



An
Coimisiún
Pleanála

Inspector's Report

PL-500614-SD-26

Development	2-storey extension to the rear of existing terraced dwelling.
Location	No. 11, the Park, Millbrook Lawns, Dublin 24.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD25B/0589W
Applicant(s)	David & Gemma Dolan.
Type of Application	Planning permission.
Planning Authority Decision	Grant permission.
Type of Appeal	Third Party
Appellant(s)	Linda Cox.
Observer(s)	None.
Date of Site Inspection	03/04/2026.
Inspector	Anthony Abbott King

1.0 Site Location and Description

- 1.1. No. 11 "The Park", Millbrook Lawns is a mid-terrace two-storey two-bay house with a front and back garden in a streetscape of houses of similar form and appearance on the north side of "The Park". There are 8 houses in the terrace streetscape (nos. 7-23 "The Park").
- 1.2. "The Park", Millbrook Lawns is located within a network of residential avenues located to the southeast of Tallaght town centre.
- 1.3. The abutting house to the west at no. 9 "The Park" is an end of terrace house in the terrace with a single-storey gable end extension.
- 1.4. The abutting house to the east at no. 13 "The Park" is a mid-terrace property that has not been extended to the rear to date (appellant).
- 1.5. The site area is given as 0.015 hectares.

2.0 Proposed Development

- 2.1. The proposed development comprises the following:
 - (1) A 2-storey extension to the rear of the terraced house to increase living area on ground floor and bedrooms on first floor inclusive on internal modifications;
 - (2) Proposed external finishes to match and align with existing dwelling inclusive of all site works.

3.0 Planning Authority Decision

3.1. Decision

Grant permission subject to 2 conditions.

- 3.1.1. There are two standard conditions attached to the grant of planning permission.

3.2. Planning Authority Reports

- 3.2.1. Planning Reports

The decision of the CEO of South Dublin County Council reflects the recommendation of the planning case officer following a request for the modification of the development proposal by way of further information.

- The planning authority requested the following further information on the 01/12/2025.

Amended Design Concerns are raised over the scale, mass and bulk of the proposed two storey rear extension and its potential to negatively impact on the residential amenity of the adjoining properties by way of overshadowing and overbearing impact. Having regard to the objectives of BFP4 of the SDCC House Extension Design Guide 2025, the applicant is requested to reduce the depth of the first floor element of the extension so that it is no more than 2m in depth and for it to be inset 500mm from the common boundaries with each of the attached dwellings.

- Further information was received on the 06/12/2025 and was assessed as follows:

The applicant has re-submitted plans that show the reduction and redesign of the proposed extension at first floor level. The extension has been reduced by approximately one metre. The revised extension would have a depth of 2m rather than the 3m depth originally proposed, as requested by way of further information.

It is noted that no change has been made to the proximity of the extension (at first floor level) to the side boundaries.

The planning authority is satisfied that the reduction in the extension overall depth at first floor level has mitigated previous concerns in relation to the potential for the extension to have overbearing and overshadowing impacts on adjacent properties, in particular no. 9 "the Park" (the reference to no. 9 "the Park" may relate to no. 13 "the Park" the residence of the appellant which also adjoins the appeal site).

Finally, the revised plans (titled existing and proposed rear elevations, drawing number P3004) appear to show a slight overhang of the roof across the adjacent site boundaries. This matter can be dealt with by way of note attached to the

grant of permission if the representation of the overhang is not in fact a drawing error.

3.2.2. Other Technical Reports

- No consultation recorded.

3.3. Third Party Observations

There is one third-party submission from the resident of no. 13 “The Park”, Millbrook Lawns, which is summarised below (the appellant reiterates these matters of concern in the submitted appeal statement):

- The proposed development will result in overshadowing and loss of light to the rear garden and internal rooms, especially during the afternoon and evening, of the adjoining terraced house at no. 13 “The Park” due to the height, scale and proximity of the proposed extension to the shared property boundary. A shadow study is included with the submission.
- The proposed 2-storey structure extending significantly beyond the rear building line would have an overbearing impact and would be visually intrusive when viewed from the neighbouring property at no. 13 “The Park”.
- The scale and bulk of the proposal appears out of proportion with the existing dwelling and with neighbouring houses.
- The proposed development does not appear to respect the established character or pattern of development in the area where rear extensions are typically single-storey in height.
- The proposal will set a precedent for similar oversized extensions in the future.
- The proposed development is inconsistent with South Dublin County Council Development Plan 2022-2028 and with the SDCC House Extension Design Guide (2025).
- In the event planning permission is granted by the planning authority, it is requested that the development be conditioned to restrict the height of the extension to single-storey form.

