



An
Coimisiún
Pleanála

Inspector's Report PL-500794-DR-26

Development	Demolition of existing features and construction of internal and external modifications
Location	39, Silchester Road, Glenageary, Co. Dublin, A96 R6C5
Planning Authority	Dún Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D25B/0652/WEB
Applicants	Gavin McCarthy and Sarah Mitchell
Type of Application	Permission
Planning Authority Decision	To grant permission with conditions
Type of Appeal	Third Party
Appellant	Brenda Stevens
Observers	None
Date of Site Inspection	6 th May 2026
Inspector	Trevor Rue

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1.0 Site Location and Description

- 1.1. The application site is on the northern side of a residential street about 1.25 kilometres to the south of the town centre of Dún Laoghaire. It has a stated area of 0.152 hectares and comprises the curtilage of a two-storey detached dwelling.
- 1.2. The existing dwelling has a pitched roof running parallel to the road with a ridge height of 7.71 metres, topped by two chimneys. To the front is a single-storey, hipped-roofed covered porch that projects forward by 788 millimetres and a single-storey flat-roofed extension that projects forward by 3.44 metres. Above part of that single-storey structure, there is an extension to the first floor of the dwelling that projects forward by 873 millimetres and is covered by an extended portion of the main pitched roof.
- 1.3. Another single-storey flat-roofed extension is located along the eastern side of the dwelling, abutting the eastern site boundary, and contains a gable window. To the rear there is a centrally placed single-storey pitched-roofed extension from which a door leads to a timber terrace. Closer to the western site boundary there is a small single-storey rear extension with a mono-pitched roof.
- 1.4. The dwelling is set back from the public road by over 19 metres. The front, side and rear boundaries of the property are marked by walls, hedgerows and fences. There are tall trees in the front garden. The garden is traversed by a driveway, which is accessed via a gate on the site frontage, and there is space for off-street parking to the front of the dwelling. A narrow path between the dwelling and the western site boundary leads into a substantial rear garden which extends over 62 metres back from the dwelling. A shed in the rear garden abuts the western site boundary.
- 1.5. The streetscape of Silchester Road in the vicinity of the site is characterised by detached and semi-detached dwellings of similar form and appearance to those of the application property, many of which appear to have been altered or extended. There is an area of open space immediately to the north of the site.

2.0 Proposed Development

- 2.1. It is proposed to demolish:
 - the eastern chimney;
 - the single-storey covered front porch;

- the single-storey flat-roofed extension to the front and side;
- the timber deck to the rear of the dwelling;
- the mono-pitched roof over the small single-storey rear extension; and
- the shed in the rear garden.

2.2. The proposed new construction work consist of four elements.

Element 1 comprises an enlarged double-height entrance space and a new porch and canopy. The entrance space would project forward by 1.85 metres and be 4.775 metres wide. It would be clad in natural stone and have extensive glazing to the front and a roof light above. It would be capped by an aluminium/stone parapet 6 metres high. The canopy would project forward by a further 1.6 metres and be 2.7 metres wide and 2.73 metres high.

Element 2 comprises a two-storey extension to the front and eastern side. It would have a pitched roof running perpendicular to the main ridge. It would project forward by 3.99 metres, span 6.02 metres in width and have a ridge height of 7.42 metres. The front elevation would be rendered and extensively glazed. The main ridge would be extended to within 0.38 metres of the eastern site boundary. It would have a front-facing roof light. The side elevation would be of brick construction and would have no openings. There would be a first-floor window in the rear elevation.

The submitted design statement says that the proposed gable wall in Element 2 can be built from the applicant's side in its entirety. A hidden gutter system would ensure no oversailing of any boundary.

Element 3 is a single-storey flat-roofed rear extension abutting the eastern site boundary. It would be 4.6 metres long, 3.45 metres wide and 3.25 metres high. Its east-facing elevation would be clad in brick or rendered, and would have no openings.

