



An
Coimisiún
Pleanála

Inspector's Report

PL-500656-DR-26

Development	Demolition of the garage; construction of a single storey extension to rear and side; Conversion of attic space; Modification of existing roof to Mansard type roof with front and rear dormers, roof lights, flat roof to rear extension; Front porch extension and, widening vehicle entrance to 3.5m.
Location	26 Wilson Road, Mount Merrion, Blackrock, Co. Dublin A94R8X3
Planning Authority	Dun-Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	DA25A/0807/WEB
Applicant	Sen Heng
Type of Application	Permission
Planning Authority Decision	Approve Permission
Type of Appeal	Third Party
Appellant(s)	Proinnsias Ó Duinn & Roisin McEvoy
Observer(s)	None
Date of Site Inspection	31 st March 2026
Inspector	Adam Smyth

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1.0 Site Location and Description

- 1.1** The appeal site is comprised of a detached single storey dwelling, with gardens front and rear, situated to the north side of Wilson Road. The front elevation wall is roughcast finished, all other walls are smooth rendered. The dwelling has a hipped roof with dark concrete tiles.
- 1.2** Along the west boundary is an attached flat roofed garage to the front elevation of the dwelling and a small outhouse to its rear elevation. Both garage and outhouse extend to the eaves height of the dwelling, approximately 2.5m. The remaining area between these buildings is hardstanding with a 1.2m wall defining the site boundary. The dwelling is set 2.4m back from the boundary and has a back door, adjacent to the outhouse and two windows serving a bathroom and a bedroom. Facing the bedroom window, a corresponding window was observed on the neighbouring dwelling.
- 1.3** To its east side, the dwelling sits approximately 0.8m back from a 2.5m boundary wall. A section of that wall, between the neighbouring garage and outhouse is lower, in the same way as described on the west boundary however, that lower section was observed to have been built up on the neighbour's side with wooden panelling and is partly roofed towards and extending beyond their rear elevation. The appeal dwelling has one bedroom window on this east elevation.
- 1.4** A 0.8m wall defines the site boundary with Wilson Road. Ground levels drop gradually from the public road south to the front of the dwelling. Ground level at the rear wall of the dwelling is approximately 1.2m below its finished floor level and continues to fall a further 1m over the extent of the 20m long back garden to the northern site boundary. Boundaries to the rear garden are defined by block walls, varying between 0.5m and 1.5m with hedging to their inside that vary between 1.2m and 4m in height.
- 1.5** The rear garden of neighbouring dwellings to the west were readily visible over boundary hedging. There is less visibility to the east as the boundary wall has been supplemented by the neighbour with wooden fence panelling, which at their highest point is up to the eaves of their dwelling.

1.6 In the wider context, Wilson Road is a tree lined residential street comprised of single storey dwellings, mostly with hipped roofs. The topographical fall in land levels from south to north results in dwellings to the south side of the road being slightly elevated above those to the north side.

2.0 Proposed Development

2.1 Permission is sought for demolition of attached flat roofed garage to west side of dwelling, to be replaced by a ground floor extension. Construction of a single storey, flat roofed rear extension. Conversion of attic space through the alteration of the existing hipped roof to a Mansard type roof with front and rear dormers and rooflights to its east and west profiles. Provision of a front porch extension and widening of the existing vehicular entrance to 3.5m.

3.0 Planning Authority Decision

3.1 Decision

On the 16th December 2025 the decision was to grant permission for the proposal, subject to the provisions of eleven conditions, of which I draw attention to the following.

Condition 2. *The dwelling shall be occupied as a single residential unit.*

REASON: To prevent unauthorised development and to restrict the use of the extension in the interest of control of development.

Condition 3. *All external finishes, including roof tiles/slates, shall harmonise in material, colour and texture with the existing dwelling on site. REASON: In the interest of visual amenity.*

3.2. Planning Authority Reports

3.2.1 The Planning Authority report contains the following considerations in relation to the development.

- The proposed single storey split level extension to the side and rear raises no concerns in relation to overlooking or loss of privacy to adjacent dwellings as no windows are proposed along the east and west side elevations of the rear extension.