4.0 Planning History

4.1. There is no relevant planning history on site.

4.2. Adjacent sites:

Under Reg. Ref. SD14B/0117 planning permission was granted for a two-storey extension to the rear of an end of terrace house at no. 171 "The Crescent", Millbrook Lawns (October, 2014) following the submission of further information having regard to the depth and height of the proposed first floor rear element of the proposed 2 storey rear extension.

5.0 Policy Context

5.1. Development Plan

The local policy framework is provided by the South Dublin County Development Plan 2022-2028. The relevant policies and objectives are set-out below:

- Zoning

The relevant land-use zoning objective is "RES"(Map 9): '*To protect and/or improve residential amenity.*'

- Urban Consolidation

Policy H14 (Residential Extensions) Objective 1 is relevant and states:

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 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

- Residential Extensions

Section 12.6 (Housing / Residential Development) is relevant. Paragraph "Extensions" states:

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.

Section 4 (Elements of Good Extension Design), Rear Extension is relevant and provides for the following positive criteria in the assessment of rear extensions:

- *Match or complement the style, materials and details of the main house unless there are good architectural reasons for doing otherwise.*
- *Match the shape and slope of the roof of the existing house, although flat roofed single storey extensions may be acceptable if not prominent from a nearby public road or area.*
- *Make sure enough rear garden is retained.*
- Other relevant policy documents

The South Dublin County Council (SDCC) House Extension Design Guide (2025). Section 3.1.7 Built Form Principle (BFP) 1 (All Extensions & Alterations to Houses) is relevant and states:

- *Respects the appearance and character of the house and character of the house and subject streetscape / local area.*
- *Does not read as overly dominate relative to existing structure by reason of scale or position.*
- *Provide comfortable internal space and useful outside space.*
- *Incorporate energy efficient measures where possible.*
- *Do not adversely impact on adjoining properties by way of significant overbearing visual appearance.*
- *Does not result in significantly increased levels of overshadowing of adjacent properties.*
- *Does not directly overlook / result in significantly increased levels of overlooking of adjacent properties. Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions such as*

repositioning the window or use of a high level window (cill level 1.7m), angled window or obscure glazing.

- *Consideration of external finishes, such as use of light-coloured materials on elevations adjacent to neighbouring properties.*
- *Consideration of remaining private open space.*

Section 3.4 (Rear Extensions) is relevant.

- Section 3.4.1 (general considerations relating to all rear extensions) is relevant and *inter alia* states:

In most instances, the scale of a rear extension should be proportionate to the scale of the existing house or its plot. The roof form and height of the rear extensions adjoining party boundaries should be considered and parapet height should always be minimised. The quantum of garden space remaining following an extension should be of a useable scale.....Most typical dwellings with rear gardens can accommodate a ground floor rear extension that extends across the entire width of the rear wall of the house.....

First floor or two-storey rear extensions require careful consideration, as depending on the design, this type of extension can have serious adverse effects on the residential amenities of neighbours. A set-back from any adjoining dwellings (terraced / semi-detached) is generally required, unless modest depth and favourable orientation negate same.....

- Section 3.4.2 (Built Form Principle (BFP) 4 - rear extensions) is relevant and states:
 - *Should be designed with consideration to relationship with any adjoining properties, in particular the depth and height of ground floor level extensions.*
 - *Should provide for setback from shared site boundaries at first floor level unless depth and orientation of site negate adverse impacts on adjacent properties.*
 - *Should provide for adequate separation distance between opposing first floor level windows serving habitable rooms.*
 - *Ridge height of first floor / two storey rear extensions should respect the ridge height of the main house.*

- *Extensions to bungalow / dormer bungalow should be modest in depth at first floor level and be set back from shared boundaries and adjoining properties.*
- *Should ensured adequate rear amenity space is retained.*
- Vehicular Access

Chapter 7 (Sustainable Movement) Policy SM5 and Chapter 12 (Implementation and Monitoring) 12.7.4 (car parking standards) and 12.7.6 (Car Parking Design Layout) are relevant.

