



An
Coimisiún
Pleanála

Inspector's Report

PL-500817-DN-26

Development

Domestic extensions and alterations

Location

75 Saint Jarlath Road, Cabra East,
Dublin 7

Planning Authority

Dublin City council

Planning Authority Reg. Ref.

WEBH5729/25

Applicant

Ann Larrigan

Type of Application

Permission

Planning Authority Decision

Grant permission subject to conditions

Type of Appeal

Third Party v. Decision

Appellant

Terrie O'Neill

Observers

Noel Gaffney and Mr and Mrs Stuart Doherty

Date of Site Inspection

21 April 2026

Inspector

B. Wyse

1.0 Site Location and Description

- 1.1. No.75 is a mid-terrace two storey house on the southern side of Saint Jarlath Road in the mature inner suburb of Cabra. The houses in their original form were compact two bedroom units with front and back gardens. Many of the houses have since been extended. No.75 now includes a single storey rear kitchen extension, a veranda and two sheds to the rear and a porch extension to the front. A rear lane provides pedestrian access.
- 1.2. The appellants house, No.73, is the adjoining house to the east. This house has also been extended at ground floor level to the rear. The adjoining house to the west, No.77, also has a rear ground floor extension.

2.0 Proposed Development

- 2.1. The proposed development comprises:
- New first floor extension to the rear. This would be over the existing kitchen extension, extending the full width but, at 3500mm, about 750mm less in terms of depth. It would have a flat roof and provide an extra bedroom and bathroom.
 - New single storey home office/playroom to the rear of the back garden. This would replace the shed at the rear of the garden. It would have a floor area of just over 15sqm. It would have a flat roof with a maximum height of just over 3m.
 - Raising rear boundary blockwork walls to 1.8m in height.

3.0 Planning Authority Decision

3.1. Decision

The decision to grant permission is subject to 9 generally standard conditions.

Condition 2 requires that no flat roof be used as a balcony or terrace and Condition 3 requires that the garden room not be used for human habitation or for any purpose not incidental to the enjoyment of the house.

3.2. Planning Authority Reports

3.2.1. **Planning Report**

Basis for decision. Includes:

- *Overall, it is not considered that the proposed first floor extension at the subject site will have an undue impact in relation to loss of daylight or overbearance to the neighbouring properties.*
- The remaining rear garden private open space would be approximately 25sqm. This would be short of the 30sqm minimum specified in the Compact Settlement Guidelines. However, as it is considered that the dwellings are small in footprint and the plots are limited this amount of private open space is considered acceptable.
- The raising of the boundary walls to 1.8m would normally be considered to be exempted development.

3.2.2. **Other Technical Reports**

Engineering Department – Drainage Division; recommends standard conditions.

3.3. **Prescribed Bodies**

Uisce Eireann/ National Transport Authority/ Irish Rail – no comments received.

Transport Infrastructure Ireland – standard submission referring to developments that might impact national roads or the light rail network.

3.4. **Third Party Observations**

Three submissions received. Issues raised similar to those raised in the grounds of appeal (see Section 7.1 below).

4.0 **Planning History**

4.1. None relevant.

5.0 **Policy Context**

5.1. **Development Plan**

Dublin City Development Plan 2022-2028

Zoning

Z1 : Sustainable Residential Neighbourhoods. Objective - *To protect, provide and improve residential amenities.*

Appendix 18 Ancillary Residential Accommodation

Section 1.0 Residential Extensions. Includes:

Given the wide variety of house types and styles within Dublin City, it is not possible to deal with every type of addition. Rather, this section sets out a number of general principles that should be addressed in all cases and which will be applied by the planning authority in assessing applications for permission.

Section 1.1 General Design Principles. Includes that applications for extensions to residential units should:

- *Not have an adverse impact on the scale and character of the existing dwelling.*
- *Not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight.*
- *Achieve a high quality of design.*

Section 1.2 Extensions to Rear. Includes:

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

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

In determining applications for first floor extensions the following factors will be considered:

- *Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries.*
- *Remaining rear private open space, its orientation and usability.*

- *Degree of set-back from mutual side boundaries.*
- *External finishes and design, which shall generally be in harmony with existing.*

Section 1.6 Sunlight and Daylight. Includes:

Large single or two-storey rear extensions to semi-detached or terraced dwellings can, if they project too far from the main rear elevation, result in a loss of daylight to neighbouring houses. Furthermore, depending on orientation, such extensions can have a serious impact on the amount of sunlight received by adjoining properties. On the other hand, it is also recognised that the city is an urban context and some degree of overshadowing is inevitable and unavoidable. Consideration should be given to the proportion of extensions, height and design of roofs as well as taking account of the position of windows including rooms they serve to adjacent or adjoining dwellings.