- 2 no. windows are proposed on the side extension to the west elevation, and 1 no. window is proposed to the east elevation. Photographs submitted demonstrate the existing boundary walls are higher than the proposed windows and therefore do not give rise to overlooking concerns.
- Remaining rear amenity space is considered sufficient.
- A 'mansard-style' roof with pitched dormers to the front and rear of the dwelling is proposed. Several properties in the vicinity are noted to have roof alterations, including front and side dormers that are visible from the street.
- The proposed replacement roof is not considered excessively bulky or disproportionate when compared to existing neighbouring dwellings and would integrate well with both the property and the streetscape.
- The proposed dormers and rooflights would not cause overlooking and there would be no negative impacts on adjacent residential amenity.
- The omission of fenestration on the side elevation and provision of rooflights to the rear extension address the concerns of An Coimisiún Pleanála in its previous refusal relating to overlooking and the lack of daylight/sunlight provision to the dwelling.
- The proposed development is considered to accord with section 12.3.7.1 – Extensions to Dwellings (i), Extensions to the front (ii), Extensions to the rear (iii) Extensions to the side and, (iv) Alterations at Roof/Attic level of the CDP 2022-2028.
- From plans, it is noted the relatively high number of office/storage rooms, bathrooms and bedrooms for a dwelling of this size and location

3.2.2 Other Technical Reports

Dún Laoghaire-Rathdown County Council Transportation Planning Section

- No objection, subject to conditions

Dún Laoghaire-Rathdown County Council Municipal Services Department

- Surface Water: No Objection, subject to conditions and specifically that surface water is not discharged to public sewers but directed to a suitably designed Sustainable Drainage Systems (SuDS).

Dún Laoghaire-Rathdown County Council Environmental Enforcement/Waste Management

- Noted that no documents relating to the management of environmental emissions have been supplied.
- It's suggested the proposal can be undertaken in accordance with standard methods of construction, subject to the inclusion of recommended conditions.

Note, the Planning Authority considered suggested conditions unnecessary due to the nature and scale of the proposed development.

3.3. Prescribed Bodies

In accordance with Section 131 of the Planning and Development Act 2000 (as amended), the Commission wrote to the Heritage Council, An Taisce and Development Management Unit seeking opinion on whether the proposed development would have an effect on South Dublin Bay and River Tolka Estuary SPA, Dalkey Island SPA, South Dublin Bay SAC, Rockabill to Dalkey SAC, Ballyman Glen SAC, Knocksink Wood SAC and the Wicklow Mountain SAC/SPA.

No comments were received on this matter within the timeframe set out by the Commission.

3.4. Third Party Observations

A total of 3 no. submissions were received which raised the following points:

- Concern over its use as a commercial rental property, demonstrated by the number of rooms shown on plan.
- At over 100 sqm, the extension is excessive and represents a scale and bulk disproportionate to existing dwellings and the character of the area.
- Proximity to boundaries and the provision of windows in side elevations and on roof slopes will cause overlooking.

- Would put pressure on the old wastewater system.
- Drawings are incorrect and lack specifications. Ground levels are incorrect or misrepresented. The height of the rear extension roof differs between a section drawing and elevation drawing.
- It is questioned whether the proposed roof can actually be built as per plans.
- No material finishes are specified, and plans suggest a different roofing material to the existing.

4.0 Planning History

4.1 Appeal Site

Planning Authority Ref. D25B/0199/WEB – on the 5th June 2025 permission was **granted** for a single storey extension to the rear and side; conversion of attic space to office/storage; modification of the existing roof to Mansard type roof with rooflights, front and rear dormers, flat roof to rear extension with one rooflight; front porch extension and, all associated site works.

An Coimisiún Pleanála Ref. ACP-322898-25 – on the 14th October 2025 a third party appeal against the above planning permission was **refused** on grounds that the proposed fenestration arrangements on the eastern and western elevations, and the separation distances to adjoining properties, would seriously injure the residential amenity of adjoining properties due to overlooking, and would result in poor levels of daylight and sunlight in the internal rooms of the ground floor of the dwelling.

4.2 Neighbouring Sites

No. 32 Wilson Road

Planning Authority Ref. D10A/0116, permission **granted** in June 2010 to replace dwelling with hipped roof to a dwelling with mansard-type roof.

No. 41 Wilson Road

Planning Authority Ref. D23B/0458, permission **granted** in December 2023 to include replacement mansard-type roof and new dormer window to front elevation.