Element 4 is the addition of a flat-roofed second floor to the small extension adjacent to the western site boundary. The parapet height would be 6 metres. It would have rendered walls and no openings on its west-facing elevation.

2.3. It is also proposed:

- to make changes to the internal layout of the dwelling;
- to remove and replace existing windows and doors; and

- to provide new tiling and pavers to the side walkway and a new open terrace to the rear of the dwelling.

2.4. According to the proposed floor plans, the net effect of the development would be to increase the dwelling's total floor space from 210.77 square metres to 278.00 square metres.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 20th January 2026, Dún Laoghaire-Rathdown County Council decided to grant planning permission, subject to nine conditions.

3.1.2. Condition 1 required adherence to the submitted plans, particulars and specifications. Condition 2 limited demolition works to those indicated. Condition 3 prohibited subdivision of the dwelling. Condition 4 was to do with disposal of surface water. Condition 5 required safeguarding measures during construction works. Conditions 6 to 9 related to development contributions.

3.2. Planning Authority Reports

3.2.1. A **planner's report** approved on 20th January 2026 provided the reasoning for the authority's decision. The main points were as follows:

- An earlier application was withdrawn before this new, valid application was lodged. The new submission provides the requisite documentation, including a design statement, and sufficient detail to determine the application. Any evidence of historic unauthorised development on the site may be pursued independently of the decision on the application.
- The proposed development involves targeted **demolition** integral to a retention-led upgrade and extension of the existing dwelling. Removal would be primarily confined to single-storey elements. Ancillary works would include chimney removal to the front and localised roof removal to tie in new roof forms, and partial front-elevation removal to facilitate the new two-storey front addition. Several internal walls would also be removed.

- The works would not amount to substantial demolition of the dwelling. The effects of the proposed demolition can be contained on the site and no adverse effects on adjoining properties are anticipated. On this basis, the nature and extent of the proposed demolition works are acceptable.
- As regards **climate action**, the applicants' stated intent in the design statement is to improve the energy performance of the building from an F to an A2 rating through deep retrofit measures. The proposed materials are acceptable in the context of the high standards set out in the Building Regulations and the relevant provisions of the County Development Plan.
- The proposed two-storey front extension [**Element 1**] would not significantly alter the established front building line. Its roof would sit above the existing eaves but below the main ridge line. The extension would integrate successfully with the overall design of the dwelling. The proposed fenestration pattern is coherent and respects vertical and horizontal alignments. It would ensure that the addition reads as a contemporary yet subordinate element.
- Stone is already present in front boundary treatments along Silchester Road. While dwellings on this side of the road have a repetitive character, the substantial setback and mature landscaping of front gardens provide scope for measured variation without adversely affecting visual amenity. The significant changes to the design and appearance of Nos. 38 and 41 indicate that sensitive contemporary interventions can be accommodate without detriment to the streetscape. Accordingly, no adverse visual impact is anticipated.
- There are generous separation distances between the proposed extension and adjoining properties. The extension would not give rise to undue overbearing or overshadowing impacts. The proposed windows reflect an existing pattern of front-facing openings on this street and would not create undue overlooking. The proposed roof light is acceptable in amenity terms as its position behind the parapet and the flat-roof angle would not facilitate overlooking.
- The proposed two-storey extension to the front and eastern side [**Element 2**] would retain a clear hierarchy with the host dwelling, setting the front gable at a lower height than the main ridge while aligning window proportions and cill/head heights with existing elevations. The material palette corresponds with

the established finishes on Silchester Road and with the dwelling's existing side façade. The proposed addition would integrate successfully as a contemporary yet sympathetic intervention and no adverse visual impact is anticipated.

