



An  
Coimisiún  
Pleanála

## Inspector's Report ACP-500597-DR-26

<b>Development</b>	Demolition of rear extension and construction of a new 1-2 storey rear extension with associated works
<b>Location</b>	18 Temple Park Avenue, Blackrock, Co. Dublin A94 A4X2
<b>Planning Authority</b>	Dun Laoghaire Rathdown County Council
<b>Planning Authority Reg. Ref.</b>	D25A/0775/WEB
<b>Applicant(s)</b>	Elaine and Trevor Duffy
<b>Type of Application</b>	Planning permission
<b>Planning Authority Decision</b>	Grant permission with conditions
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Patrick and Anne Maire Dillion
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	15 <sup>th</sup> March 2026
<b>Inspector</b>	Susan Clarke

## 1.0 Site Location and Description

- 1.1. The subject site (measuring 0.067ha) is located on Temple Park Avenue in an established residential area, comprising detached bungalows and two storey dwellings of various architectural designs.
- 1.2. The site consists of a detached bungalow with three dormers to the rear, private amenity space to the rear and front with vehicular access onto Temple Park Avenue. The site is steeply sloped upwards from the roadside to the rear boundary and therefore the private amenity space to the rear is at a higher level to that of the front.
- 1.3. The site is bounded by No. 20 Temple Park Avenue to the west, No. 16 Temple Park to the northeast and an apartment complex 'Seapoint Court' to rear (south).

## 2.0 Proposed Development

- 2.1. The proposed development comprises:
  - demolition of single-storey extension to the rear and roof of existing detached dormer bungalow
  - construction of a part single and part two-storey extension to the rear,
  - replacement roof with increased ridge level incorporating a new layout to the existing first floor level, modifications of existing windows and doors, addition of new dormer windows to the front,
  - widening of the existing vehicular entrance,
  - a new pedestrian entrance gate and
  - all associated site works.

## 3.0 Planning Authority Decision

### 3.1. Decision

- 3.1.1. On 5th December 2025, Dun Laoghaire Rathdown County Council issued Notification of Decision to Grant Permission for the proposed development, subject to eight Conditions.

### 3.2. Planning Authority Reports

- 3.2.1. Planning Report (5<sup>th</sup> December 2025)

The Notification of Decision to Grant Permission reflects the recommendation of the planning case officer, who stated that having regard to the Objective A zoning of the subject site, massing, scale and form of the proposed rear and dormer extension elements to the existing dwelling and associated access and boundary treatments, it is considered that the proposed development would not adversely impact on the residential amenity of adjacent properties by reason of overshadowing, overlooking or overbearing appearance.

- 3.2.2. Other Technical Reports

Drainage Planning (17<sup>th</sup> November 2025) - No objection subject to condition.

Transportation Planning (19<sup>th</sup> November 2025) - No objection subject to condition.

### 3.3. Prescribed Bodies

- 3.3.1. None on file.

### 3.4. Third Party Observations

- 3.4.1. One third-party observation was submitted to the Planning Authority during its determination of the planning application. The issues raised include:

- Overbearing and overshadowing effect on surrounding properties,
- Impact on the privacy of adjoining properties,
- Set an undesirable precedent,

- Contrary to the proper planning and sustainable development of the area,
- Height at first floor level difficult to assess as adjoining properties height/levels not stated,
- Ridge height proposed is too high,
- Flat roof rear ground floor extension is too high at 3.4m,
- No overlooking or overshadowing analysis submitted,
- Living room is proposed at first floor level and now overlooking neighbouring dwellings,
- Balcony proposed will overlooking neighbouring dwelling to the west,
- Removal of hedging along western boundary will exacerbate overlooking,
- Figure 3 of the Design Report is misleading as it does not reflect the scale and bulk of the proposed rear extension.

## 4.0 Planning History

- 4.1.1. No recent Planning History on the site.

