



An  
Coimisiún  
Pleanála

## Inspector's Report

**ABP 323734-25**

<b>Development</b>	Construction of dormer with rooflight and associated site works.
<b>Location</b>	11 Loreto Terrace, Grange Road, Rathfarnham, Dublin 14, D14 KD00.
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD25B/0442W
<b>Applicants</b>	Su and Alan Sullivan.
<b>Type of Application</b>	Permission.
<b>Planning Authority Decision</b>	Permission with conditions.
<b>Type of Appeal</b>	Third Party
<b>Appellant</b>	Margaret Kenny
<b>Observers</b>	None
<b>Date of Site Inspection</b>	5 <sup>th</sup> December 2025.
<b>Inspector</b>	Derek Daly

## **1.0 Site Location and Description**

- 1.1. The development is located in an established residential area in the suburb of Rathfarnham in south County Dublin. The site is at the end of a cul de sac. On the appeal site is a 1.5 storey detached dwelling with a front gable elevation with a pitched roof. The subject site has garden areas to the front, rear and side and is served by off-street parking to the front and side. The street is characterised by a mix of dwellings which are predominantly two storied.
- 1.2. To the west of the site are a pair of semi-detached dwellings to the west and which have a front building line set forward of the dwelling on the appeal site. The eastern gable of the dwelling has a blank gable wall. Further west are the dwellings which are set back from the adjoining properties to the east. To the east of the appeal site is the grounds of the Loreto Abbey Cemetery. To the south on the opposite side of the road is the grounds of Loreto Abbey.
- 1.3. The site has a stated area of 0.088 hectares.

## **2.0 Proposed Development**

- 2.1. The proposed development as received by the planning authority on the 28<sup>th</sup> March 2025 comprised of the following;
  - The construction of a flat-roofed dormer with rooflight to the west side of the dwelling comprising of the extension of the first floor of the dwelling to provide for an approximate floor area of 21.5 m<sup>2</sup> side dormer extension to accommodate a bedroom and ensuite.
  - The proposal provides for a flat-roofed, dormer structure cut into the side roof slope of the dwelling. The proposed dormer would extend along the majority of the side elevation with three windows on the side elevation fitted with opaque glazing, two for the bedroom and one for the on suite and there is also a window on the front elevation.
  - The proposed dormer structure projects a maximum of approximately 3.9 metres from the side roof slope of the dwelling. A roof light is also proposed for the bedroom area. The proposed dormer would be located approximately

3 no. tile courses from the eaves line of the dwelling and is located below the ridge line of the roof of the main dwelling.

- The proposed development also provides for external insulation to the existing walls and also for solar panels on east-facing roof of existing 1.5-storey bungalow.

2.2. The existing dwelling has a stated area of 156 m<sup>2</sup>.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

3.1.1. The decision of the Planning Authority was to grant planning permission subject to three conditions.

3.1.2. Condition no 2 required an amendment in relation to the glazing and that the two (2no.) bedroom windows on the western elevation of the dormer extension shall be amended to high-level windows (cill level 1.7 metres or higher above internal floor level), with non-opaque glazing.

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

#### **3.2.1. Planning Reports**

The planning report dated the 1<sup>st</sup> September 2025 refers to the planning history in the area; to provisions of the current county development plan; submissions received noting a third party submission was received and an assessment of the proposed development.

The principle of the development was considered acceptable and in accordance with the zoning objective. The key issues identified refer to section 3.1.6 of the SDCC House Extension Design Guide (2025), an assessment with regard to residential and visual amenities and the provisions of BFP5 of the SDCC House Extension Design Guide.

It was considered that the proposed opaque glazing finish on the two bedroom windows of the proposed dormer should be omitted given the habitable nature of the room, the attached en-suite bathroom should retain its proposed opaque finish and

given the siting and design of the proposed dormer structure the proposed bedroom windows should be made high-level to mitigate potential overlooking of adjoining residential properties and that this could be addressed by way of condition.

It was also considered that the subject proposal would not adversely impact on the amenities of existing adjacent properties by way of significantly increased levels of overlooking, overbearing appearance or overshadowing.