- Having regard to previous assessments of comparable side/front elements along Silchester Road (including those at Nos. 38 and 41), any additional overshadowing is expected to be limited to short periods in the late afternoon during winter months, with rear gardens continuing to receive a good standard of direct sunlight for the greater part of the day and with no significant additional effect between the spring and autumn equinoxes. The extension, set back from the western boundary, would not adversely overshadow No. 40. It would not give rise to undue overbearing or overshadowing of any adjoining property.
- No windows are proposed on the eastern elevation and the existing east-facing side window is to be removed. First-floor windows would be orientated to the rear garden and the front. This arrangement reflects the established pattern of fenestration along Silchester Road, including properties with forward and rearward extensions. The proposed roof light would be set within the angled front roof plane and would not afford downward or lateral views into adjoining properties. Accordingly, the development would not result in undue overlooking or a material loss of privacy.
- Any grant of permission would not of itself authorise entry on to third-party land for the purposes of finishing and maintaining the proposed side elevation on the boundary with No. 38. Such matters are civil issues between the parties and lie outside the planning remit.
- The proposed single-storey rear extension [**Element 3**] would be screened from the public realm. Its finishes and alignment would ensure that it would integrate coherently with the overall scheme and would not adversely affect the character of the dwelling or the streetscape. No side-facing windows are proposed. Given the modest scale and substantial separation from the rear boundary, no undue overbearing, overshadowing or overlooking is anticipated.
- The location and modest scale of the proposed first-floor rear extension [**Element 4**] would render its visual impact from the public realm negligible. The proposed massing and finishes would integrate with the overall scheme. The

limited extent of the rearward projection, the set-down roofline, the absence of side-facing openings and the maintained separation distances to the side and rear boundaries would ensure no undue overshadowing, overbearing or overlooking impacts.

- The proposed **internal reconfiguration** of the dwelling would enhance its layout and functionality without giving rise to any adverse impacts on the residential amenity of adjoining properties. Rear-orientated first-floor bedrooms with openings facing away from side boundaries are a typical suburban residential pattern and an established feature of the area.
- The replacement of existing **windows and doors** with new units forms part of a co-ordinated façade strategy. The revised openings are acceptable and would not adversely affect the character of the dwelling or the streetscape or adversely impact on adjoining dwellings.
- The proposed **paving/tiling** works to the side and rear of the dwelling would be screened from the public realm by the existing boundary wall and hedgerow, both of which are to be retained. They would have negligible visibility from Silchester Road. They would enhance the dwelling's layout and functionality without giving rise to negative impacts on visual or residential amenity.
- The proposals for **access and parking** are acceptable.
- The quantum and distribution of the **overall development**, together with the retention of substantial private open space to the rear, do not indicate overdevelopment in this suburban context and are consistent with the Development Plan's approach to domestic extensions and alterations.

3.2.2. The Council's Municipal Services Department, **Drainage Planning**, had no objection subject to two conditions.

3.3. **Third Party Submission**

3.3.1. The Council received a submission on behalf of Brenda Stevens, the substance of which was repeated in her grounds of appeal.

4.0 Planning History

4.1 Application Site

- 4.1.1. **D25B/0651/WEB:** On 18th November 2025, the present appellants applied to the Council for planning permission for development described in identical words to those used in the present application. That application was withdrawn on the same date.

4.2. Adjacent Sites

- 4.2.1. **D04B/0884:** On 24th March 2005, the Council granted permission for demolition of an existing car port and construction of a two-storey extension and porch to the front and a two- and single-storey extension to the rear of 38 Silchester Road.
- 4.2.2. **D18A/0613:** On 13th December 2018, the Council granted permission for an extension to the side of the existing dwelling at 41 Silchester Road, consisting of a two-storey flat-roofed unit to be used as a granny flat.
- 4.2.3. **D25B/0419/WEB:** On 15th October 2025, the Council granted retention permission for energy upgrade works and façade works at 44 Silchester Road.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. Land Use Zoning Map 3 of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 indicates that the application site is subject to Objective A, which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities. Table 13.3.2 of the Plan indicates that residential [accommodation] is permitted in principle.
- 5.1.2. Policy Objective CA5 of the Plan is to support high levels of energy conservation, energy efficiency and the use of renewable energy sources in existing and new buildings, including retrofitting of energy efficiency measures in the existing building stock. Policy Objective CA7 is to support the use of structural materials in the construction industry that have low-to-zero embodied energy and CO₂ emissions. This is repeated in Section 12.2.1 of the Plan.