5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

- The Department of Environment Heritage and Local Government 'Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas' (2009) and the accompanying Design Manual (2009).
- The Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024).

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. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

7.0 **The Appeal**

7.1. **Grounds of Appeal**

The grounds of this third-party appeal are summarised below:

- The appellant is the resident of the adjoining property at no. 13 "the Park" located to the east of the appeal site. The appellant is concerned that the proposed extension given its proximity to the shared property boundary and due to its height and scale will cast excessive shadow on the rear garden of their house and reduce natural light to the interior of the house.

- The submitted shadow analysis illustrates the change in shadow in the rear garden of no. 13 “The Park” on the 21st June between 1pm-6pm. It is claimed that the shadow drawings clearly show that the development will cast excessive shadow on the rear garden during the summer months.
- The appellant has included a shadow study within the appeal statement to demonstrate the impact on the adjoining property particularly during the afternoon and evening especially during the summer months (there is no authorship of the shadow analysis identified).
- It is claimed that the two-storey structure extending significantly beyond the building line would have an overbearing and visually intrusive impact when viewed from the appellant’s property. It is claimed the greatest impact is cast by the wall on the east side of the extension located on the boundary line.
- The scale and bulk of the proposed extension would appear out of proportion with the existing dwelling and with the neighbouring houses.
- It is claimed that the extension does not appear to respect the established character or pattern of development in the area where rear extensions are typically single-storey structures. The proposed development would set a precedent for similar undesirable oversized extensions.
- It is claimed that proposed development is inconsistent with South Dublin County Council Development Plan 2022-2028 and with the SDCC House Extension Design Guide (2025), which seeks to protect the residential amenity of existing dwellings and to ensure that extensions are subordinate to the main house and do not adversely affect neighbouring properties.
- The appellant claims that the proposed extension does not satisfy Section 3.1.6 BFP1 (All Extensions & Alterations to Houses) of the SDCC House Extension Design Guide 2025, which has listed criteria to ensure that extensions *inter alia* respect the existing character, do not dominate relative to the existing dwelling, do not adversely impact on adjoining residential amenity by way of significant overbearing visual appearance and do not result in a significant increase in levels of overshadowing.

- It is requested that the development be conditioned to provide a set back of the east side elevation of the extension from the property boundary by 1.5m in order to address the loss of daylight.

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

The applicant submitted a response to the lodged appeal on the 03/02/2026. The applicant response is summarised below:

- In the matter of overshadowing and loss of light, the applicant claims that the proposed extension depth reduced from 3m to 2m on the first floor will have minimal impact on natural light reaching adjoining properties as demonstrated on the accompanying shadowing study maps for the various seasons of the year (Drawings P5001-P5004).
- In the matter of overbearing impact and visual intrusion, it is claimed the proposed extension complies with BFP4 (rear extensions of the SDC Extension Design Guide by reason of adhering to the following: it is set back from common boundaries of adjoining properties to delineate it; there are no overlooking issues; the ridge height respects the ridge height of the main dwelling and the amenity space is reduced to an acceptable 41 sqm.
- In the matter of design and the character of the area, the applicant cites precedent in the matter of the 2-storey extension of a dwelling house in the immediate vicinity at no. 171 "The Crescent", Millbrook lawns (Planning Ref; SD148/0117).
- In the matter of compliance with the development plan, it is claimed the proposed extension is aligned with SDCC development Plan policy H14 objective 1 *inter alia* to favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and in compliance with development management standards.
- Furthermore, the proposal complies with the SDCC House Extension Design Guide (2025).

7.3. Planning Authority Response

- The planning authority confirms its decision.

- The issues raised in the appeal have been covered in the Chief Executive Order.

7.4. Observations

None.

