



An
Coimisiún
Pleanála

Inspector's Report

PI-500280-DR-25

Development	Front porch extension with new side-facing window, single storey flat roof rear extension, demolition of existing ground floor rear extension.
Location	35 Cedarwood Road, Stillorgan, Blackrock, Dublin, A94T8X2
Planning Authority	Dun Laoghaire Rathdown Co. Council
Planning Authority Reg. Ref.	D25B/0485/WEB
Applicant(s)	Andy Colclough.
Type of Application	Permission.
Planning Authority Decision	Grant permission
Type of Appeal	Third Party
Appellant(s)	Garrett & Olivera Cassidy.
Observer(s)	None.
Date of Site Inspection	15 th January 2026.
Inspector	Ann Bogan

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1.0 Site Location and Description

- 1.1. The site is located in an established residential area and consists of a two storey semi-detached dwelling with a hipped roof profile with a stated site area of 0/038Ha. The dwelling is set back from the road frontage and has car parking to the front and a private amenity area to the rear. The area is characterised by semi-detached dwellings similar to the subject site, many of which have rear extensions of varying size.
- 1.2. The site is bounded by No 33 Cedarmount Road to the west and No 37 Cedarmount Road to the east and backs onto the rear garden of No 65 Trees Road Upper. There is an existing paved patio to the rear of the subject house and the grassed rear garden falls southwards away from the house. The rear garden is bounded by timber fencing approximately 1.8m high, with some variation in height. The fencing panels steps down in line with the fall in ground level.

2.0 Proposed Development

- 2.1. The development consists of:
 - Construction of extension to front porch, with new side facing window
 - Construction of single storey, flat roofed, rear extension, stated to be 57sqm in area, projecting 7m to rear of dwelling, and 3.6m in height
 - Demolition of existing 16sqm ground floor extension, which projects circa 4.8m to rear of dwelling
 - Site is connected to existing public water and sewerage services and surface water is proposed to be disposed of on-site by means of SuDs

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Grant permission on 17th October 2025, subject to 7 conditions
 - Condition 1: standard condition requiring development to be carried out in accordance with plans submitted, as referred to in planner's report (see below)

Condition 2 requires the dwelling to be used as a single dwelling unit and not subdivided

- Condition 3 requires surface water disposal to be in accordance with recommendations of Greater Dublin Strategic Drainage Study for sustainable urban drainage systems providing permeable paving, using water butts and planters and not allowing surface water to connect to public surface water sewer.
- Conditions 4-7 refer to payment of Development Contributions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planner's report considered the proposed front extension to be in keeping with the building and not to impact on amenity of neighbouring dwellings.
- In relation to the rear extension, the submission received was acknowledged and the planner stated: "however given the single storey nature of the proposed development it is considered that the proposal would not result in any undue overlooking, overshadowing or overbearing of neighbouring properties."
- In response to the submission concerns regarding overlooking due to discrepancies in plans submitted, the report recommended a condition requiring the applicant to ensure the development is carried out in its entirety in accordance with plans and particulars lodged with the application
- The report noted the extension height of 3.6m and that it extends 7m beyond rear building line but considered there is an established pattern of similar rear extensions and "it would not represent an incongruous form of development" and permission was recommended subject to conditions
- Having screened the development for AA it was determined the proposed development would not significantly impact on a Natura 2000 site

- It was considered there is no real likelihood of significant effects on the environment arising from the proposed development and the need for environmental impact assessment can be excluded at preliminary examinations.

3.2.2. Other Technical Reports

- Drainage Report: No objection subject to conditions relating to provision of permeable surfaces to parking and hardstanding areas and disposal of surface water to water butts, rainwater planters and infiltration system within the site and not to the public sewer.

3.3. Prescribed Bodies

None

3.4. Third Party Observations

- One observation was received which raised similar issues to those raised in the appeal.

4.0 Planning History

4.1. On-site: None

4.2. Nearby sites:

ABP 314773 on 20th December 2023, permission granted for removal of flat roof single storey rear outbuildings and bay window and construction of extension at 30 Cedarmount Road.

D22B/0189: On 4th August 2022, permission granted for works which included a single-storey extension to the side and rear, a redesigned roof, the conversion of the attic and the addition of a flat-roofed dormer on the rear roof at 23 Cedarmount Road.