No. 39 Wilson Road

Planning Authority Ref. D25B/0046, permission **refused** in March 2025 for an attic conversion, provision of a new Mansard Roof and a rear single-storey extension.

An Coimisiún Pleanála Ref. ABP-322246-25 permission **granted** in July 2025 as it was considered to accord with Section 12.3.7.1 (iv) of the County Development Plan and would integrate well with the receiving environment, would not be out of character with the surrounding structures, would not give rise to overlooking, and would not negatively impact on the visual amenity of the area, or of property in the vicinity.

5.0 Policy Context

5.1 Development Plan

The statutory development plan is the Dún Laoghaire-Rathdown County Council County Development Plan, 2022-2028. The following policies and objectives are applicable.

Chapter 4 Neighbourhood - People, Homes and Place

4.3.1.2 Policy Objective PHP19: Existing Housing Stock – Adaptation to:

Conserve and improve existing housing stock by supporting improvements and adaption of homes.

4.4.1.1 Policy Objective PHP35: Healthy Placemaking to:

Ensure development is of high-quality design, cognisant of the need for proper consideration of (in this appeal case) context, layout, privacy and amenity, and parking.

Chapter 10 Environmental Infrastructure and Flood Risk

10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems to:

Ensure that all development proposals incorporate SuDS.

Chapter 12 Development Management

12.3.7.1 Extensions to Dwellings

(i) Extensions to the Front:

Porch extensions 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 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.

(iii) Extensions to the Side:

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.

(iv) Alterations at Roof/Attic Level:

Roof alterations/expansions to main roof profiles 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.

12.4.8.3 Driveways/Hardstanding Areas

A minimum of one third of front garden areas should be maintained in grass or landscaped in the interest of urban greening and SuDS.

12.8.3.3 (i) Private Open Space for Houses

All houses shall provide an area of good quality usable private open space behind the front building as follows:

Table 12.10 *Private Open Space* 3-bedroom 60 sq. m minimum.

Chapter 13 Land Use Zoning

13.1.3 Permitted in Principle

Land uses designated under each zoning objective as 'Permitted in Principle' are, subject to compliance with the relevant policies, standards and requirements set out in this Plan, generally acceptable.

Table 13.1.1 Development Plan Zoning Objectives

Zone A: To provide residential development and improve residential amenity while protecting the existing residential amenities.

5.2. Relevant National or Regional Policy / Ministerial Guidelines (where relevant)

None.

5.3. Natural Heritage Designations

None.

6.0 EIA Screening

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

2 no. appeals were received, from Proinnsías Ó Duinn, at an address adjacent and east of the appeal site and Roisin McEvoy, at an address opposite and south of the appeal site. The grounds of appeal can be summarised as follows:

Accuracy of Submitted Plans

- Concern on the quality of information submitted in terms of accuracy and practicality. It is questioned whether, from plans, the proposal can be built to required Building Regulations standards.
- Given the concern regarding the submitted plans, it is contended that Condition 1 makes little sense.
- External materials are not indicated on plans. Wording of Condition 3 appears concerning, the Planning Authority must have some active control over what will be acceptable.

Size and scale

- Has the same footprint, is excessive in scale and not changed significantly from the dismissed planning appeal.
- Omitting plans to show the relationship between the extended pitched roof and adjoining properties will cause impact given the significant downward slope in rear gardens, creating a real sense of overshadowing.
- The rear extension far exceeds any other development in proximity. The maximum average depth for those other extensions is 4.5m. An Coimisiún Pleanála refused the previous planning appeal on this basis.

Overlooking

- The proposed extension to the rear is extensive with multiple windows to its north and east sides. Those to the east directly overlook 3rd party property.

7.2 Applicant Response

The applicant's letter to the Commission of the 5th February 2026, responded to third party submissions with the following points:

- Overlooking concerns are unfounded and not supported by physical characteristics between the appeal site and the dwelling adjacent to the east.
- A photograph, No. 1 (annotated by a red arrow) shows the boundary wall between the two dwellings to be significantly higher than window head height in the appeal site dwelling (green arrow). There is a separation distance of 3.2m

(blue arrow), comprised of the appeal dwelling set 0.8m back from the boundary wall and the 2.4m width of the neighbouring garage. This ensures more than adequate privacy and amenity for both properties.