- 5.1.3. Section 12.3.7.1(i) states that 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 of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, and a more contemporary design approach can be considered.
- 5.1.4. Section 12.3.7.1(ii) of the Plan states that 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.
- 5.1.5. Section 12.3.7(ii) goes on to say that 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 setback from mutual side boundaries.
 - External finishes and design, which shall generally be in harmony with existing.
- 5.1.6. Section 12.3.7(iii) states that 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. First-floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, in certain cases a setback of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a "terracing" effect. External finishes shall normally be in harmony with existing.
- 5.1.7. Section 12.3.7(iv) states that 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.

5.2. Natural Heritage Designations

5.2.1. The application site is not in any Natura 2000 site of European nature conservation importance. The nearest Natura 2000 sites are:

- South Dublin Bay Special Area of Conservation (SAC), about 2.2 kilometres to the north west, designated for mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud and embryonic shifting dunes;
- South Dublin Bay and River Tolka Estuary Special Protection Area [for birds] (SPA), about 2 kilometres to the north west;
- Rockabill to Dalkey Island SAC, about 1.5 kilometres to the east, designated for harbour porpoise;
- Dalkey Islands SPA, about 1.5 kilometres to the east;
- Ballyman Glen SAC, about 9 kilometres to the south, designated for petrifying springs and alkaline fens;
- Knocksink Wood SAC and Nature Reserve, about 10 kilometres to the south, designated for petrifying springs, old sessile oak woods and alluvial forests; and
- Wicklow Mountains SAC, about 11.5 kilometres to the south west, designated for oligotrophic waters, natural dystrophic lakes and ponds, heaths, grasslands, blanket bogs, siliceous scree, rocky slopes, old sessile oak woods and otter.

5.2.2. Table 8.3 of the Development Plan lists six proposed National Heritage Areas which are not SACs or SPAs in the area served by Dún Laoghaire-Rathdown County Council – Booterstown Marsh; Dalkey Coastal Zone and Killiney Hill; Fitzsimons Wood; Loughlinstown Woods; Dingle Glen; and Ballybetagh Bog.

6.0 Environmental Impact Assessment Screening

6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory

requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. The statement submitted on behalf of the appellant, who lives at 38 Silchester Road, may be summarised as follows:

- No. 39 was extended a number of times by the previous owners. Firstly a balcony to the rear left side of the property was extended and filled in with a bathroom added, then the car port to the front was converted to a room. At some stage a “garage” was added to the side of the house. Finally in 2007 a kitchen was added on. So far as can be determined, no planning permission was obtained for these any of these works. There is currently a substantial building in the rear garden which also seems to be unauthorised. More than the permitted 40 square metres of extensions have been carried out without planning permission. Consequently, the proposed extension to the permitted area is substantially larger than noted in the current application.
- It is hard to see how demolishing most of what is already a very large house and adding 35% to the area could be described as sustainable. The most sustainable house is one that is sufficient for its needs and no more. A large house is always more energy-hungry than a smaller one. The property is in need of re-organisation rather than a huge extension almost as large as the minimum area of a three-bed apartment. It is capable of accommodating four bedrooms without being extended. If the new owners needed a substantially bigger property, it would have made sense to buy elsewhere. The appellant’s property next door at No. 38 would be seriously affected by the proposed excessive and overbearing enlargement of No. 39.
- The drawing of the existing roof structure is inaccurate. The roof over the front right side does not go up to the ridge line; it is extended down from the ridge line so that there is little to no interference with sunlight. Given the orientation of the appellant’s property, any direct sunlight late in the day is cherished and

allows for the enjoyment of the garden in summer evenings. The proposed development would extinguish that entirely. Daylight/shadow studies were not submitted with the application and should have been requested by the Council.

