



An  
Coimisiún  
Pleanála

## Inspector's Report

**PL-500859-DN-26**

### Development

Protected structure: The works will consist of (a) the adaptation and extension of a non-original existing rear ground floor extension to provide an additional 10 sqm of kitchen space; (b) the alteration of the existing mono pitch roof of the existing extension in order to create a new flat roof to the proposed extension; (c) minor associated internal alterations to existing layout as indicated on the submitted drawings; (d) all associated external site works

### Location

75 St. Lawrence Road, Dublin 3, D03  
W6P0

### Planning Authority

Dublin City Council

### Planning Authority Reg. Ref.

WEB5790/25

### Applicant(s)

Shane and Samantha Cantwell

### Type of Application

Permission

<b>Planning Authority Decision</b>	Grant permission
<b>Type of Appeal</b>	Third party
<b>Appellant(s)</b>	Michael Cunnane
<b>Observer(s)</b>	None

<b>Date of Site Inspection</b>	25 April 2026
<b>Inspector</b>	Killian Harrington

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## **1.0 Site Location and Description**

1.1 The subject site is part of a terrace of similarly-designed 19<sup>th</sup> century period three storey dwellings on a residential street in Clontarf, Dublin 3. It is a protected structure (RPS no. 7653 – recorded as a house) as are the adjacent properties. The terrace consists of 4 no. red brick two-bay three-storey houses, built c. 1880, having canted-bay windows to front (west) elevation and returns to rear. These houses (numbers 73-76) all have gardens to front and rear with the rear garden being larger than average for the area. Numbers 74, 75 and 76 each have modern single-storey rear additions that supplement the original rear returns. The subject property and terrace face northwest. There is an existing extension to the rear of the house, is single-storey and has a floor area of 20.6 sqm. The subject property is also recorded on the National Inventory of Architectural Heritage (Ref. 50030217) and has been afforded a Regional Rating.

## **2.0 Proposed Development**

2.1 The proposed development comprises the demolition of an existing non-original single-storey rear extension (c. 20 sqm) and construction of a larger single-storey rear extension (c. 30 sqm) changing the roof profile to flat and slightly higher (c. 3m). The new extension would be 30 sqm. (approx) in floor area; 7.1 metres in length; 5.6 metres in width and 3.4 metres in height. It would be set in from the shared party boundary with no. 74 St. Lawrence Road, located to the north by 1 metre and is to be built up along the party boundary with no. 76 St. Lawrence Road to the south.

## **3.0 Planning Authority Decision**

### **3.1 Decision**

Dublin City Council granted planning permission subject to standard conditions.

Condition no. 3 requested specific conservation specifications and methodology owing to the building being a protected structure.

### 3.1.1. Planning Authority Reports

The report confirmed that the works were permitted in principle under the Z2 zoning as the proposal relates solely to a domestic rear extension. With the property listed on the RPS and located in a Conservation Area, an assessment by the Conservation Division concluded that the existing rear extension was not original and the new design would not harm the integrity of the protected structure or its setting. In terms of impact on neighbouring amenity, the report acknowledged the submitted shadow assessment and concluded that the impacts would be very minor as there would only be one ground floor window directly facing the proposed extension and this was already impacted by the existing boundary wall. The report assessed that there would be no other impacts on residential amenity. The report concluded that the replacement extension, although larger and slightly taller is nonetheless still a ground floor rear extension, proportionate to the main dwelling and would not materially contravene the policies and objectives of the Dublin City Development Plan 2022-2028 and would accord with the proper planning and sustainable development of the area. Accordingly, the report recommended that permission should be granted for all works with a conservation condition attached.

### 3.1.2 Other Technical Reports

- Drainage Division – no objection subject to conditions
- Conservation Division – recommends approval subject to condition

### 3.3. Prescribed Bodies

No relevant submissions

### 3.4. Third Party Observations

There were 2 no. observations from apartments in the adjacent property 74 St Lawrence Road and the following issues were raised:

- There would be substantial loss of natural light to 74 St Lawrence Road, particularly affecting the back of the property and more specifically 2 ground floor flats. The increased building mass and height of the extension walls would create significant overshadowing, especially during the day and would diminish the amount of daylight that these flats receive resulting in an unacceptable reduction in light levels
- The proposed wall height of the planned extension would create an overbearing and oppressive structure when viewed from No. 74. There should be adequate separation and proportionate building heights between the properties
- The Council is urged to refuse this application or require substantial amendments to reduce the height of the walls and the overall scale of the extension to ensure it does not cause material harm to the neighbouring properties.