8.0 Assessment

8.1. I have examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant planning policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Zoning / principle of development
- Impact on the existing residential amenity, including on adjoining properties to the east and west of the appeal site.
- Vehicular widening
- Other matters

8.2. Zoning / principal of development

- 8.3. The appeal site is zoned Objective "RES" of the South Dublin County Development Plan 2022-2028, which seeks to protect and/or improve residential amenity. Residential is a permitted land use.
- 8.4. The applicant proposes to construct a rear two-storey extension that would have a floor area of approximately 45 sqm comprising a ground floor extension of 12.39 sqm and a first floor extension of 12.39 sqm, as stated in the letter of application.
- 8.5. I note that the modification of the proposal by further information response has reduced the first floor internal area to approximately 9 sqm. (2000mm x 4540mm) (DRG.P2001).
- 8.6. I note that Policy H14 (Residential Extensions) Objective 1 seeks to favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and in compliance with the standards set out in the South Dublin County Council House Extension Design Guide.

8.7. I consider that the extension of the existing dwelling house on site is acceptable in principle subject to satisfying the requirements of the residential zoning objective to protect existing residential amenities and the relevant development management standards of the development plan including the SDCC House Extension Design Guide (2025).

Further information

- 8.8. The existing dwelling house is a mid-terrace property and the proposed extension would extend for the full width of the rear garden.
- 8.9. The planning authority by way of further information required at reduction in the depth and width of the proposed first floor element of the extension. The applicant reduced the dept of the extension at first floor level to 2m as requested.
- 8.10. The planning authority requested a 500mm set back from the shared property boundaries with the abutting houses at no.13 "The Park" (east) and no. 9 "The Park" (west) due to concerns that the proposal would adversely impact on the residential amenity of the dwellings on flanking properties by way of overshadowing, overbearing impact and loss of outlook.
- 8.11. However, the width of the extension was reduced by 200mm rather than the 1000mm requested providing a setback from the shared property boundaries of 100mm at first floor level. The ground floor width and dept would remain unaltered.
- 8.12. The set back from the side boundaries (indent) is illustrated on additional information response ('Proposed Contiguous Elevation Along The Park_2' (DRG. P3003) and ('Proposed First Floor Plan' (DRG. P2001).
- 8.13. The applicant response to further information states that an inset of 100mm was incorporated into the revised extension design in response to the planning authority request for a 500mm indent (further information response letter dated 5/12/2025). The applicant justified the 100mm indent on the following grounds:
- Reduced extension width results in a noticeable loss of useable floor area, limiting the room's ability to meet intended spatial requirements;
 - Room areas approach minimum regulatory thresholds, increasing the risk of non-compliance.

- A 500mm reduction negatively affects room performance and limits the ability to fully meet design and operational requirements.

- 8.14. I note that the planning case officer considered that no change had been made to the proximity of the extension (at first floor level) to the site's side boundaries. However, the planning case officer was satisfied that the reduction in the extension's overall depth at first floor level (from 3m to 2m) had mitigated the planning authority's previous concerns.
- 8.15. The impact on existing residential amenities
- The appellant who is the resident of no. 13 "The Park" abutting the appeal site to the east is concerned that the proposal would have an adverse impact on the adjoining house and garden at no. 13 "The Park" in terms of overbearing, overshadowing impacts and the precedent it would set for similar undesirable oversized extension by reason of the scale, bulk and proximity of the two-storey rear extension to the shared property boundary.
- 8.16. The appellant is of the opinion that the proposal and as modified is inconsistent with South Dublin County Council Development Plan 2022-2028 and with the SDCC House Extension Design Guide 2025 in particular Section 3.1.6 BFP1 (All Extensions & Alterations to Houses) of the SDCC House Extension Design Guide 2025.
- 8.17. Furthermore, the appellant claims that the scale and bulk of the proposed extension would appear out of proportion with the existing dwelling and with the neighbouring houses.
- 8.18. The applicant by response cites precedent in the matter of the 2-storey extension of a dwelling house in the immediate vicinity at no. 171 "The Crescent", Millbrook lawns (Planning Ref; SD148/0117).
- 8.19. I have reviewed the development at no.171 "The Crescent", I do not consider the authorised two-storey development is equivalent to the proposal under appeal as no. 171 "The Crescent" is an end of terrace property. Furthermore, the two-storey extension is significantly setback from the shared property boundary with the abutting mid-terrace property.

