



An
Coimisiún
Pleanála

Inspector's Report

PL-500213-DS-25

Development	Part two-storey extension to the rear and a porch extension to the front with lean to roof over.
Location	31 Kylemore Avenue, Ballyfermot, Dublin 10, D10 FA03.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	3213/25.
Applicant(s)	Declan & Rose Doran.
Type of Application	Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party.
Appellant(s)	Sean Grehan.
Observer(s)	None.
Date of Site Inspection	6 th February, 2026.
Inspector	Aiden O'Neill.

Table of Contents

1.0	Site Location and Description	3
2.0	Proposed Development	3
3.0	Planning Authority Decision.....	4
4.0	Planning History	6
5.0	Policy Context	6
6.0	EIA Screening	8
7.0	The Appeal	8
8.0	Assessment.....	10
9.0	AA Screening	13
10.0	Water Framework Directive	14
11.0	Recommendation	15
12.0	Reasons and Considerations	15
13.0	Conditions	15
	Appendix 1: Form 1 EIA Pre-Screening	18

1.0 Site Location and Description

- 1.1. The proposed development site is 0.0219ha in area and comprises an existing two-storey, 3-bedroom mid-terrace dwelling, c. 78.6m² in area, in a terrace of 6no. dwellings located to the south of, and set back from, Kylemore Avenue, in a mature residential area in suburban west Dublin.
- 1.2. The terrace of dwellings are principally characterised by front off-street parking areas with separate stepped accesses, internal low walls, and railings/ gated boundary treatment. They are also characterised by a mix of elevational treatments, with nos. 29 and 31 Kylemore Avenue centrally located in the terrace with feature front gable walls. No. 33 Kylemore Avenue is characterised by a front extension with lean-to roof , while Nos. 27 and 29 Kylemore Avenue have front porches. They are also characterised by long, narrow rear gardens. No. 29 Kylemore has a large part single-storey part two-storey flat-roofed rear extension which is set back c. 750m from the boundary with no. 31. There is a large top and side opening casement window on the ground floor western elevation to no.29, as well as a single top opening opaque casement window to the ground floor and first floor western elevation.
- 1.3. There is a single-storey rear extension to no. 31 Kylemore Avenue which is occupied by a kitchen. On the side of no. 31 Kylemore Avenue the extension is set back from the boundary wall with no. 29 Kylemore Avenue by a narrow wall nib, but beyond that, to the north, the extension appears to form the eastern boundary with no. 29 Kylemore Avenue. A planted trellis appears to be attached to this boundary. There are no windows on the eastern elevation of the rear extension to no. 31.
- 1.4. Kylemore Park is located to the north-west of the proposed development site. Further east is the Kylemore Road (R112).

2.0 Proposed Development

- 2.1. The proposed development will consist of the construction of a part two-storey flat-roofed extension (ground floor kitchen and lounge area; first floor bathroom and bedroom) to the rear of the existing two-storey, mid-terrace dwelling; a front porch with a tiled lean-to; and 2no. velux windows to the rear roof. The floor area of the proposed

development is stated to be 124.6m², with the overall dwelling (existing and proposed) stated to be 195.3m² (73.9m² at ground floor level; 50.7m² at first floor level).

- 2.2. The proposed development will also consist of the demolition of the existing single-storey flat roof rear extension (7.9m²), although this was not specifically identified in the notices.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority granted permission on 9th October, 2025 subject to 8no. conditions.

3.1.1. Conditions

8no. standard conditions are attached to the decision of Dublin City Council.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Deputy Planning Officer dated 9th July, 2025 noted the following:

- The subject dwelling is two-storey, mid-terrace, and has an existing rear extension.
- The proposed development is acceptable in principle in the Z1 Sustainable Residential Neighbourhoods zoning objective.
- While a full width is shown, the extension will have a stepped profile when viewed from the side.
- The first floor depth will extend out for c. 4.9m over the ground floor. A render finish is proposed for the entire façade and the flat roof will be 6.055m in height.
- The immediately adjacent dwelling (no. 29) has a part single, part-two storey extension of a marginally lower height from that proposed at no. 31, set back from the common boundary, and has a number of windows fitted with obscure glass. The ground floor depth of no.29 appears to extend further than that proposed for no.31, but the first-floor depths of both extensions are shown to match. There is a discrepancy in this regard.