- The proposed two-storey side addition to the property [Element 2] would extend to the ridge line, which none of the neighbouring extensions do. It would fill in the existing gap of 5 metres occupied by the single-storey unauthorised garage. It would block sunlight that currently reaches No. 38 through that gap, rendering a patio that has stood for 20 years useless, dark and damp. It would also block all afternoon and evening sunlight from the front windows, which would result in increased energy consumption at the appellant's property.
- At present only two bathroom windows, which have obscure glazing, face out from the rear of No. 39 and therefore No. 38 is not overlooked to the rear. The proposed development would result in four bedrooms overlooking the appellant's back garden and significantly interfering with her right to privacy.
- The proposed two-storey side extension would effectively be built on the boundary wall between Nos. 38 and 39 without leaving room for maintenance of that wall or the proposed new wall. Without the appellant's permission it is hard to see how the extension could be properly constructed and finished in an acceptable manner. As there would be no gap the occupiers of No. 39 would be unable to keep the walls, gutters or roof tiles in good repair to avoid the risk of damage to persons or property in the event of a storm. If guttering or tiles were to fall down, they would fall into No. 38. All the consequences would rest with the appellant, which is neither right nor fair.
- While the existing original houses along Silchester Road are not of high quality, there is consistency of materials even in those houses (including the appellant's house) which have been modified. However, the proposed two-storey projecting bay in the centre of the elevation [Element 1] would be clad in random stonework, which would look incongruous with the neighbouring properties and the area. The window proportions would be a mix of horizontal and vertical and would be misplaced for this type of house. The architecture is a bit of a mess; it is as if each part was designed with no reference to any other part. The proposed internal layout shows a living area in the middle of the ground floor,

at the back of the kitchen, with no source of natural light anywhere near. This space would be dark and unattractive and not of a high quality.

7.2. Applicants' Response

7.2.1. The applicants' response may be summarised as follows:

- No. 39 was purchased in its existing condition. The application seeks to regularise legacy matters. More than seven years have elapsed since the works referred to by the appellant took place, meaning they fall outside the statutory enforcement period. They are not determinative of the application.
- The grounds advanced by the appellant are largely unsupported by objective evidence and do not identify any Development Plan conflict, technical deficiency or material harm. Some observations contained in the appeal are personal or subjective opinions and concern matters outside the scope of planning such as lifestyle choices and accommodation preferences.
- The application drawings were prepared following a detailed digital site survey. No contrary evidence has been submitted. The assertion of misrepresentation is unsupported.
- The proposed extension represents a 33.5% increase in floor area, comparable to the scale of development approved at No. 38. Substantial front and rear areas would be retained.
- Assertions of "sunlight blocked" without quantification carry little evidential weight. The front elevation is south-facing. Morning and afternoon sunlight would be unaffected. Any theoretical impact on that elevation would arise only during late evening periods when solar intensity is lowest. Mature street trees along the road frontage already filter late evening sunlight to the front of No. 38.
- The rear garden of No. 38 has a northerly orientation and receives limited direct sunlight by reason of aspect. The separation gap between buildings is not a protected source of sunlight. Any sunlight penetration through this gap is confined to a narrow strip, occurs at limited seasonal intervals and does not extend materially across the patio. The paved strip to which the appellant refers

is not the principal amenity area. The existing dwelling already casts shadow across much of this area but the rear garden is approximately 60 metres long.

- No windows are proposed on the eastern boundary elevation. Mutual rear overlooking is typical of suburban residential layouts. An existing 2.0-metre by 1.2-metre east-facing clear-glazed window, which currently overlooks No. 38, would be removed. The development would therefore reduce intervisibility. No privacy impact would arise.
- The development can be constructed entirely within the applicants' site. Neighbour consent is not a planning requirement. The gable wall would be brick for durability and low maintenance. The works would comply with current construction standards. The alleged structural risks are speculative.
- Design criticism reflects subjective preference. The appellant has not identified any specific policy breach or demonstrated any design harm.
- The only real effect of the development on No. 38 would be a positive one. The quality refurbishment proposed is likely to enhance the value of the appellant's property.