- Photograph No. 2 shows the narrow separation between the two dwellings and the considerable boundary wall.
- The applicant clarifies the dwelling is currently rented to post graduate university students. The applicant's intention is to occupy the dwelling once planning permission is secured and refurbishment carried out.

7.3 Planning Authority Response

In a letter dated 5th February 2026, the Planning Authority refers the Commission to its planning report and considers the grounds of appeal do not raise any new matter which would justify a change of attitude to the proposed development.

7.4 Observations

None.

8.0 Assessment

8.1. Having examined the appeal details and all other documentation on file, including the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the Dún Laoghaire-Rathdown County Council County Development Plan (CDP), 2022-2028, I consider that the substantive issues in this appeal to be considered are as follows:

- Zoning
- Accuracy of Submitted Plans
- Size and Scale, and Impact on Neighbouring Properties
- Other Matters

8.2. Zoning

8.2.1 The proposed development is located in an area zoned for residential use. Policy Objective **PHP19: Existing Housing Stock – Adaptation** seeks to conserve and improve existing housing stock, supporting improvements and adaption of homes.

Policy Objective PHP35: Healthy Placemaking recognises development through adaptation must be of high-quality design, cognisant of the need for proper consideration of context, layout, privacy and amenity, parking, and having particular regard to the protection of existing residential amenities. The principle of development is therefore acceptable, subject to the detailed considerations below.

8.3 Accuracy of Submitted Plans

8.3.1 I draw to the Commission's attention errors with the following digital plans submitted with this appeal. Whilst measurements have been annotated on these plans, they cannot be confirmed as their stipulated scales are wrong.

- DA25A-807-WEB – existing_contiguous_elevations (Dated 8/4/25)
- DA25A-807-WEB – proposed_contiguous_elevations (Dated 8/4/25, Drawing No. P03)
- DA25A-807-WEB – proposed_elevation_section (Dated 20/10/25, Drawing No. P02)
- DA25A-807-WEB – proposed_existing_entrance (Dated 20/10/25, Drawing No. P03)

8.3.2 The following digital plans are to the correct scale although, where apparent, errors are noted.

- DA25A-807-WEB – existing-site_layout-plan-elevation-section (Dated 20/10/25). The Existing Site Layout Plan indicates the ground floor level (GFL) of the existing dwelling at 99.69, presumably a topographical datum height. However, overlaid on this plan is the proposed rear extension with an annotated finished GFL of 100.70, approximately 1m higher than the existing floor level. Other plans and sections indicate the rear extension is 1m lower than existing floor level. The new roof is also overlaid and annotated with a height of 105.34 at its front and 105.88 at its rear, a difference of 0.54m. Sections indicate it is to be the same height throughout.

The Existing Ground Floor Plan/Section demarks a section drawing (Section AA) on the existing floor plan as being a section through the dwelling, from front to rear however, in appearance and when measured Section AA is a section

from west to east sides of the dwelling but the demarked ground levels are those apparent to its front and rear elevations.

- DA25A-807-WEB – proposed_site_layout_floor_plan (Drawn date 20/10/25 Drawing No. P01). No apparent errors noted.

8.3.3 I note third party comments regarding accuracy and practicality of submitted plans, and whether the proposed alteration to the existing roof could be built to required building control standards. Subsequently concern was raised that Condition 1 made little sense. I agree with this concern. Were the Commission to determine the grant of permission appropriate in this case, I recommend it be subject to conditions that establish the existing and proposed finished ground levels, existing and proposed finished floor levels, proposed maximum height of the rear flat roof extension and the replacement mansard roof, which is to replicate the 5.55m height of the existing hipped roof. Corrected plans, to comply with such conditions should be submitted to the Planning Authority prior to the commencement of any development. The need to comply with building regulations remains a separate code, outside the remit of this planning appeal, and were the proposed works subsequently not in accordance with granted plans and the associated conditions that would then be a matter for the applicant to seek a new grant of permission.