## 5.0 Policy Context

### 5.1. Dun Laoghaire Rathdown County Development Plan 2022-2028

- 5.1.1. The site is governed by the policies and provisions contained in the Dun Laoghaire Rathdown County Development Plan 2022-2028 (CDP).
- 5.1.2. The site's land use zoning objective is 'A' which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities'. Residential is a 'permitted in principle' land use.
- 5.1.3. Chapter 12 of the CDP provides development management details. Section 12.3.7.1 relates to extensions to dwellings.
- Section 12.3.7.1(ii) (Rear Extensions) states:

*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.*
- Section 12.3.7.1(iv) (Alterations at Roof/Attic Level) states:

*Roof alterations/expansions to main roof profiles - changing the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip' for example – will be assessed against a number of criteria including:*

- Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.*
- Existing roof variations on the streetscape.*
- Distance/contrast/visibility of proposed roof end.*
- Harmony with the rest of the structure, adjacent structures, and prominence.*

*Dormer extensions to roofs, i.e. to the front, side, and rear, will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables*

*and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear.*

*The proposed quality of materials/finishes for dormer extensions will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. However, regard should also be had to size of fenestration proposed at attic level relative to adjoining residential amenities.*

*Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of adjacent properties. Excessive overlooking of adjacent properties should be avoided.*

## **5.2. Natural Heritage Designations**

- 5.2.1. The appeal site is not located in or immediately adjacent to a designated European Site, a Natural Heritage Area (NHA) or a proposed NHA.

## **5.3. EIA Screening**

- 5.3.1. The proposed development is not a class of development set out in Schedule 5, Part 1 or Part 2 of the Planning and Development Regulation 2001, as amended, and therefore no preliminary examination is required. See Appendix 1.

## **6.0 The Appeal**

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

- 6.1.1. One third-party appeal has been received from Patrick and Anne Marie Dillion in respect of the Local Authority's Notification of Decision to Grant Permission. The Appellant outlines that the primary grounds of appeal are:

- The height of the parapet to the proposed rear extension, and

- The proposed removal of hedging to the shared boundary which will result in overlooking of the rear of their property with associated loss of privacy.

In addition to the primary concerns, the Appellant outlines:

- There is a lack of information on the file to assess the proposed development.
- The boundary issue could be resolved with the provision of alternative boundary screening/hedging.
- They are not opposed to the principle of the proposed development and have met the Applicant on-site and agreed that the hedging issue could be readily resolved by re-planting some hedging/small trees/screening in the affected area. In addition, the Appellant suggested that the proposed parapet height of the rear extension could be reduced by 225mm.

## 6.2. Applicant Response

6.2.1. A response (dated 6<sup>th</sup> February 2026) received on behalf of the Applicant can be summarised as follows:

- The proposed parapet height is required to accommodate an internal floor-to-ceiling of 2.7m within the rear extension. The parapet sits 700mm above the internal ceiling level. The structure will be compliant with current building regulations relating to insulation, drainage and structural performance.
- The only method to reduce the parapet height by 225mm would be to lower the internal floor-to-ceiling height from 2.7m to 2.475m. This reduction would significantly adversely impact on the internal spatial quality of the space.
- The proposed extension is located 11.5-12m from the shared boundary between Nos. 18 and 2 and there are no directly opposing windows at this level.
- The proposal does not result in undue overshadowing of No. 20.
- Drawing No. PL06 was submitted with the Response and illustrates the views from both the rear garden and rear terrace of No. 20 towards No. 18. Only a minimal portion of the proposed extension is visible. Crucially, no windows are visible, ensuring privacy for both properties.

- Drawing No. PL05 was submitted with the Response also and proposes a new raised planting bed incorporating a mature evergreen replacement hedge, which will ensure continuity of privacy between the two properties.

### 6.3. Further Submission

6.3.1. The Appellant advised the Commission of the following in relation to the Applicant's Response:

- The revised proposal to provide a replacement mature hedge to reinstate the boundary screening between the subject properties, would mitigate any overlooking from both directions and addresses the initial concerns raised in this respect.
- Accept the proposed parapet height.
- Subject to mature replacement hedging being conditioned, the Appellant is satisfied to withdraw the Appeal and support the proposed development.

### 6.4. Planning Authority Response

6.4.1. Response received states that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

### 6.5. Observations

6.5.1. None.

## 7.0 Assessment

7.1.1. The main issue in this Appeal relates to the request for a planning condition to be attached to a decision requiring a mature replacement hedge to be provided between the Nos.18-20 as illustrated on Drawing No. PL05, which was submitted by the Applicant to the Commission on 9<sup>th</sup> February 2026.

7.1.2. The Commission advised the Appellant on 2<sup>nd</sup> March 2026 that if it was their intention to withdraw the Appeal, an unconditional letter of withdrawal would have to

be provided. At the time of writing this Report, no further correspondence was received from either party.