- 8.20. I note the setback with the abutting terrace property is 2010mm. I also note that the cited authorised (October 2014) two-storey extension was assessed under a previous development plan.
- 8.21. The South Dublin County Development Plan 2022-2028 Section 12.6 (Housing / Residential Development) *inter alia* states 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.
- 8.22. The SDCC House Extension Design Guide 2025 is the relevant design guide. I consider that the guidance provided in Section 3.1.7 Built Form Principle (BFP) 1 (All Extensions & Alterations to Houses) and Section 3.4 (Rear Extensions) are relevant to the assessment of the development proposal.
- Single-storey element*
- 8.23. Section 3.4.1 (general considerations relating to all rear extensions) is relevant and *inter alia* states that the scale of a rear extension should be proportionate to the scale of the existing house or its plot. Furthermore, the quantum of garden space remaining following an extension should be of a useable scale.
- 8.24. The floor area of the existing dwelling on site is given as 83.70sqm. The proposed extension would have a floor area of 24.78sqm. Furthermore, the floor area has been reduced by way of further information response to an approximate 20 sqm.
- 8.25. I consider that the scale of the extension and as modified by way of further information response is in general proportionate to the scale of the existing dwelling house in terms of floor area.
- 8.26. The single-storey element of the extension would have a dept of 3m measured from the rear elevation of the terraced house and would extend for the full width of the rear garden.
- 8.27. I note the full garden width at the southern end of the garden closest to the house is given as 5320mm (DRG. P2001) and 4990mm as measured along the rear boundary wall.
- 8.28. The ground floor extension would accommodate an extension of the Livingroom / kitchen of the house

8.29. *Residual garden space*

Section 3.4.1 (general considerations relating to all rear extensions) of the SDCC House Extension Design Guide (2025) requires that the quantum of garden space remaining following an extension should be of a useable scale. The scale of truncated garden space is informed by SPPR 2 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities (2024).

8.30. The minimum open space requirement for a 3-bedroom house is 40 sqm. The proposed residual garden would satisfy this requirement.

8.31. I note that the rear garden would be reduced by approximately 16 sqm. However, on balance I consider that the truncated rear garden would comprise a viable residual rear amenity space in terms of quantity and quality criteria.

8.32. I conclude that the footprint of the proposed extension would be proportionate to the size of the residential plot providing for a viable residual rear amenity space for the occupiers of no. 11 "The Park".

8.33. *Overlooking*

I note that the fenestration of the ground floor and first floor extension would look directly into the garden of the subject house and would not result in direct overlooking of neighbouring properties. The line of vision is a blank gable wall located beyond the rear property boundary.

8.34. Section 3.4.1 (general considerations relating to all rear extensions) *inter alia* states that most typical dwellings with rear gardens can accommodate a ground floor rear extension that extends across the entire width of the rear wall of the house.

8.35. I consider that the proposed single-storey element of the rear extension would be acceptable given that it would be proportionate in scale, would result in a useable residual rear amenity area, would not result in overlooking and would have no overbearing or overshadowing impacts given its single-storey massing.

8.36. *Two-storey element*

Section 3.4.1 (general considerations relating to all rear extensions) also provides guidance in the matter of two-storey rear extension.

- 8.37. The applicant proposes to reconfigure the two existing rear first-floor bedrooms extending their above the ground floor extension. The reconfiguration would facilitate the insertion of an ensuite bathroom to the larger of the rear bedrooms located within the interior of the first floor house plan.
- 8.38. The master rear bedroom (double) would measure in floor area 14.6 sqm and the small rear bedroom (single) would measure in floor area 9.4 sqm in the original first floor plan before modification by way of further information response.
- 8.39. The master bedroom (double) would measure in floor area 12.5 sqm and the small rear bedroom (single) would measure in floor area 7.5 sqm subsequent to modification to reduce the projection of the first floor element of the rear extension to 2m from the rear elevation of the terrace (DRG.P2001).
- 8.40. The appellant requests that the development be conditioned to provide a set back of the east side elevation of the extension from the property boundary by 1.5m in order *inter alia* to address the loss of daylight.
- 8.41. Section 3.4.1 (general considerations relating to all rear extensions) *inter alia* states that first floor or two-storey rear extensions require careful consideration, as depending on the design, this type of extension can have serious adverse effects on the residential amenities of neighbours. A set-back from any adjoining dwellings (terraced / semi-detached) is generally required, unless modest depth and favourable orientation negate same.
- 8.42. Section 3.4.2 (Built Form Principle (BFP) 4 - rear extensions) provides specific guidance criteria *inter alia* for two-storey rear extensions.
- 8.43. *Setback*