8.3.4 Concern was raised that Condition 3 of the decision only sought external finishes to harmonise with the material, colour and texture with the existing dwelling on site. I note this concern however, having observed finishes to dwellings along Wilson Road, I consider Condition 3 is sufficiently succinct to address wall finishes. However, I do note from the Proposed Contiguous Elevations that the mansard roof finishes differ in drawn form to those of its neighbours. This is too ambiguous. Should the Commission grant approval, I recommend it be subject to a condition specifying that the mansard roof shall be finished with dark coloured concrete roof tiles to match those evident throughout, and to maintain visual harmony with, the rest of Wilson Road.

8.3.5 Notwithstanding the above, based on observations during the site visit, those correctly scaled plans and those annotations on incorrectly scaled plans, I make the following observations.

- The existing dwelling is 12.8m deep, from front to back and 9.1m in width, excluding the garage. Existing ridge height of 5.55m over existing GFL.
- The proposed development extends 10m to the rear of the existing dwelling, over two floors with provision of an extended roof profile and a flat roof over a single storey element. The finished floor level will be 1m below the retained GFL of the dwelling. A side extension will bring the dwelling 1m closer to its west boundary and, with a reprofiled roof, the 5.55m height of the existing roof would be retained.

8.4 Size and Scale, and Impact on Neighbouring Properties

8.4.1 A proposed single storey, flat roofed, porch to the front of the dwelling has not been raised as a matter of concern and I consider its simplicity in design and small scale complies with Section 12.3.7.1 (i) – Extensions to the Front.

8.4.2 A proposed 10m long rear extension, circa 100 sqm would double the size of the existing dwelling. It is to be comprised of two elements. An extension of approximately 3m from the rear of the dwelling would provide for office space in the attic space. Beyond this would be a single storey flat roofed extension that extends a further 7m to the mid-point of the garden. Section 12.3.7.1 (ii) of the CDP sets out criteria for assessment of single and two storey extensions to the rear of dwellings, both applicable in this case.

8.4.3 Regarding the two-storey element, this is achieved with an extended hipped roof and dormer. I note other extensions have occurred beyond the established rear building line on both sides of Wilson Road. These have been referred to by a third party as having average depths in the region of 4.5m. With such precedent and given that the rear of the appeal dwelling and its neighbours have a north orientation, with limited direct sunlight achievable into rooms, and given the proposed hip end roof profile, I do not consider this will result in significant detrimental impacts from overbearance and overshadowing. With the 3m protrusion beyond the rear building line, rooms and immediate outdoor areas at the rear of adjacent dwellings would not be subject to overlooking. The rear roof dormer would overlook neighbouring gardens within the vicinity, but this is a normal aspect of urban living that is already evident along Wilson Road.

8.4.4 However, I consider the proposed single storey element of development to be less favourable within its local context. In terms of Section 12.3.7.1 (ii) assessment of this part of the extension is to be considered in terms of length, height, proximity to mutual boundaries and the quantum of usable rear private open space remaining.

8.4.5 I acknowledge there are flat roof rear extensions on other dwellings however, I consider the overall length of the proposed rear extension, particularly the single storey element, is of a greater scale not evident within the surrounding locality. Additionally, while its 2.45m height may be relatively standard for a single storey, it is not accurately portrayed on the submitted section and elevation plans when account of existing ground levels is considered. The applicant's Section AA drawing advises that existing ground level at the rear of the dwelling is 1.4m below the existing GFL of the dwelling, my observations on site generally concur. Ground levels continue to fall at a constant rate from this point by approximately 1m to the northern site boundary. Therefore, ground level at the mid-point of the garden is 0.5m lower than at the back of the dwelling. Taking account of a 400mm under build where the extension meets the rear of the existing dwelling, and the 500mm drop to the middle of the garden, this would result in a 900mm under build at the northern elevation of the extension.

8.4.6 Taking account of this 900mm under build, the single storey extension would therefore be 3.35m in height when viewed from corresponding positions, and similar ground levels, in neighbouring gardens. This height would be further compounded by the proximity to neighbouring boundaries, 1.4m to the west and 0.8m to the east. I consider this would cause unacceptable overbearance. I also consider, given the length and height of this proposal that the single storey element would negatively exacerbate overshadowing. Overlooking, or even a perception of such, would be exacerbated as the finished GFL of the extension would sit at a similar height to the top of existing site boundaries with neighbours. I note third party concerns regarding accuracy of ground levels on plans and that overshadowing from the rear extension would occur, and for the reasoning I have already set out I would concur.