Section 2.0 Detached Habitable Rooms. Includes:

Detached habitable rooms refer to backland development within the curtilage of an existing dwelling that does not contain a separate vehicular access point. In this respect, access to the individual room to the rear of the existing dwelling will be provided by way of side passage/ access but with shared entranceway.

The purpose of these rooms is to provide for additional space within the rear garden of an existing dwelling for study/ home office use or additional living/ children's play room. These rooms shall only be used as ancillary residential accommodation.

All planning applications for detached habitable rooms will be subject to a condition to restrict the use of the room as ancillary living space to the main dwelling. The room may not be sold or rented separately from the main dwelling unit.

5.2. Natural Heritage Designations

None relevant.

6.0 Environmental Impact Assessment (EIA)

- 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. EIA, therefore, does not arise.

7.0 The Appeal

7.1. Grounds of Appeal

The appeal is lodged by Terrie O'Neill, of No.73 Saint Jarlath Road, the adjoining house to the east. The main grounds can be summarised as follows:

- The application is invalid as the drawings do not meet the requirements of the Dublin City Council guidelines. Two structures constructed in 2025 are not shown and the existing extension interface with the boundary of No.73 is not shown correctly.
- The proposal does not provide sufficient private open space by reference to the standards set out in the Compact Settlement Guidelines.
- The proposal would be out of scale for the area, would create substandard living conditions for its residents and would enclose and overshadow neighbouring properties. The proposed garden room would be overbearing and would overshadow the appellants garden. The proposed two storey extension is monolithic and unattractive and would have a negative impact on the terrace as a whole. It would reduce natural light to the properties on either side as well as to the existing kitchen extension and rear living area of the house as a result of the loss of light from the existing rooflight to the kitchen.
- The proposal would have a negative impact on the residential amenities of neighbouring properties and the sustainable development of the terrace as a whole. There is no daylight/sunlight or shadow assessment submitted with the application. By reference to the '45 degree approach' from the BRE Guidelines there would be a significant reduction in access to natural light in the appellants property.
- There is reasonable concern in relation to damage to drainage in the vicinity resulting from the existing kitchen extension and subsequent works to address drainage issues that have arisen.

- The proposed development contradicts national and local biodiversity and climate action plans. There is a concern that the proposal may affect the health of a mature hedge between No.s 73 and 71. As the proposed development does not respect the established pattern of building of the terrace and road, does not provide sufficient outdoor amenity and is out of scale for the plot it poses a significant threat to the established ecosystem and connectivity.

The submission includes drawings and photographs and copies of the appellants observation submission to the planning authority and those of the two other observers to the appeal.

7.2. **Applicant Response**

Includes:

- There are a number of first floor extensions on the road and in the surrounding area.
- The proposal would not overhang or intrude on anyone's property.
- The proposal is in line with regulations.
- There is clear separation between the kitchen extension and the neighbours.

7.3. **Planning Authority Response**

None received.

7.4. **Observations**

Submissions have been received from the residents at No.77, the adjoining house to the west and No.71, two doors to the east. The submissions raise similar objections to those raised in the grounds of appeal.

8.0 **Assessment**

8.1. The main issues in this appeal are those raised in the grounds of appeal and I am satisfied that no other substantive issues arise. The issues can be addressed under the following headings:

- Residential Amenity and Design
- Drainage Matters

- Validity of Application

8.2. Residential Amenity and Design

- 8.2.1. In relation to the proposed first floor extension I consider both its scale and design to be reasonably proportionate and appropriate to the existing context. Extensions of this kind are quite common in housing areas of this type, including mid-terrace housing. I do not consider, therefore, that it would be out of scale or otherwise detrimental for the area.
- 8.2.2. It follows that I do not consider that the proposed first floor extension would have significant negative impacts on the amenities of adjacent properties or of the terrace or area as a whole. Given the southerly orientation the potential overshadowing effects would be relatively minor and certainly not beyond what might reasonably be expected in an established urban area. The effect on the appellants house, No.73, would be confined to short periods in the evenings. The effect on the adjacent No.77 would be limited to short periods in the mornings. In this context it is noted that Appendix 18, Section 1.6 of the development plan expressly acknowledges that some degree of overshadowing can be expected and is unavoidable in an urban area (see Section 5.1 above). It will also be noted that Section 1.6 of the plan does not require or suggest that applications for domestic extensions be accompanied by daylight/sunlight or shadow assessments. I do not consider that the proposed extension would give rise to excessive overbearing effects either.
- 8.2.3. The proposed garden room, at just 15sqm floor area and with a maximum height of just over 3m, would not give rise to any excessive overshadowing or overbearing effects either.
- 8.2.4. There is no basis, in my view, to the contention that the proposal would result in substandard living conditions for residents.
- 8.2.5. In relation to the issue of private open space it will be noted that the Compact Settlement Guidelines [Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities, (GoI 2024)], notwithstanding the references in the planning authority planners report and in the grounds of appeal, have no direct bearing on minor developments such as that being dealt with here. The Guidelines are essentially strategic in nature and are aimed at new developments.

The standards cited are essentially an attempt to establish a baseline threshold for private open space in significant new developments. Within such developments, at individual properties, extensions over time, several of which may be exempted development, will of course reduce the remaining garden areas below the baseline standard in many cases.

- 8.2.6. The remaining garden area in this case would be about 25sqm. While this does not take account of the veranda to the rear of the kitchen or the small metal shed, I consider that it is still adequate. It should also be noted that neither the veranda nor the small metal shed are included in the application in this instance.
- 8.2.7. Finally, it follows that I do not accept that there is any basis to the claims advanced by the appellant in relation to impacts on local biodiversity and ecosystems.
- 8.2.8. I conclude, therefore, that the appeal should not be upheld in relation to these matters.

8.3. Drainage Matters

- 8.3.1. The issues raised under this heading, and which relate to matters arising in the past associated with the existing kitchen extension at the subject property and which allegedly affected the neighbouring properties, are matters to be dealt with between the relevant parties.
- 8.3.2. The planning authority decision to grant permission for the proposed development includes a standard condition (Condition 4) that stipulates that drainage arrangements must comply with the requirements of the planning authority. Any grant of permission issued by the Commission will include a similar condition.

8.4. Validity of Application

- 8.4.1. I am satisfied that the drawings submitted with the application comply with the relevant Regulations and are sufficiently accurate for the purposes of a planning application. The two structures referred to by the appellant as being omitted from the drawings are the veranda and the small metal shed. The omission of these structures is not fatal, in my view, and, as already noted, they are not a part of the application for permission. In the event of permission being granted a condition should be attached to clarify this.
- 8.4.2. There is no basis, therefore, to the contention that the application is invalid.

9.0 **Appropriate Assessment Screening**

- 9.1. Having considered the nature, small scale and location of the project within an established and serviced urban area, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.
- 9.2. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Appropriate Assessment, therefore, is not required.

10.0 **Water Framework Directive**

- 10.1. 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.
- 10.2. Having considered the nature, small scale and location of the project in a serviced urban area, 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.

11.0 **Recommendation**

- 11.1. I recommend that permission be granted subject to conditions.

12.0 **Reasons and Considerations**

It is considered that the proposed development would not seriously injure the residential amenities of the area or of property in the vicinity by reason of scale, overshadowing or overbearance. The proposed development, subject to compliance with the following conditions, would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

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

Reason: In the interest of clarity.

2. This permission does not include the veranda and metal shed at the rear of the property.

Reason: To further clarify the scope of the permission.

3. No flat roof shall be used as a balcony or terrace.

Reason: To protect the residential amenities of properties in the vicinity.

4. The home office/playroom shall not be used for human habitation or for any use other than a use incidental to the enjoyment of the dwelling house as such. The toilet window shall be glazed with obscure glass.

Reason: To protect the residential amenities of property in the vicinity.

5. All external finishes of the shall harmonise with those of the existing dwelling in respect of materials and colour.

Reason: In the interest of visual amenity.

6. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

7. Site development and building works shall be carried out between the hours of 0700 and 1800 Mondays to Fridays inclusive, between 0800 and 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenities of property in the vicinity.

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.

B. Wyse
Planning Inspector

30 April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	
Proposed Development Summary	Domestic extension and alterations.
Development Address	75 Saint Jarlath Road, Cabra East, Dublin 7
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2.
	<input type="checkbox"/> No, No further action required.
<p>(For the purposes of the Directive, "Project" means:</p> <ul style="list-style-type: none"> - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources) 	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
<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.	
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
<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)	
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 <input type="checkbox"/>	
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: B. Wyse

Date: 30 April 2026