- Given the orientation and existing first floor extension to no. 29, it is not considered that the proposed first extension of the same depth would have undue negative impacts, however revised drawings are required.
- There is precedent for rear extensions along Kylemore Avenue.
- The separation distance and there being no side windows at first floor, overlooking/visual encroachment is unlikely.
- The render finish and fenestration will complement the existing dwelling.
- The proposed porch, including materials/finish, will not have undue impacts on the character of the dwelling, nor will it have a negative impact on the visual amenities of the streetscape. However, the reduction in depth of the car parking space is not supported by the Transport Planning Division. Revised plans of the proposed porch are required.
- A Request for Further Information issued on 9th July, 2025.
- A response was received on 12th September, 2025. Revisions are proposed to the entrance, including the removal and replacement of the front steps and removal of low walls to provide greater depth for the driveway. The front of the proposed porch has been redesigned to increase the depth to facilitate parking.

The report of the Deputy Planning Office date 6th October, 2025 noted the following:

- The revised front garden parking space is acceptable.
- A survey drawing with dimensions is also provided, illustrating that the ground floor rear extension to no. 29 extends beyond the proposed extension to no. 31 by 1,850mm, but that the first floor extension is level with the existing first floor extension to no.29. The revised survey is acceptable.
- Permission is recommended subject to conditions.

The report of the Deputy Planning Officer is the basis for the Planning Authority's decision to grant planning permission.

3.2.2. Other Technical Reports

- The report of the Engineering Department – Drainage Division, dated 4th June, 2025 recommends permission subject to conditions.

- The report of the Transportation Planning Division dated 16th June, 2025 advises that the minimum depth for the parking of a vehicle is 5m, and would not support the further reduction in depth to the front parking area, therefore recommends further information requiring revised plans of the porch which do not impact on the depth or width of the existing parking area.
- The further report of the Transportation Planning Division dated 25th September, 2025 recommends permission subject to conditions.

3.3. **Prescribed Bodies**

None on file.

3.4. **Third Party Observations**

A third party objection from 29 Kylemore Avenue raised concerns with respect to loss of natural light and overshadowing; negative impact on residential amenity; impact on an established use and long-term occupation; and that the proposed development is contrary to the proper planning and sustainable development of the area.

4.0 **Planning History**

4.1. None.

5.0 **Policy Context**

5.1. **Development Plan**

The proposed development site is zoned Z1 – Sustainable Residential Neighbourhoods in the Dublin City Development Plan 2022-2028, the purpose of which is to protect, provided and improve residential amenities.

Appendix 18 of Volume 2 of the Plan sets out the policies with respect to ancillary residential accommodation. This states as follows:

- Section 1.1 states that Applications for extensions to existing residential units should:
 - Not have an adverse impact on the scale and character of the existing dwelling

- Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight
- Achieve a high quality of design
- Make a positive contribution to the streetscape (front extensions)
- Section 1.2 in relation to rear extensions states that:
 - Ground floor extensions should match or complement the main house.
 - First floor extensions will be considered on their merits, and will only be permitted where the planning authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. The following factors will be considered:
 - Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries
 - Remaining rear private open space, its orientation and usability
 - Degree of set-back from mutual side boundaries
 - External finishes and design, which shall generally be in harmony with existing
- Section 1.4 in relation to privacy and amenity states that it is important to make sure that any extension does not unacceptably affect the amenities of neighbouring properties, including privacy, outlook, daylight and sunlight.
- Section 1.5 in relation to separation distances states that extensions should be designed so as not to dominate or appear unduly overbearing when viewed from adjoining properties.
- Section 1.6 in relation to daylight and sunlight states that consideration should be given to the proportion of extensions, height and design of

roofs as well as taking account of the position of windows including rooms they serve to adjacent or adjoining dwellings.

- Section 1.7 in relation to appearance and materials states that an extension should not dominate the existing building and should normally be of an overall scale and size to harmonise with the existing house and adjoining buildings. The materials used should complement those used on the existing building features.

Section 4.3.1 of Appendix 5 in relation to Dimensions and Surfacing states that basic parking area dimensions are 3m by 5m.

5.2. Relevant National or Regional Planning Policy / Ministerial Guidelines

N/A

5.3. Natural Heritage Designations

The proposed development site is c. 9.12km to the west of the South Dublin Bay and River Tolka SPA (Site Code: 004024), the South Dublin Bay SAC (Site Code: 000210) and the South Dublin pNHA (Site Code: 000210), and also c. 0.667m to the north of the Grand Canal pNHA (Site Code: 002104).