- 8.4.7** A third party stated multiple windows would be evident along the east side of the rear extension, causing overlooking to their property. There is no evidence on proposed floor plans of windows to the east side of the proposed rear extension. I note a new window is proposed to the east gable of the existing dwelling however, opposite this window is an existing 2.5m boundary wall and as a result I do not consider overlooking would occur.
- 8.4.8** The remaining rear garden space of approximately 100 sqm remains acceptable to Section 12.3.7.1 (ii), Section 12.8.3.3 – Private Open Space and Table 12.10 of the CDP, which requires a minimum of 60 sqm of private open space for a 3-bedroom dwelling as is proposed on the submitted floor plans.
- 8.4.9** Overall, I consider the length and height, compounded by under build of the rear extension would not be in accordance with the requirements set out in Section 12.3.7.1 (ii) of the CDP.
- 8.4.10** It is proposed to replace the dwelling's existing hipped roof with a mansard roof which, with the extended west side gable retains the roof height at 5.55m over existing GFL. Wilson Road is typified by dwellings with hipped roofs however, some by alteration or through dwelling replacement now have mansard roofs. This is confirmed by the planning histories associated with No's 32, 39 and 41 Wilson Road. As mansard roofs are established features in the streetscape, particularly the roof form to No. 41 Wilson Road, which this appeal proposal seeks to replicate, I consider this element of the proposed development acceptable.
- 8.4.11** Roof lights are proposed to the new roof. Having observed numerous roof lights on other dwellings along Wilson Road confirms precedent for their use. Third party objections to these in terms of potential overlooking would not, in my opinion occur, particularly as I have observed limited opportunities to view existing fenestrations to side elevations of adjacent dwellings, either because of high boundary walls or roofed canopies over outdoor space. Roof lights proposed to the rear flat roof extension to provide natural light would also not be detrimental to the amenity of adjacent dwellings. I consider this element of the proposed development acceptable.
- 8.4.12** Dormer windows are proposed on the front and rear hips of the new roof. Section 12.3.7.1 (iii) requires evaluation of dormer windows having regard to their size and

impacts upon existing character and residential amenity of adjacent dwellings. Whilst the proposed dormers are large in comparison to many other dormers evident on Wilson Road, they are however comparable to those on the front elevation of No. 5 and No. 41 and therefore precedent in terms of their proposed scale exists. The proposed dormer to the front elevation does not raise concerns with regard to residential amenity. The proposed dormer to the rear, as considered in Paragraph 8.4.3, would not be unreasonable in terms of residential amenity. I consider this element of the proposed development acceptable.

8.4.13 A 1m wide extension is proposed along the west elevation, with the provision of two windows at a similar position to those already existing on that gable. Whilst bringing the dwelling closer to the boundary, it will not significantly impact on the adjacent dwelling given that facing windows already on both dwellings and the separation distance of those windows will be no less than approximately 2.2m. No side windows are proposed along the rear extension where it extends beyond the existing rear elevation of the appeal dwelling. This side extension, in conjunction with the proposed alteration to the roof, will not upset visual harmony within the streetscape. I therefore consider this element of the proposal will remain acceptable to Section 12.3.7.1 (iii) – Extensions to the Side, of the CDP.

8.4.14 Subsequent to the previous planning appeal on this site (ACP-322898-25), I consider the applicant has addressed the refusal reasons cited on that appeal, namely proposed fenestration that would impact residential amenity of adjoining properties; and poor levels of daylight/sunlight entering internal rooms of the ground floor of the subject property. In addition to raising those same matters again, third parties to this appeal have also raised concern with the overall size and scale of the proposed development, particularly the rear flat roof extension. These are sufficient concerns that require me to give them consideration, in accordance with Section 37 1(b) of the Planning and Development Act 2000 (as amended), and it is my opinion, and recommendation to the Commission, that this aspect of the proposed development fails to satisfy the policies of the CDP for the reasons I have set out in Paragraphs 8.4.4 to 8.4.6 above.

8.5 Other Matters

8.5.1 Third Parties raised concern that the dwelling is currently used, and will continue to be used, as a property for let to multiple occupants. The applicant confirmed the dwelling is currently let out to university students, pending the grant of planning permission. Upon renovation it will revert to be a private dwelling. The PA acknowledged third party concerns and imposed Condition 2 on its decision restricting occupation to that of a single dwelling to prevent unauthorised development and to restrict use of the extension.