## 4.0 Planning History

### 4.1 Subject site

Reg. Ref. 0256/25: Section 5 declaration sought to widen an existing small, rear ground floor extension to create an additional 10sqm of kitchen space whilst retaining the legibility the historic footprint.

Refused for the following reason:

*It is considered that the proposed works comprise development which would not come within the meaning of Section 4(1)(h) and Section 57 of the Planning and Development Act 2000 (as amended) as the proposed development would materially affect the character of the Protected Structure and therefore would require planning permission*

Reg. Ref. 0070/22: Section 5 declaration sought to inspect roof timbers, remedial repairs as necessary to natural slate roofs, attic insulation. Remove concrete slab to side of return & pave, remove defunct foul drainage. Repair damaged

plasterwork (lime- gypsum as appropriate). Cast iron wall vents where required. Remove lean to shed. Ventilate blocked chimney flues. General repainting and redecorating. Retain existing wiring centralise back to one meter. Confirm contemporary partitions installed at the time of subdivision of house to apartments. Removal of same (incl dropped ceilings) -reinstate rooms to original layouts. Remove floor coverings, inspect floor timbers, remedial repair. Remove contemporary sanitary ware & kitchens. Insulate rooms at end of return (Calcitherm & lime plaster or Kingspan of ventilated insulated system). Raise perimeter walls of a later extension to rear to bring the internal floor to ceiling height to min of 2.4mm and to be re-roofed with an insulated flat roof. Manmade slates on this section to be checked for asbestos. Split decision issued on 04 May 2022

## **5.0 Policy Context**

### **5.1 Development Plan**

Under the Dublin City Development Plan 2022-2028 the site is zoned objective Z2 Residential Neighbourhoods (Conservation Areas), which has an objective 'to protect and or improve the amenities of residential conservation areas'. The property is listed as a house on the Record of Protected Structures (no. 7653). The following Dublin City Development Plan policy objectives have specific relevance to this appeal:

#### Section 14.7.2 Residential Neighbourhoods (Conservation Areas) – Zone Z2

Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.

#### Section 15.15.2.2 Conservation Areas

Conservation Areas include Z8 (Georgian Conservation Area) and Z2 (Residential Conservation Area) zones, as well as areas identified in a red hatching on the zoning maps which form part of the development plan. These red-hatch areas do not have a specific statutory protection but contain areas of extensive groupings of buildings, streetscapes, features such as rivers and canals and associated open spaces of historic merit which all add to the special historic character of the city. All planning applications for development in Conservation Areas shall:

- Respect the existing setting and character of the surrounding area.
- Be cognisant and/ or complementary to the existing scale, building height and massing of the surrounding context.
- Protect the amenities of the surrounding properties and spaces.
- Provide for an assessment of the visual impact of the development in the surrounding context.
- Ensure materials and finishes are in keeping with the existing built environment.
- Positively contribute to the existing streetscape
- Retain historic trees also as these all add to the special character of an ACA, where they exist.

#### Section 15.15.2.3 Protected Structures

DCC would support new proposals to conserve, repair and adapt Protected Structures to ensure they stay in long term sustainable use

A Protected Structure, unless otherwise stated, includes the interior of the structure, the land lying within the curtilage of the structure, any other structures (and their interiors) lying within that curtilage. The protection also extends to any features specified as being within the attendant grounds including boundary treatments.

Works to a protected structure should be carried out in accordance with the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and

the Conservation Advice Series published by the Department of Housing, Local Government and Heritage

All planning applications for development/works to Protected Structures must provide the appropriate level of documentation, including an Architectural Heritage Impact Assessment, in accordance with Article 23 (2) of the Planning and Development Regulations, 2001 (as amended) and chapter 6 and appendix B of the 'Architectural Heritage Protection Guidelines for Planning Authorities' (2011), to assist in the assessment of proposals. This report should be prepared by an accredited conservation architect or equivalent conservation professional/expert (a useful list of suitably qualified professionals is available on the Irish Georgian Society <https://www.igs.ie/> and RIAI <https://www.riai.ie/> websites). The report should:

- Outline the significance of the building(s) or structure(s) and their settings and an assessment of how the proposed works would impact on that significance.
- Include a detailed drawn survey of the building/structure identifying all surviving original/early and later features that may contribute to its significance and associated photographic survey.
- Include a conservation focused method statement and specification of works.
- Details of proposed works should be clearly identified on the accompanying survey drawings by way of colour coding and/or annotated notes to distinguish clearly between the existing structure, the proposed works including demolition of existing fabric and/or features. The colour coding should also show the provenance of the historic building, including identification of the various stages of its development, identifying original, historic and later intervention.