7.3. Planning Authority Response

- 7.3.1. The planning authority referred to the planner's report and stated that the grounds of appeal do not raise any new matter which, in its opinion, would justify a change of attitude to the proposed development.

8.0 Assessment

8.1. Issues

- 8.1.1. Having inspected the site and considered in detail the documentation on file for this third-party appeal, it seems to me that the main planning issues are:
- whether an increase in floor space of the size proposed is acceptable;
 - the effect of the development on the visual amenity of the area; and
 - its effect on residential amenity.

8.1.2. In my opinion, it is not necessary to consider allegations about historic unauthorised development at the site in order to reach a conclusion about the current application.

8.2. **Size**

8.2.1. The appellant has not identified any specific policy basis for her complaint about the amount of additional floor space that would be created by the proposed development. Residential accommodation is permitted in principle in this area under the County Development Plan. The proposal is consistent with the Plan's climate action objectives relating to retrofitting of energy efficiency measures and use of structural materials with low-to-zero embodied energy and carbon dioxide emissions. It seems to me that an increase in floor space of the size proposed is in itself acceptable, provided visual and residential amenity would not be unduly affected.

8.2.2. Notwithstanding the size of the proposed extensions, I am not persuaded of the necessity to attach a condition to any permission prohibiting subdivision of the dwelling. Section 3(3) of the Planning and Development Act 2000 declares that the use as two or more dwellings of any house previously used as a single dwelling involves a material change in the use. The subdivision of the dwelling would therefore require planning permission.

8.3. **Visual Amenity**

8.3.1. The drawing illustrating the existing front elevation of No. 39 is inaccurate only in so far as it includes a diagonal line which conveys the impression that there is a hipped roof over the first-storey front projection. The pitched roof structure is in fact continuous. In my opinion, this inaccuracy does not prevent proper assessment of the proposed development.

8.3.2. It is proposed to clad the double-height projecting bay (Element 1) in natural stone, a material not used elsewhere on the dwelling or on the neighbouring dwellings. However, as the planning authority has pointed out, stone is present in front boundary treatments on the northern side of Silchester Road. I agree with the authority that the substantial setback of the dwelling and the mature landscaping of its front garden provide scope for measured variation without adversely affecting visual amenity. Should the Commission decide to grant planning permission, it could attach a

condition requiring precise details of materials, colours and textures of all external finishes to be agreed with the planning authority before development commences.

- 8.3.3. The proposed front windows would be significantly larger than the existing. Most would have a horizontal emphasis, some would have a vertical emphasis and the centrally placed window over the entrance door would be almost square. While in my opinion the proposed window proportions are somewhat lacking in consistency and elegance, this is not a Protected Structure and it is not in an Architectural Conservation Area. Taking into account the distance between the dwelling and the road as well as the intervening vegetation, I judge that the proposed changes to fenestration are not unacceptable in the streetscape. I consider that the development would not have an unduly negative effect on the visual amenity of the area

8.4. Residential Amenity

- 8.4.1. The appellant expressed concern about the proposed living area in the middle of the ground floor of the applicant's dwelling. This would form part of a combined living, dining and kitchen space which would have an overall floor area of about 55 square metres. The space would be lit by a large four-pane window in the rear elevation. While much would depend on how the space was decorated and furnished, I do not accept that the living area would be intrinsically dark and unattractive.
- 8.4.2. No one raised concerns about the impact of the development on 40 Silchester Road immediately to the west of the site and I do not consider that there would be any significant adverse effect on that property.
- 8.4.3. The proposed two-storey extension to the front and eastern side of No. 39 (Element 2) would replace a smaller single-storey front extension. The appellant did not explain why she believes the enlargement would be overbearing. Given its side-wall-to-side-wall relationship with her property, I am not persuaded that there would be a significant overbearing effect.
- 8.4.4. Nos. 38 and 39 Silchester Road are orientated to the south south west. Their front gardens are separated by a substantial hedge. Element 2 would slightly reduce the amount of afternoon and evening sunlight reaching the first-floor front windows of No. 38 but, in my opinion, the reduction would not significantly diminish the appellant's residential amenity.