6.0 EIA Screening

- 6.1. The proposed development does come within the definition of a 'project' for the purposes of EIA, as it involves the execution of construction works. However, it does not fall within a class set out in Schedule 5, Part 1 or 2 of the Planning and Development Act, 2000, as amended. Therefore, EIA is not required. Refer to Form 1 in Appendix 1 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

- An appeal has been submitted from no. 29 Kylemore Avenue and makes the following points:

- The proposed extension will severely obstruct natural daylight entering the kitchen, the main living and social space.
- The kitchen has a single window that provides the only significant source of natural light.
- The proposal represents a material injury to residential amenity contrary to the proper planning and sustainable development of the area.
- The scale, height, and proximity of the proposed extension would create an oppressive and enclosing environment in the home. As a sufferer of claustrophobia, the visual dominance of the new structure would cause significant psychological distress, and diminish quality of life. Residential amenity encompasses physical and psychological well-being.
- Uninterrupted daylight and an open outlook from the kitchen has been enjoyed for almost sixty years.
- Consideration is requested to be given to the established pattern of use and settled nature of the streetscape.
- Developments should be balanced against the duty to protect existing residential amenity.
- The proposed development is contrary to provision of the policies of the Plan in respect of new extensions.
- Refusal of permission is requested.
- Photographs taken from the kitchen window are attached to the appeal.

7.2. Applicant Response in the case of a 3rd Party Appeal

- None on file.

7.3. Planning Authority Response

- The Planning Authority's submission dated 3rd December, 2025 requested the Commission to uphold its decision and attach a condition requiring a Development Contribution.

7.4. **Observations**

- None on file.

7.5. **Further Responses**

- None on file.

8.0 **Assessment**

8.1 Having examined all the application and appeal documentation on file, and having regard to relevant policy, I consider that main issues which require consideration in this appeal are those raised in the grounds of appeal.

8.2 As no concerns were raised in the appeal in respect of the front porch extension and revisions to the front garden, which revisions have been accepted by the Planning Authority, and which are generally in accordance with the relevant provisions of the Plan, I do not propose to consider these aspects of the proposed development in this assessment.

8.2 The main appeal issues are, therefore, as follows:

- Impact on residential amenity
- Compliance with planning policy

8.3 Impact on residential amenity

8.3.1 The focus of the Third Party Appeal is on the impact of the proposed rear extension on the residential amenities of the appellant, specifically the ground floor west-facing window of the appellant's property which, it is stated, is used as a kitchen/living space. This window would be most affected by the proposed development.

8.3.2 The appellant contends that the scale, height and proximity of the proposed rear extension will result in a significant loss of light to their ground floor internal space and significantly diminish their quality of life.

8.3.3 I note that the existing single-storey rear extension to no. 31 which accommodates the kitchen appears to form the boundary with no.29.

8.3.4 I also acknowledge that the construction of the part single-storey part two-storey rear extension to no. 31 will occupy the full width of the site.

- 8.3.5 In this context, and given its nature and extent, the proposed development may give rise to the potential for overshadowing of the adjacent ground floor space of no. 29.
- 8.3.6 However, as clarified by the applicant in the response to the RFI issued by the Planning Authority on the application, the proposed ground floor extension to no. 31 is set back by c.1.85m from the existing ground floor extension to no. 29, and the depth of proposed first floor extension is level with the existing first floor extension to no.29.
- 8.3.7 I also note that, while the proposed extension to no 31 is slightly higher in elevation than the existing extension to no. 29 (see drawing P08 submitted in response to the RFI), it is domestic in scale, and the rear extension to no. 29 is set back from the boundary with no. 31 by 0.75m, such that existing amenities will be adequately protected, and that any overshadowing impact will not be significant, and would be at a level that would be acceptable in an urban location.
- 8.3.8 Given the stepped configuration of the proposed extension, it would be unlikely to give rise to any significant negative impact on the visual amenities of, or be overbearing on, no. 29.
- 8.3.9 Furthermore, given that there are no windows on the eastern elevation of the proposed first floor extension, there will be no overlooking of no. 29.
- 8.3.10 In relation to the established pattern of use, it is noted that the precedent of a part single-storey part two-storey rear extension to an existing dwelling has already been established at no. 29. As observed on the day of the site visit, a number of dwellings in the vicinity have been modernised/extended, but their overall character remains.
- 8.3.11 It is noted that the Planning Authority attached a condition restricting construction hours to safeguard the amenities of property in the vicinity. Given the mid-terrace location of the proposed development site, I recommend that a condition of this nature is attached, in the event of a grant of permission.
- 8.3.12 It is considered that the part single-storey part two-storey extension, by reason of its height and scale, is an acceptable intervention, and will not give rise to significant residential amenity concerns. The proposed rear extension is, therefore, acceptable in this context. In an urban context such as this, a balance has to be struck between safeguarding the amenities of no. 29 Kylemore Avenue and facilitating a reasonable extension to no. 31 Kylemore Avenue.