It was considered that the proposed new finishes and solar panels would not significantly detract from the surrounding streetscape and would not have any negative effect on the visual and residential amenities of the surrounding area and the amendments and extensions to the subject dwelling are considered acceptable with regard to the visual and residential amenities of the area and, subject to condition, would accord with the relevant provisions of the 2022-2028 South Dublin County Development Plan and BFP1, BFP3, BFP5, and BFP7 of the SDCC House Extension Design Guide.

Permission was recommended.

### **3.3. Other submissions.**

- 3.3.1. A third party submission was received on the 13<sup>th</sup> August 2025 outlining concerns in relation to the proposed development impacting residential amenity.

## **4.0 Planning History**

- 4.1.1. There is no planning history in relation to the appeal site
- 4.1.2. Adjacent Sites

Planning Ref. No. SD08A/0046 -Refusal of planning permission at the rear of 10, Loreto Terrace for a detached 2 bedroom, 2 storey dwelling with pedestrian and vehicular access off existing internal road from Loreto Terrace, together with single car space located to the south of proposed dwelling a single skylight facing at roof level, balcony at first floor level facing north, boundary treatments, landscaping and associated site development works. Refuse Permission.

Planning Ref. No. SD07B/06828. Permission granted at 8 Loreto Terrace for a single and two storey extension to rear of house with solar panels to front and rear roofs.

## 5.0 Policy and Context

### 5.1. Development Plan

- 5.1.1. The statutory development plan is the South Dublin County Development Plan 2022-2028.
- 5.1.2. The subject site is located within an area with the zoning objective 'RES' - 'To protect and/or improve residential amenity'.
- 5.1.3. Relevant policies include
- 5.1.4. Section 6.8.2 refers to Residential Extensions and indicates that domestic extensions allow for the sustainable adaptation of the County's existing housing stock.

H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 13 Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

H13 Objective 5: To ensure that new development in established areas does not unduly impact on the amenities or character of an area.

Policy H14: Residential Extensions Support the extension of existing dwellings subject to the protection of residential and visual amenities

Policy E3: Energy Performance in Existing and New Buildings Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.

- 5.1.5. Chapter 12 Implementation and Monitoring and section 12.6.8 refers to Residential Consolidation Extensions and that the design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

5.1.6. The South Dublin County Council House Extension Design Guide (2010) supplements the policies and guidance of the Development Plan and offers guidance in relation to extensions including attic extensions.

5.1.7. Section 3.0 outlines built form principles, general considerations relating to extensions and section 3.1.6 elements of good extension design SDCC House Extension Design Guide 2025 in section 3.0 to built form principles refers to in section 3.1 general considerations relating to all extensions in 3.1.2; to residential extensions in 3.1.6; elements of good extension design and general considerations relating to all side extensions with a number of built form principles outlined including;

BFP3 – Side Extensions

BFP 5 - Roof Alterations and Extensions

BFP) 7 – Other Alterations

The House Extension Design Guide refers to Elements of Good Extension Design which include:

- Respect the appearance and character of the house and local area.
- Do not overlook, overshadow, or have an overbearing effect on properties next door.

For attic conversions and dormer windows:

- Use materials to match the existing wall or roof materials of the main house.
- Meet Building Regulation requirements relating to fire safety and stairs in terms of headroom on stairs and means of escape.
- Locate dormer windows below the ridge of the roof, even if the roof has a shallow pitch.
- Locate dormer windows as far back as possible from the eaves line (at least 3 tile courses).
- Relate dormer windows to the windows below in alignment, proportion, and character.

- Do not obscure the main ridge and eaves features of the roof, particularly in the case of an extension to the side of a hipped roof. Avoid extending the full width of the roof or right up to the gable ends – two small dormers on the same elevation can often be a suitable alternative to one large dormer.

In relation to overbearing impact:

- Locate extensions, particularly if higher than one storey, away from neighbouring property boundaries. As a rule of thumb, a separation distance of approximately 1m from a side boundary per 3m of height should be achieved.
- Use light coloured materials on elevations adjacent to neighbouring properties.