D17A/0108: On 27th April 2017, permission granted for works which included a dormer extension to the rear of the existing main roof and the provision of a combined/altered window to the rear at 5 Cedarmount Road.

5.0 Policy Context

5.1. Development Plan

Land Use Zoning Map 2 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 indicates that the application site is subject to Zoning Objective 'A', with an aim to provide residential development and improve residential amenity while protecting existing residential amenities.

Section 4.3.1.2 of the Development Plan refers to actively promoting and facilitating adaptation of existing housing stock to accommodate changing household size and needs. It says that retention and adaption of stock will be further encouraged by facilitating suitably designed domestic extensions.

Section 4.3.1.3 Policy Objective PHP20 – Protection of Existing Residential Amenity

Section 12.3.7.1 Extensions to Dwellings.

(i) Extensions to the Front: Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house. The scale, height, and projection from the front building line of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, and a more contemporary design approach can be considered.

(ii) Extensions to the Rear: Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the main house.

First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions 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.

5.2. **Natural Heritage Designations**

- Site is 2.4km west of South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)
- Site is 2.4km west of South Dublin Bay SAC (Site Code: 000210)

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 also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

Appellants are owner/occupiers of No 33 Cedarmount Road, the adjoining semi-detached house to the west. Grounds of appeal in summary:

Ground 1: Planning Authority failed to address material inaccuracies in the submitted plans

- Site layout indicates rear gardens drop 0.65m from floor level. Actual drop is approximately 1.8m below floor level, a difference of 1m.
- Therefore, degree of overlooking and visual dominance is significantly more than plans suggest
- Planning authority condition requiring the development be carried out in its entirety in accordance with the plans submitted does not address the inaccuracies in the plans

- Failure to seek corrected information represents a procedural defect that invalidates decision making process

Ground 2: Incorrect assessment of existing extension at 33 Cedarmount Road

- Submitted plans fail to show that appellants extension was designed with floor level 0.35m below main house floor level to reduce visual impact on neighbouring properties
- Therefore, Planning Authority could not accurately assess actual height difference and visual relationship between existing and proposed extensions

Ground 3: Excessive overlooking contrary to constitutional rights and planning policy

- Right to privacy is guaranteed under the constitution and loss of privacy is a planning consideration
- Proposed 6m wide glass doors in rear elevation would rise from 1.5m to 3.9 m above garden level of 33 Cedarmount Road creating elevated view into appellants rear garden and raised patio at 1.5m above appellants garden creates direct view into private garden space
- No provision made in application or in planning decision to protect appellant from excessive overlooking

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

- None

7.3. Planning Authority Response

- Commission is referred to the Planner's Report. It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the planning authority, would justify a change in attitude to the proposed development

7.4. Observations

- None

8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including the appeal documentation, the report of the local authority, having inspected the site, and having regard to the relevant policies and guidance, I consider that the substantive issue to be considered in this appeal is:

- Impact on residential amenity

8.2. Impact on residential amenity

- 8.2.1. The site is in an area zoned 'A' with an objective 'to provide residential development and improve residential amenity while protecting the existing residential amenities'. Policy objective PHP19 aims to 'conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with NPO 34 of the NPF'. Furthermore, there is adequate private amenity space remaining to serve the dwelling, on completion of the proposed development. Therefore, as the planning authority states, the proposed extensions are acceptable in principle, subject to protection of residential amenities.
- 8.2.2. The primary focus of the appeal is the potential impact of the proposed rear extension on residential amenity of neighbouring properties. The front extension is of limited scale and I am satisfied it would not have a negative impact on residential amenities.
- 8.2.3. The proposed single storey rear extension is quite substantial, being 3.6m in height, extending the full width of the site and projecting 7m from the rear wall of the dwelling. I note that many of the dwellings in the area have rear extensions some of which extend at least 7m beyond the rear building line, (although few if any take in the full width of the site). I am satisfied that there is adequate rear garden space to accommodate the extension and it would leave 146sqm of private amenity space to serve the dwelling.
- 8.2.4. The proposed extension will extend 2.8m beyond the 4.2m extension of the adjoining dwelling to the west and, based on site observation and the drawings of the proposed extension supplied with the application, will be approximately 0.5m higher. It also appears to extend over 2m beyond the extension to the neighbouring house to the east. Taking into account the general pattern of development in the area and the relative size and position of the existing neighbouring extensions, I do not believe the

proposed extension will appear unduly overbearing when viewed from the neighbouring gardens, such as to have a significant impact on residential amenity. Similarly, noting that the subject garden and adjoining rear gardens are south facing, I am satisfied that the proposed extension would not lead to significant overshadowing of the neighbouring rear gardens such as to impact on residential amenity.