8.4 Compliance with planning policy.

8.4.1 The appellant contends that the proposed development is contrary to planning policy.

8.4.2 The proposed development site is zoned Z1 - Sustainable Residential Communities in the Dublin City Development Plan 2022-2028, the purpose of which is to protect, provide and improve residential amenities. The proposed development will protect, provide and improve the residential amenities of no. 31 Kylemore Avenue, and will not significantly impact the existing residential amenities of no. 29.

8.4.3 Having regard to the provisions of Appendix 18 of Volume 2 of the Plan, the proposed development:

- Will not have an adverse impact on the scale and character of the existing dwelling
- Will not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight
- Achieves a high quality of design
- Will complement the main house. The render finish and fenestration will complement the existing dwelling.
- Will not result in any significant negative impacts on surrounding residential or visual amenities.
- Will not unacceptably affect the amenities of neighbouring properties, in terms of privacy, outlook, daylight and sunlight.
- Will not dominate or appear unduly overbearing when viewed from adjoining properties.

8.4.4 Given the long rear garden, there will be no impact on private amenity space from the proposed development.

8.4.5 Overall, it is considered that the proposed development is consistent with the Z1 zoning objective, and complies with the provisions of Appendix 18 of Volume 2 of the Plan.

9.0 AA Screening

- 9.1. I have considered the development of the part two storey extension to the rear and a porch extension to the front with lean to roof over at 31 Kylemore Avenue, Ballyfermot, Dublin 10 in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The proposed development site is c. 9.12km to the west of the South Dublin Bay and River Tolka SPA (Site Code: 004024), and the South Dublin Bay SAC (Site Code: 000210).
- 9.3 The proposed development will comprise the development of the part two storey extension to the rear and a porch extension to the front with lean to roof over at 31 Kylemore Avenue, Ballyfermot, Dublin 10.
- 9.4 No nature conservation concerns were raised in the planning appeal.
- 9.5 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 South Dublin Bay and River Tolka SPA (Site Code: 004024), and the South Dublin Bay SAC (Site Code: 000210) 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 modest scale of the works and the nature of the development
- Location - distance from nearest European site and lack of connections

- 9.6 Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.7 I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

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

10.0 Water Framework Directive

10.1 The subject site is located in a established urban area of Dublin City. The nearest relevant water body is the Dodder _050, code IE_EA_09D010900, c. 0.615km to the east, the status of which is 'At Risk'.

10.2 The proposed development will comprise the development of a part two storey extension to the rear and a porch extension to the front with lean to roof over at 31 Kylemore Avenue, Ballyfermot, Dublin 10.

10.3 No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development of a part two storey extension to the rear and a porch extension to the front with lean to roof over at 31 Kylemore Avenue, Ballyfermot, Dublin 10 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 water bodies either qualitatively or quantitatively.

10.4 The reason for this conclusion is as follows:

- The nature and scale of the development proposed which includes a connection to a public services.
- Distance from the nearest relevant water bodies, and the lack of hydrological connections.

10.5 Conclusion

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.

11.0 Recommendation

11.1. I recommend the Commission grant permission for the reasons and considerations set out below.

12.0 Reasons and Considerations

Having regard to the Z1 Sustainable Residential Neighbourhoods zoning objective, the pattern of development in the area, and the provisions of Appendix 18 of Volume 2 of the Dublin City Development Plan 2022-2028 (as varied), it is considered that, subject to compliance with the conditions below, the proposed development would not seriously injure the residential and visual amenities of property in the vicinity, and is, therefore, in the interests of 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 as amended by the further plans and particulars received by the planning authority on the 12th September, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The existing dwelling house, including part single-storey, part two-storey extension, and front porch, the subject of this grant of planning permission, shall be occupied as a single residential unit, and the part single-storey, part two-storey extension and front porch shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling house, as extended.</p> <p>Reason: In the interests of orderly development.</p>

3.	<p>Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, no flat roofed area shall be used or accessed as a roof garden, roof terrace or balcony.</p> <p>Reason: In the interests of residential amenity.</p>
4.	<p>Details of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: in the interest of visual amenity and to ensure an appropriate high standard of development.</p>
5.	<p>Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: in the interests of public health and surface water management.</p>
6	<p>Site development and building works shall be carried out between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.</p> <p>Reason: To safeguard the amenity of property in the vicinity.</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</p>

	<p>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>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.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Aiden O'Neill
Planning Inspector

9th February, 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	ACP-500213-DS-25
Proposed Development Summary	Part two-storey extension to the rear and a porch extension to the front with lean to roof over.
Development Address	31 Kylemore Avenue, Ballyfermot, Dublin 10, D10 FA03.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
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?	

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

Inspector: _____

Date: 9th February, 2026