In relation to overlooking and loss of privacy

- Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions (but always ensure the design complies with necessary fire regulations)
- Reposition the window so it is not facing directly into a window in the adjoining property.

## **5.2. Natural Heritage Designations**

- 5.2.1. The subject site is not located within site designated as a Natura 2000 site or NHA/pNHA and a significant distance of the subject site from any designated site.

## **6.0 EIA Screening**

- 6.1. The proposed development is not one to which Schedule 5 of the Planning and Development Regulations, 2001, as amended, applies and therefore, the requirement for submission of an EIAR and carrying out of an EIA may be set aside.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

- 7.2. The appellant grounds of appeal in summary refers to;

- The application was not made in accordance with planning legislation as although the application is for permission elements of the proposed works have been carried out as the external insulation has been carried out.
- There is no objection to the insulation or solar panels and the objection relates to the dormer extension.
- Reference is made to the location of the windows and the location and scale of these windows to the appellant's property and the impact arising from these windows.
- The design is completely at odds to the existing housing design and features in the small setting of the area.
- Concern is raised in relation to the drainage arrangements and that three sides of the dwelling drain into the appellant's property and no indication of what arrangements are in place for the front the property.

### **7.3. First Party Response**

7.3.1. The first party applicant response in relation to the grounds of appeal in summary refers to;

- In works carried referred to in the grounds of appeal was the provision of external insulation and although included in the planning application would constitute exempted development under Section 4(1)(h) of the Planning and Development Act 2000 and does not materially alter the visual character of the property.
- Likewise, the solar panels is exempted development.
- In relation to visual and amenity impact reference is made to and existing front building lines and the proposed development will not introduce an incongruous visual element to the existing stepped building line.
- The proposal does not result in undue overlooking.
- Reference is made to condition no 2 of the planning authority's decision requiring a revision to include high level windows in the bedroom.



- This condition does however appear to conflict with Part B of the Building Regulations in relation to fire safety and is referred to in the planning report and to address this matter a revised bedroom window details are submitted in the response which addresses overlooking and fire safety concerns.
- The revised details provides for a 2 metre long high level window above 1.7 metres above finished floor level and a compliant fire escape window in the bedroom to the north of this window opposite the gable wall of 10A where there is no potential for overlooking the appellant's property.
- The first party requests in a decision to grant permission to reword condition no. 2 to reflect this.
- The appellant refers to overlooking the front garden but the primary private space is to the rear and the proposal does not materially affect the amenity of the front garden.
- In relation to drainage no new arrangements are proposed and no new connections or discharges to the appellant's property are proposed.
- No increase impermeable surface area is proposed.
- A drainage survey was carried out which reflects that no shared or cross boundary drainage exists and details of this survey are submitted.

#### **7.4. Planning Authority Response**

The planning authority in a response dated the 1<sup>st</sup> October 2025 indicates that it confirms its decision and the issues raised are addressed in the Chief Executive Order.

### **8.0 Assessment**

- 8.1. The main issues in this appeal are principle of the development and the grounds of appeal in particular the design of the proposed development and impacts on residential visual amenity. Issues relating to drainage and Appropriate Assessment also needs to be considered. I am satisfied that no other substantive issues arise.