The guidance (Section 3.4.1) advises that a set-back from any adjoining dwellings (terraced / semi-detached) is generally required unless modest depth and favourable orientation would negate the adverse impact.

I consider that the mid-terrace position of the subject dwelling house and north orientation of the rear elevation of the subject terrace would indicate that a significant setback from the side boundaries would be required (see overshadowing / overbearing impacts below).

- 8.44. A 100mm setback from the side boundaries with no. 13 "The Park" (east) and No.9 "The Park" (west) is proposed by further information response. I note that the reduction in width of the first floor element of the rear extension is principally determined by internal room floor area viability.
- 8.45. I consider that the proposed 100mm setback from the shared property boundaries with nos. 13 "The Park" and no. 9 "The Park" would represent a marginal change in the width, footprint and massing of the first-floor element of the rear extension.
- 8.46. Furthermore, the applicant by way of further information response has reduced the dept of the first floor of the proposed extension by 1m reducing the first floor projection to 2m from the main rear elevation of the terraced dwelling house.
- 8.47. I do not consider a 2m first floor setback dept as proposed by further information response as modest given the north orientation of the terrace and the mid-terrace location of the subject dwelling house.
- 8.48. Finally, I note on the day of my site visit that the predominant pattern of rear extension in "Millbrook Lawns" comprises single-storey rear extension to date. I agree with the appellant that the proposal would be atypical given the established single-storey character and pattern of development in the area.
- 8.49. The provision of two-storey rear extension is cited to an end of terrace property in the immediate vicinity (no. 171 "The Crescent"). However, the extension is significantly setback from the shared property boundary with the abutting terrace house (2010mm).
- 8.50. *Overshadowing / overbearing impacts*
- The substantive ground of appeal relates to the height and scale of the two-storey extension, which it is claimed would cast excessive shadow on the rear garden of the adjoining house and reduce natural light to the interior of the house given its proximity to the shared property boundary.
- 8.51. The subject two-storey terrace (nos. 23-9 "The Park") has a north facing rear elevation. Therefore, the mid-terrace houses in the terrace such as no. 13 "The Park" (appellant) are dependent on indirect east and west light.
- 8.52. I consider that the location to the rear of the terrace of the proposed two-storey development is a sensitive receiving environment in terms of massing on the east and west boundaries of the terrace houses.

- 8.53. I acknowledge that overshadowing impacts are marginal on March 21st given the existing north facing aspect of the gardens of the houses in the terrace.
- 8.54. However, the submitted shadow analysis (submitted with the applicant response dated 03/02/26 modelling a 2m projection) confirms that the west light to the rear of no. 13 "The Park" would be compromised by the two-storey element of the extension to the rear of no. 11 "The Park" (principally in the afternoon / evening during summer months – comparison of existing & proposed DRG. P5002, dated Sept. 2025).
- 8.55. Additionally, there is an existing high single-storey extension to the rear of no. 15 "The Park" (located to the east of no.13 "The Park") that significantly projects beyond the rear elevation of the terrace. The extension extends for the full width of the garden of no. 15 "The Park" and is located on the shared property boundary between no. 13 and no. 15 "The Park" (east).
- 8.56. I consider that a two-storey extension on the opposite property boundary (west) with no. 11 "the Park" as proposed would result in significant enclosure impacts that a single-storey extension to the rear of no. 11 "The Park" would not generate.
- 8.57. Notwithstanding a projection of 2m from the rear elevation of the terrace of the two-storey element of the proposal, I consider that the position of a two-storey extension to the rear of no. 9 "The Park" (to the west) in combination with the existing high single-storey extension positioned to the rear of no. 15 "The Park" (to the east) would result in significant enclosing impacts to the rear of no. 13 "The Park" with a consequent loss of light and outlook.
- 8.58. I conclude the enclosure that would result from the construction of a two-storey extension to the west of no. 13 "The Park" proximate to the shared property boundary, notwithstanding the 2m projection of the first floor element of the extension and the 100mm setback from the boundary, in combination with the existing high single-storey extension to the rear of no. 15 "The Park" would result in a significant adverse impact on the adjoining property at no. 13 "The Park" in terms of loss of light and outlook.
- 8.59. Notwithstanding the 100mm setback of the first floor element of the two-storey extension, I agree with the appellant that the form and massing of the two-storey extension to the rear of no. 11 "The Park", a mid-terrace house in a terrace of similar houses with a north facing rear elevation, would have a significant adverse impact on