- 8.4.5. No. 38 has an extensive rear garden and a patio area which runs along the back of the dwelling. The patio is already largely overshadowed by the dwelling. Element 2, by filling in the 5-metre gap that currently exists above the roof of No. 39's existing garage, would for a relatively short part of the day reduce the amount of sunlight reaching a small strip of garden as well as a narrow area at the western end of the patio. A table and chairs were laid out in this area at the time of my inspection. While this additional overshadowing would represent a loss of amenity, I am not persuaded that it would be unacceptable given the size of the patio and the garden.
- 8.4.6. I established during my site inspection that views of the appellant's rear garden from the existing first-floor windows in No. 39, some of which have obscure glazing, are obstructed by the pitched roof over the existing centrally placed single-storey rear extension. While it is proposed to replace these windows, the pitched-roof obstruction would remain. As part of Element 2, it is proposed to install a new rear bedroom window close to the boundary with No. 38. Views into the appellant's rear garden would be curtailed by the proposed single-storey flat-roofed rear extension below the window (Element 3). The existing clear-glazed window in the eastern elevation of No. 39, which faces the side of the appellant's dwelling, would be removed.
- 8.4.7. Some degree of overlooking is an expected feature of suburban housing. In my judgement, the net impact of the proposed development on the appellant's privacy would at worst be slightly negative. It seems to me that the overall effect of the development on the residential amenity of No. 38 is not of such significance as to warrant the withholding of planning permission. I am satisfied that the proposal is consistent with the zoning objective and the provisions of Section 12.3.7 of the County Development Plan.
- 8.4.8. Section 34(13) of the Planning and Development Act 2000 states that a person "shall not be entitled solely by reason of a permission under this section to carry out any development". In other words, a grant of planning permission would not entitle the applicant to carry out construction or maintenance work on the appellant's property without her consent. However, in my opinion, the decision on whether to grant permission cannot be contingent on such consent. That is a private matter between the parties concerned.

9.0 **Appropriate Assessment Screening**

- 9.1. Having considered the nature, location and small scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the availability of public piped services to accommodate the foul effluent arising therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 **Water Framework Directive**

- 10.1. The application site is located about 800 metres from the Irish Sea and about 2 kilometres from the Deansgrange Stream. The proposed development comprises demolition of existing features and internal and external modifications to dwelling. No water deterioration concerns were raised in the planning appeal.
- 10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) which seek to protect and, where necessary, restore surface and ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.
- 10.3. The reasons for this conclusion are the nature and small scale of the works, the distance from the nearest water bodies and the lack of known hydrological connections.
- 10.4. I conclude 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 to the Commission that planning permission be granted, subject to the conditions set out below.

12.0 Reasons and Considerations

12.1. Having regard to the Dún Laoghaire-Rathdown County Development Plan 2022-2028, and in particular to Zoning Objective A and Section 12.3.7, it is considered that, subject to compliance with the conditions set out below, the development would not adversely affect the visual amenity of the area or seriously injure the residential amenity of neighbouring properties and would accord with the proper planning and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works. Prior to the commencement of development, the developer shall submit proposals for the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: To prevent flooding and in the interest of sustainable drainage.</p>

3.	<p>Details of the materials, colours and textures of all the external finishes of 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>
4.	<p>Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and amenity.</p>
5.	<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. The contribution shall be paid prior to the 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 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.



TREVOR A RUE

Planning Inspector

10th May 2026

Appendix A: Form 1 – EIA Pre-Screening

Case Reference	<i>PL-500794-DR-26</i>
Proposed Development Summary	<i>Demolition of existing features and internal and external modifications to dwelling</i>
Development Address	<i>39 Silchester Road, Glenageary, Co. Dublin</i>
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.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.	No Screening required.
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)?	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3).

Inspector: *Trevor A Rue*

Date: 10th May 2026

TREVOR A RUE