#### **8.2. The principle of the development**

- 8.2.1. The proposal as submitted is for an extension to a dwelling and the site is located within a residential area with a residential zoning. The proposed development is therefore acceptable in principle. The development plan outlines policies and guidance to be considered and adhered to in relation to extensions to dwellings, extensions in the roof area and general principles of design which are taken into account in assessing any proposals in this regard.
- 8.2.2. It is also noted that the appellants have indicated that they have no objections to aspects of the proposal development and that their concerns are in relation to the construction of an extension to the attic area as a habitable space and in particular the proposed dormer windows and to the design as proposed and issues relating to surface water drainage.
- 8.3. **Grounds of appeal**
- 8.4. Design and impacts on residential and visual amenity.
- 8.4.1. The appellants in the grounds raise issues in relation to the location of the windows and the location and scale of these windows to the appellant's property and the impact arising from these windows and that the design is completely at odds to the existing housing design and features in the small setting of the area.
- 8.4.2. In response the first party and in relation to visual and amenity impact reference is made to and existing front building lines and the proposed development will not introduce an incongruous visual element to the existing stepped building line. It is also contended that the proposal does not result in undue overlooking. There is also reference to condition no 2 of the planning authority's decision requiring a revision to include high level windows in the bedroom and that this condition appears to conflict with Part B of the Building Regulations in relation to fire safety, is referred to in the planning report and to address this matter a revised bedroom window details are submitted in the response which addresses overlooking and fire safety concerns.
- 8.4.3. In relation to the streetscape of the immediate area the area does not have a uniform front building line and is predominantly two storied and the dwelling on the appeal site would be at variance with the streetscape. The dwelling is however a detached dwelling and the property to the west has a blank side elevation.

8.4.4. The House Extension Design Guide refers to Elements of Good Extension Design which include:

Respect the appearance and character of the house and local area.

In relation to this I note the issues raised in the grounds of appeal but the dwelling on the site has its own unique design which varies from other dwellings in the immediate vicinity and any extension in particular to the side will accentuate this variation to some degree. I would however have no objections in principle to the design subject to not adversely impacting on adjoining properties and complying with the general principles stated in the design guide.

The guidance as a general principle requires that an extension should not overlook, overshadow, or have an overbearing effect on properties next door.

In relation to this matter the property on the appeal site is between 1555 and 1760mm from the common boundary with the property to the west which immediately adjoins the common boundary. Given the orientation of the dwellings issues of overshadowing do not arise. The roof extension facing westwards does not extend to the eaves and existing western elevation.

In relation to design principles the extension the dormer windows are below the ridge of the roof and the dormer windows comply with the requirement of set back from the eaves line which requires at least 3 tile courses and the extension does not obscure the main ridge and eaves features of the existing roof. The proposed extension also provides for a separation distance of approximately 1 metre from a side boundary per 3 metres of height. When these matters are considered, I do not consider that the siting and design of the roof extension will give rise to an overbearing impact.

#### Overlooking

In relation to overlooking the proposal as submitted incorporated three windows on the side elevation at roof level. The proposal provided for the glazing to be obscure including the two bedroom windows. The guidance refers to reposition the window so it is not facing directly into a window in the adjoining property. As already stated, no direct overlooking of a window on the adjoining property arises and obscure glazing on the windows is proposed. Any potential overlooking given the variation in building lines would be towards the front rather than the rear and in this regard, it would

overlook an area of public realm visible from the street and would not be an area of private amenity open space.

I would note that the planning authority had concerns in relation to the proposed opaque finish on the two bedroom windows of the proposed dormer which should be omitted given the habitable nature of the room and in condition no. 2 recommended an amendment to the design shall be carried out and that the two bedroom windows on the western elevation of the dormer extension shall be amended to high-level windows (cill level 1.7 metres or higher above internal floor level), with non-opaque glazing.

In the response to the grounds of appeal raises concerns in relation to this condition and that this condition does however appears to conflict with Part B of the Building Regulations in relation to fire safety and to address this matter a revised bedroom window details are submitted in the response which addresses overlooking and fire safety concerns. The revised details provides for a 2 metre long high level window above 1.7 metres above finished floor level and a compliant fire escape window in the bedroom to the north of this window opposite the gable wall of 10A where there is no potential for overlooking the appellant's property.

I would note that in relation to the modifications proposed in the appeal response that the modifications in question would be a material change in the context of this appeal and that this had not been circulated for comment by the third party.

Although the Building Regulations are a separate statutory code any development constructed will have to comply with the regulations and the purpose of the windows in a habitable room is to provide natural lighting and a means of escape and to ensure the design complies with necessary fire regulations.

Providing high level windows as proposed by condition no.2 does not fully provide for this. Given that the windows face a blank gable and any views from the windows is towards a front garden area and the public realm I do not consider that there is a requirement that the two bedroom windows on the side elevation would require to be fitted with opaque glazing to address an issue of overlooking that would adversely impact on residential amenity.