- 8.2.5. As mentioned above, the rear garden and adjoining gardens fall away from the dwellings and the existing wooden boundary fencing panels step down gradually with the slope. Existing panels are generally 1.8m high on the western side of the garden and generally 1.7m high on the eastern side. No details are provided with the application with regard to proposed boundary treatment with neighbouring gardens to take account of the proposed extension and the proposed patio, which is to extend 4m beyond the extension.
- 8.2.6. There appear to be discrepancies between the levels shown as rear garden levels shown on the drawings and the situation on-site. However, based on on-site observation of the existing patio and the details provided of the proposed full width patio, I estimate that the southern end of the proposed patio will be at least 1m over the adjoining ground level. Therefore, I am concerned that the existing 1.7m to 1.8m fencing on either side of the garden will not be adequate to provide screening and prevent overlooking of neighbouring rear gardens from the large window in the extension and from the elevated patio, with resultant potential for negative impact on privacy and residential amenity. As this is not addressed by the conditions attached to the planning authority decision, I recommend that an additional condition be included, requiring that solid fences or walls, 1.8m in height, be provided along each side and for the full depth of the proposed patio to protect the amenity and privacy of the neighbouring properties. Details of same to be submitted for the written agreement of the planning authority prior to commencement of construction.
- 8.2.7. Subject to inclusion of above condition I am satisfied that the proposed extension would not be overbearing in nature, would not result in undue overshadowing or impact negatively on the privacy and amenity of neighbouring properties and would be in keeping with the zoning objective and with Section 12.3.7.1 of the Dun Laoghaire Rathdown County Development Plan 2022-2028.

9.0 AA Screening

- 9.1. I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is 2.4 km west of the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)) and 2.4km west of South Dublin Bay SAC (Site Code 000210) The proposed development comprises construction of an extension to a porch and a rear extension to an existing dwelling in an established residential area at 35 Cedarmount Avenue, Stillorglan, Blackrock, Dublin.
- 9.2. No nature conservation issues were raised in the planning appeal.
- 9.3. 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. The reason for this conclusion is as follows:
- Nature of works i.e. small scale and nature of the development
 - Location and-distance from nearest European site and lack of connections
- 9.4. 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. 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 at Cedarmount Road, Stillorglan, Blackrock, Dublin and the nearest waterbody is Dublin Bay. The development comprises construction of an extension to a porch and a rear extension to an existing dwelling. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & 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.

10.3. The reason for this conclusion is as follows:

- The small scale and nature of the development
- The distance from nearest water bodies and lack of hydrological connections

10.4. I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. Grant of permission is recommended.

12.0 Reasons and Considerations

Having regard to the zoning of the site, the pattern of development in the area, and the scale and form of the proposed extensions, it is considered that the proposed development would not detract from the amenity of adjacent properties or from the character of the area and would be in accordance with the provisions of the Dun Laoghaire-Rathdown Development Plan 2022-2028 and, would, therefore be in accordance with the proper planning and sustainable development of the area, subject to the conditions below.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required to comply with the following conditions.

Reason: In the interest of clarity

2. A 1.8m high fence or wall shall be constructed along the sides of the raised patio to the rear of the proposed rear extension, to provide boundary screening between the subject property and Nos 35 and 37 Cedarmount Road. Revised drawings showing compliance with above requirement shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of residential amenity.

3. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority and shall include for disposal of surface water within the site boundaries.

Reason: In the interest of sustainable drainage and public health.

4. 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 Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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

Ann Bogan

Planning Inspector

14 February 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500280-DR-25
Proposed Development Summary	Front porch extension with new south facing window, a single storey flat roof rear extension and the demolition of the existing ground floor rear extension
Development Address	35 Cedarmount Road, Stillorglin, Blackrock, Dublin, A94T8X2
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.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - 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.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<p>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?</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>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</p>
<p>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)?</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: Ann Bogan Date: 14/02/2026