8.5.2 I do not consider it necessary to condition a restriction on use of the dwelling. This appeal is seeking alteration and extension of a single dwelling; it is not a proposal for a change of use. Current, and/or future use of the dwelling for rental purposes is a matter for the planning authority and not a matter to be considered through this appeal. I therefore do not offer a response to the points raised on this matter. Should the Commission grant permission, I do not consider a condition restricting its use to that of a single dwelling unit is necessary.

8.5.3 The proposed development seeks a widening of the vehicular access to 3.5m; this matter has not been raised as an issue to the appeal. The local authority transportation planning section raised no objections, subject to one third of the front garden being retained in grass or landscaped in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas. This was conditioned on the Planning Authority decision notice.

8.5.4 In accordance with Policy Objective EI6: Sustainable Drainage Systems, the local authority municipal services department offer no objection subject to surface water discharge to a suitably designed SuDS. This was conditioned on the Planning Authority decision notice.

9.0 AA Screening

9.1 I have considered the proposed extension of a dwelling, new vehicular access and all associated site works in light of the requirements of S177U of the Planning and Development Act 2000 as amended.

- 9.2** The subject site is located approximately 2 kilometres southwest of South Dublin Bay Special Area of Conservation (SAC) & South Dublin Bay and River Tolka Estuary Special Protection Area (SPA).
- 9.3** The proposed development comprises of alterations to an existing dwelling to include the construction of a single storey extension to the rear and side; conversion of attic space; modification of existing roof to Mansard type roof with front and rear dormers, roof lights, flat roof to rear extension; Front porch extension and, widening vehicle entrance to 3.5m.
- 9.4** No nature conservation concerns were raised in the planning appeal, and the Dún Laoghaire-Rathdown County Council Municipal Services Department has no objection to the method of surface water disposal, being a suitably designed Sustainable Drainage Systems (SuDS).
- 9.5** Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The small-scale nature of the proposed works.
 - The previous consideration and subsequent approval for this scheme in relation to the nearest European sites and lack of connections.
 - The Appropriate Assessment contained within the authority's planning report.
- 9.6** I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 9.7** Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1** The subject site is located at 26 Wilson Road, Mount Merrion, Blackrock, approximately 2 kilometres southwest of South Dublin Bay.

- 10.2** The proposed development comprises alteration of an existing dwelling, widening of existing vehicular access and all associated site works, including provision of a suitably designed Sustainable Drainage Systems (SuDS).
- 10.3** No water deterioration concerns were raised in the planning appeal.
- 10.4** 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.
- 10.5** The reason for this conclusion is as follows:
- The nature of works being small in scale.
 - The lack of hydrological connections.

Conclusion

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

11.0 Recommendation

11.1. I recommend that planning permission be refused.

12.0 Reasons and Considerations

12.1. Having regard to the nature and scale of the proposed development in an area subject to land zoning Objective A which aims 'to provide residential development and improve residential amenity while protecting existing residential amenities' it is considered that the proposed development, by reason of the length and height of the flat roofed extension to the rear of the dwelling, and the separation distances to adjoining properties, would seriously injure the residential amenity of adjoining properties due to overbearance and overshadowing, and would set a precedent for further inappropriate development in the vicinity of the site. The proposed development would thus not protect existing residential amenities contrary to the A zoning objective, policy objective PHP35 and Section 12.3.7.1 (ii) Extensions to the Rear of Dwellings of the Dún Laoghaire-Rathdown County Council County Development Plan, 2022-2028, and would therefore be contrary to 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.



Adam Smyth
Planning Inspector

10 April 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-500656-DR-26
Proposed Development Summary	Demolition of the existing garage; construction of a single storey extension to the rear and side; Conversion of attic space; Modification of existing roof to Mansard type roof with front and rear dormers, roof lights, flat roof to rear extension; Front porch extension and, widening vehicle entrance to 3.5m.
Development Address	26 Wilson Road, Mount Merrion Blackrock, Dublin A94 R8X3
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? (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 checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<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	
1. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
<input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	State the Class and state the relevant threshold
2. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: Adam Smyth

Date: 10th April 2026