the existing residential amenity of no. 13 "The Park" by reason of loss of summer light (principally in the afternoon / evening during summer months – comparison of existing & proposed DRG. P5002, dated Sept. 2025) and loss of outlook impacts on the flanking property.

- 8.60. Finally, I consider that the two-storey extension of no. 11 "The Park" would set an undesirable precedent for the extension of neighbouring houses in the terrace and adjoining terraces in the Millbrook Lawns estate in terms of scale and massing resulting in a depreciation in the existing residential amenity of properties that have not been extended to date.
- 8.61. *Separation distance*
- 8.62. Section 3.4.2 states that acceptable extension should provide for adequate separation distance between opposing first floor level windows serving habitable rooms.
- 8.63. I note that the first floor window openings would orientate north with a direct view of the rear garden of the dwelling house.
- 8.64. The separation distance to the rear boundary is approximately 11m (11273). This would be reduced to approximately 9m measured from the extended first floor.
- 8.65. Furthermore, the configuration of the plots in the vicinity did not facilitate back to back residential development. The rear elevation of no. 11 "The Park" faces the gable elevation (12623mm) of no. 7 "The Park". I consider that no opposing window issues arise from the proposed two-storey extension.
- 8.66. *Roof structure*
- 8.67. Section 3.4.2 states that the ridge height of first floor / two storey rear extensions should respect the ridge height of the main house.
- 8.68. The roof structure would match the existing dwelling house in terms of form, finish and ridge height (DRG. P3003). I consider that the proposed two-storey rear extension would satisfy the criteria in regard to roof structure.

Built Form Principle

- 8.69. On balance I conclude that the proposed development and as modified by way of further information response would not satisfy the criteria listed in Section 3.4.2 (Built Form Principle (BFP) 4 - rear extensions).

- 8.70. I agree with the appellant that the proposed development would not satisfy the criteria of Section 3.1.6 BFP1 (All Extensions & Alterations to Houses) of the SDCC House Extension Design Guide 2025.
- 8.71. I consider that the proposed two-storey rear extension would adversely impact the residential amenity of the flanking dwelling at no. 13 "The Park" by reason of enclosure overshadowing (during summer months) and loss of outlook impacts given the mid-terrace location of the appeal site.
- 8.72. The appellant requests that the development be conditioned to provide a set back of the east side elevation of the extension from the shared property boundary by 1.5m in order to address the loss of daylight.
- 8.73. I note that the appellant does not consider a 500mm set back from the shared property boundaries viable given the room dimensions of the extended bedrooms.
- 8.74. I consider that the reduction in the width of the extension on the east boundary and an equivalent acceptable setback on the western boundary would not result in a viable first floor element given the proposed configuration of the internal floor plan of no. 11 "The Park" at first floor level.
- 8.75. Finally, I note that the residential zoning objective seeks to protect and/or improve residential amenity. I acknowledge that the applicant proposes to upgrade accommodation on site and improve the residential amenity of the subject dwelling.
- 8.76. However, the development potential of the subject dwellinghouse notwithstanding its urban location must be balanced with the residential amenity of abutting properties in the terrace. The rear of the subject terrace is a sensitive receiving environment given the conjoined configuration of the houses and their north facing orientation.
- 8.77. In conclusion, the extrusion of the first floor of the dwelling house in order to provide an internalised ensuite bathroom and extended bedroom(s) floor area would have a significant adverse impact on the existing residential amenities of the abutting mid-terrace property at no. 13 "the Park" while marginally improving the residential amenity of the subject property.
- 8.78. I conclude on balance that a negative recommendation should be recorded, as the first floor element of the proposal is a substantial modification to the development and may not be amenable to condition.

