025.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The area indicated as 'green roof' shall not be used as a balcony, roof (terrace) garden or similar amenity area.</p> <p><b>Reason:</b> In the interest of residential amenity</p>
3.	<p>The glazing to the 1.3m high glass balustrade on the northwest elevation shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.</p> <p><b>Reason:</b> In the interest of residential amenity.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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>
5.	<p>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</p>

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 Coimision Pleanala 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.

  
Una Smyth

Planning Inspector

25 November 2025

### Appendix A: Form 1 EIA Pre-Screening

<b>Case Reference</b>	ACP323647
<b>Proposed Development Summary</b>	The proposed development is for the construction of a first-floor extension (92m <sup>2</sup> ) over existing flat roof, including a first-floor roof terrace, elevational changes to existing dwelling including window and door alterations and the retention of (1) a garden room, (20m <sup>2</sup> ) converted from existing shed and (2) a Home Gym, associated SuDS works and site works.
<b>Development Address</b>	Ardsallagh Navan Co. Meath
<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 <u>Part 1</u>, 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 Q	

<p><b>3 Is the proposed development of a CLASS specified in <u>Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)</u> OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b></p>	
<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><b>No Screening required.</b></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 Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.</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>6. 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>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: Una Smyth Date: 25<sup>th</sup> November 2025

## Appendix B: Standard AA Screening Determination Template

### Test for likely significant effects

Screening for Appropriate Assessment Test for likely significant effects				
<b>Step 1: Description of the project and local site characteristics</b>				
<b>Brief description of project</b>	The proposed development is for the construction of a first-floor extension (92m <sup>2</sup> ) over existing flat roof, including a first-floor roof terrace, elevational changes to existing dwelling including window and door alterations and the retention of (1) a garden room, (20m <sup>2</sup> ) converted from existing shed and (2) a Home Gym, associated SuDS works and site works.			
<b>Brief description of development site characteristics and potential impact mechanisms</b>	The proposed development site is the residential curtilage of a domestic dwelling. The host dwelling is a single storey detached dwelling (with basement) situated in a low density urban area. The subject site is located approximately 2.250km southeast from the Dalkey Islands SPA and approximately 2km east of the Rockabill to Dalkey Island SAC.			
<b>Screening report</b>	No – Dún Laoghaire-Rathdown County Council screened out the need for an AA			
<b>Natura Impact Statement</b>	No			
<b>Relevant submissions</b>	None			
<b>Step 2. Identification of relevant European sites using the Source-pathway-receptor model</b>				
European Site (code)	Qualifying interests <sup>1</sup> Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections <sup>2</sup>	Consider further screening <sup>3</sup> in Y/N
Dalkey Islands SPA (004172)	Roseate Tern (Sterna dougallii) [A192]  Common Tern (Sterna hirundo) [A193]  Arctic Tern (Sterna paradisaea) [A194]	2km	No direct connection	N
Rockabill to Dalkey Island SAC. (003000)	Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]	2.25m	No direct connection	N
<sup>1</sup> Summary description / cross reference to NPWS website is acceptable at this stage in the report				

<sup>2</sup> Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species

<sup>3</sup>if no connections: N

**Further commentary/discussion**

Despite proximity to European sites, due to the modest nature and scale of the project and the screening report of the LPA, I consider, 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.

**Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites  
AA Screening matrix**

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Rockabill to Dalkey Island SAC. (003000)  Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]  Dalkey Islands SPA (004172) Roseate Tern (Sterna dougallii) [A192]  Common Tern (Sterna hirundo) [A193]  Arctic Tern (Sterna paradisaea) [A194]	Direct: None anticipated  Indirect: Negative impacts (temporary) on surface water/water quality due to construction related emissions including increased sedimentation and construction related pollution.	The minor nature of the proposed development, the contained nature of the serviced development site and lack of direct ecological connections or pathways make it highly unlikely that the proposed development could generate impacts of a magnitude that could affect habitat quality within the SPA or SCA. There would be no significant disturbance to any species. Conservation objectives would not be undermined.
	Likelihood of significant effects from proposed development (alone): No	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects? No	
	Possibility of significant effects (alone) in view of the conservation objectives of the site* No	

**Step 4: Conclude if the proposed development could result in likely significant effects on a European site**

I conclude that the proposed development (alone) would not result in likely significant effects on the Dalkey Islands SPA or the Rockabill to Dalkey Island SAC The proposed development would have no likely

significant effect in combination with other plans and projects on any European sites. No further assessment is required for the project.

No mitigation measures are required to come to these conclusions.

### **Screening Determination**

#### **Finding of no likely significant effects**

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 The Finn River SAC or any other European site 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 proposed works are modest in scale and are domestic in purpose
- The subject site is not located within, adjoining or directly adjoining any designated site with the Dalkey Islands SPA located approximately some 2.250km northwest and the Rockabill to Dalkey Island SAC located approximately 2km west.
- No nature conservation concerns were raised in the planning application or appeal.