- 7.1.3. Having reviewed the file, inspected the site, and note that both parties agree on the provision of a mature replacement height along the shared boundary, as illustrated on Drawing No. PL05, I consider it acceptable to attach such a condition requiring same, should the Commission be minded to grant permission for the proposed development.
- 7.1.4. I am satisfied that no other substantive issues arise in this case and note that the Appellant has advised that they are not opposed to the principle of the development. Notwithstanding this, in the interest of clarity, I highlight that I consider the proposed development to be consistent with the site's land use zoning policy and the established residential character of the area. Having regard to its design, scale, and position in relation to neighbouring properties (including No. 20), it will not result in adverse overlooking, or loss of daylight/sunlight. In summary, I am satisfied that the proposed development can be accommodated on the site, without undue impact on No. 20.

## **8.0 Appropriate Assessment**

- 8.1. Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive.
- 8.2. I have considered the proposed development, which comprises modifications and extension to an 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 or adjacent to a European site. There are no protected sites in the vicinity.
- 8.3. 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 an appreciable effect on a European site. The reason for this conclusion is as follows:
- The small scale of the development involving domestic extensions and modifications.
  - The location of the development in a built up, serviced urban area.

8.4. I consider that the proposed development would not be likely to have a significant effect individually or in-combination with other plans or projects, on a European site and appropriate assessment is therefore not required.

## 9.0 WFD Screening

9.1. The subject site is located in Blackrock within a suburban area. The proposed development comprises the demolition of a rear extension and construction of a new 1-2 storey rear extension to an existing dwelling as outlined in Section 2.1 of this Report.

9.2. No water deterioration concerns were raised in the planning appeal. 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.

9.3. The reason for this conclusion is as follows:

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

9.4. 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.

## 10.0 Recommendation

I recommend that planning permission is granted in accordance with the conditions set out below.

## 11.0 Reasons and Considerations

Having regard to the provisions of the Dún Laoghaire Rathdown County Development Plan, 2022-2028, the zoning objective to 'provide residential development and improve residential amenity while protecting the existing residential amenities', the pattern of development in the area, and the scale, form and design of the proposed development, it is considered that, the proposed development would constitute an acceptable form of development at this location and would not seriously injure the residential amenity of surrounding properties by reason by way of overlooking, overshadowing, overbearing appearance or loss of daylight. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 12.0 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 submitted to An Coimisiún Pleanála on 9<sup>th</sup> February 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The landscape scheme as illustrated on Drawing No. PL05 that was submitted to An Coimisiún Pleanála on 9<sup>th</sup> February 2026 shall be implemented fully in the first planting season following completion of the development, and any trees or shrubs which die or are removed within 3 years of planting shall be replaced in the first planting season thereafter.</p> <p>Reason: In the interests of amenity, ecology and sustainable development.</p>

3.	<p>The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling.</p> <p>Reason: To restrict the use of the extension in the interest 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.</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. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
6.	<p>The disposal of surface water shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: To prevent flooding and in the interests of sustainable drainage.</p>
7.	<p>(a) The width of the proposed widened vehicular entrance shall be a maximum of 3.5m.</p> <p>(b) The footpath and the grass verge in front of the proposed widened vehicular entrance shall be dished and strengthened at the Applicant's own expense including any moving / adjustment of any water cocks /chamber covers. With regard to both the dishing and strengthening of the footpath and the grass verge in front of the widened vehicular entrance, the Applicant shall contact the Road Maintenance &amp; Control</p>

	<p>Section to ascertain the required specifications for such works and any required permits.</p> <p>Reason: In the interest of orderly development.</p>
8.	<p>All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.</p> <p>Reason: In the interest of amenities, public health and safety and environmental protection</p>
9.	<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 Coimisiún 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>

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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Susan Clake  
Senior Planning Inspector

16<sup>th</sup> March 2026

# Appendix 1: Environmental Impact Assessment

## Form 1 - EIA Pre-Screening

<b>Case Reference</b>	500597-DR-26
<b>Proposed Development Summary</b>	Demolition of rear extension and construction of a new 1-2 storey rear extension with associated works
<b>Development Address</b>	18 Temple Park Avenue, Blackrock, Co. Dublin A94 A4X2
	<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 type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input checked="" type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b>	
<input type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed	

<p>type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></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>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></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>