Accordingly, while I would conclude that the windows in question do not require opaque glazing, I note that this was proposed by the first party originally. I have no objection to such provision in this instance.

#### 8.5. Drainage.

- 8.5.1. Concern is raised in relation to the drainage arrangements and that three sides of the dwelling drain into the appellant's property and no indication of what arrangements are in place for the front the property.
- 8.5.2. In a response to the grounds of appeal the first party contends that no new arrangements are proposed and no new connections or discharges to the appellant's property are proposed; no increase impermeable surface area is proposed. It is indicated that a drainage survey was carried out which reflects that no shared or cross boundary drainage exists and details of this survey are submitted.
- 8.5.3. In relation to this matter there is nothing submitted in the grounds of appeal to support the view that the proposal as submitted would alter the current surface water drainage arrangements which are indicated on the site layout plan. The matter of piped services is matter for Uisce Éireann who have responsibility for the public sewer and sewerage network and any issues identified is a matter for Uisce Éireann to assess and it may also be a civil matter between the parties and a grant of permission does not remove or eliminate any remedies which may arise.

#### 8.6. Other matters

- 8.6.1. The proposal also provides for external insulation to the existing walls and also for solar panels on east-facing roof of existing 1.5-storey bungalow which are been erected. While noting that the first party has referred to the works as exempted development any matters relating to unauthorised development is a matter for the planning authority but I would have no objection to this aspect of the development.

### 9.0 **AA Screening**

- 9.1. I have considered the proposal for the construction of an extension to an existing dwelling and all associated site works in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located on an established residential site and within an established residential area.

- 9.2. The proposed development comprises in effect a relatively minor development as outlined in section 2 in the Inspectors report. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows; the nature of the development, the distance to designated sites and the absence of pathway to these sites.
- 9.3. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects and likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## 10.0 Recommendation

- 10.1. I recommend that permission be granted.

## 11.0 Reasons and Considerations

- 11.1. Having regard to the nature and scale of the proposed development and the pattern and character of development in the vicinity; and to the policies and provisions of the South County Dublin Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the proposed development would not have a significant adverse effect and would not detract from the character of the area and would not seriously injure the amenities of adjacent residential properties. 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 drawings and particulars as received by the Planning Authority on the 11 <sup>th</sup> day of July 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require points of detail to be agreed with the Planning Authority, these matters shall be
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	<p>the subject of written agreement and shall be implemented in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity</p>
2.	<p>The glazing on the side windows of the bedroom windows at attic level shall be manufactured of opaque or frosted glass.</p> <p><b>Reason:</b> In the interest of orderly development.</p>
3.	<p>Water supply and drainage requirements, including surface water collection and disposal, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health and to ensure a proper standard of development.</p>
4.	<p>External finishes in relation to the proposed development shall be submitted to and agreed with the planning authority prior to the commencement works on the site.</p> <p><b>Reason:</b> In the interest of visual and residential amenity.</p>
5.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>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>Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant</p>

	<p>to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p><b>Reason:</b> In the interest of reducing waste and encouraging recycling</p>
7.	<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 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>

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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Derek Daly  
Planning Inspector

19<sup>th</sup> December 2025



### Form 1 - EIA Pre-Screening

<b>Case Reference</b>	323734-25
<b>Proposed Development Summary</b>	Construction of dormer with rooflight and associated site works.
<b>Development Address</b>	11 Loreto Terrace, Grange Road, Rathfarnham, Dublin 14, D14 KD00.
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>	<input type="checkbox"/> , it is a 'Project'.. <b>X No</b> , 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"/> it is a Class specified in <b>Part 1</b> .	
<input type="checkbox"/>	
<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>	
<b>X No</b> , 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>	
<b>No</b> , the proposed development is of a Class and meets/exceeds the threshold.	
<b>Yes</b> , the proposed development is of a Class but is sub-threshold.  <b>Preliminary examination required. (Form 2)</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>	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No X <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

**Inspector: Derek Daly      Date: 19<sup>th</sup> December 2025**