8.79. Vehicular widening

- 8.80. The applicant proposes to demolish the existing post and fence in part providing the front boundary treatment to the public footpath. The existing vehicular opening is given as 2350mm (DRG. P1001).
- 8.81. A new post would be constructed to match and align with the demolished post facilitating a wider vehicular opening of 3.4m (Drawing No. P1002).
- 8.82. The case officer in the initial assessment of the development proposal before the submission of further information highlights that the vehicular entrance is shown as 3.5m (DRG. P3002) wide on one drawing and 3.4m (DRG. P1002) wide on another drawing. I note this discrepancy.
- 8.83. I note that Section 12.7.6 of the South Dublin County Development Plan 2022-2028 restricts the maximum width of a vehicular access to 3.5m.
- 8.84. The case officer recommended the attachment of a regulatory vehicular entrance condition but did not consider that the discrepancy in proposed driveway widths would affect the assessment of the proposal as the width of the driveway did not exceed the maximum width of 3.5m.
- 8.85. I concur with the planning case officer that this matter can be dealt with by way of condition if a positive recommendation is recorded.

8.86. Other Matters

The proposed ground floor element of the extension would measure 12.39 sqm. A development contribution is not applicable given that Section 11 of the SDCC Development Contribution Scheme (2006-2028) excludes from contribution the first 40 sqm of an extension to an existing dwellinghouse.

9.0 **AA Screening**

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established suburban area and is connected to piped services and is not immediate to a European Site. The proposed development comprises the extension of an existing dwelling house.

No significant nature conservation concerns were raised in the planning appeal.

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 given the small-scale nature of the development.

I conclude 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

The site is located in a suburban location. It is not proximate to a visible watercourse.

The proposed development comprises the extension of an existing dwellinghouse.

No water deterioration concerns were raised in the planning appeal.

I have assessed the 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.

The reason for this conclusion is the small scale and nature of the development.

I conclude based on objective information, the proposed development will not result in a risk of deterioration of 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 a refusal of planning permission for the reasons and considerations outlined below:

12.0 Reasons and Considerations

Having regard to residential zoning objective 'RES', which seeks to protect and/or improve residential amenity, the established pattern of development in the area which is characterised by terraced houses with single-storey rear extension and the policy framework provided by Section 12.6 (Housing / Residential Development) South Dublin County Development Plan 2022-2028, which *inter alia* states 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 (SDCC) Extension Guide, it is considered that the proposed development by reason of the north orientation of the subject terrace, the two-storey height, projection (2m) and proximity of the first floor element (100mm) to the abutting terrace property at no. 13 "The Park" (to the east of no.11 "the Park") and in combination effects with the existing high single-storey extension positioned to the rear of no. 15 "The Park", would result in significant enclosure impacts to the rear mid-terrace elevation of no.13 "The Park" with a consequent loss of light and outlook, would be inconsistent with Section 3.41 / 3.4.2 of the SDCC House Extension Design Guidelines (2025), which *inter alia* requires a set-back from adjoining dwellings (terraced / semi-detached) unless modest depth and favourable orientation would negate adverse impact, and as such, would be inconsistent with the proper planning and sustainable development of the area.

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.

A handwritten signature in black ink, appearing to read 'A. ABBOTT KING', written over a horizontal line.

Anthony Abbott King
Planning Inspector

13 April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500614-SD-26
Proposed Development Summary	Rear Extension
Development Address	11, "The Park", Millbrook Lawns, Dublin 24.
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.	N/A
<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?

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.

Yes, the proposed development is of a Class and meets/exceeds the threshold.

EIA is Mandatory. No Screening Required

N/A

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)

N/A

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

Screening Determination required (Complete Form 3)

No

Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

A. [Signature]

Date: _____

13/04/2026