#### Policy BHA9 (Conservation Areas)

To protect the special interest and character of all Dublin's Conservation Areas – identified under Z8, Z2 zoning objectives and denoted by red line conservation hatching on the zoning maps. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. Enhancement opportunities may include:

1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting.
1. Re-instatement of missing architectural detail or important features.
2. Improvement of open spaces and the wider public realm and reinstatement of historic routes and characteristic plot patterns.
3. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area.
4. The repair and retention of shop and pub fronts of architectural interest.
5. Retention of buildings and features that contribute to the overall character and integrity of the Conservation Area.
6. The return of buildings to residential use.

Changes of use will be acceptable where in compliance with the zoning objectives and where they make a positive contribution to the character, function and appearance of the Conservation Areas and its setting. The Council will consider the contribution of existing uses to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.

#### Policy BHA2 Development of Protected Structures

That development will conserve and enhance protected structures and their curtilage and will:

(a) Ensure that any development proposals to protected structures, their curtilage and setting shall have regard to the Architectural Heritage Protection Guidelines for Planning Authorities (2011) published by the Department of Culture, Heritage and the Gaeltacht.

(b) Protect structures included on the RPS from any works that would negatively impact their special character and appearance.

(c) Ensure that works are carried out in line with best conservation practice as advised by a suitably qualified person with expertise in architectural conservation.

(d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.

(e) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.

(f) Respect the historic fabric and the special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials.

(g) Ensure that new and adapted uses are compatible with the architectural character and special interest(s) of the protected structure.

(h) Protect and retain important elements of built heritage including historic gardens, stone walls, entrance gates and piers and any other associated curtilage features.

(i) Ensure historic landscapes, gardens and trees (in good condition) associated with protected structures are protected from inappropriate development.

(j) Have regard to ecological considerations for example, protection of species such as bats

#### Policy BHA10 Demolition in a Conservation Area

Policy BHA10 establishes a strong presumption against the demolition or substantial loss of structures that contribute positively to the character of a Conservation Area. Key details regarding the application of BHA10 in recent development plans include:

- Exceptions: Demolition is only considered in exceptional circumstances where the loss of the structure would contribute to a significant public benefit.
- Justification: Proposals requiring demolition must provide detailed justification from a heritage, sustainability, and viability perspective, including a full life-cycle analysis.
- Relevance to Older Buildings: BHA10 often operates in conjunction with Policy BHA11, which prioritizes the rehabilitation and reuse of existing older buildings.

#### Appendix 18, Section 1.1 (General Design Principles)

The design of residential extensions should have regard to the amenities of adjoining properties and in particular, the need for light and privacy. In addition, the form of the existing building should be respected, and the development should integrate with the existing building through the use of similar or contrasting materials and finishes'. Innovative, contemporary design will be encouraged. A contemporary or modern approach, providing unique designs, can offer a more imaginative solution. However, such proposals are still required to take account of the design issues outlined in this document. Applications for extensions to existing 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
- Make a positive contribution to the streetscape (front extensions)

#### Appendix 18, Section 1.2 (Extensions to 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'*

#### Appendix 18, Section 1.6 Daylight and Sunlight

This section states the following:

*'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.'*

## **5.2 Relevant National Guidelines**

‘Architectural Heritage Protection Guidelines for Planning Authorities’ (2011)

These guidelines were published as a practical guide for planning authorities and for all others to comply with Part IV of the Planning and Development Act 2000 on the protection of the architectural heritage. It sets out conservation principles of interior and exterior of buildings and includes advice for temporary works, enabling works and making good. It also includes conservation methods specified for ‘routine maintenance’ of historic buildings set out under Section 4.1.3.5.

## **5.3. Natural Heritage Designations**

The subject site is c. 0.6km north of South Dublin Bay and River Tolka Estuary SPA and North Dublin Bay proposed NHA. It is c. 2km northwest of North Dublin Bay SAC, North Bull Island SPA. It is c. 4km northwest of South Dublin Bay SAC and South Dublin Bay proposed NHA.

## **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. 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**

The third party appeal includes the following grounds:

- Zoning compliance – The appeal states that the proposal amounts to non-compliance with Z2 zoning (Residential Neighbourhood/Conservation Area) and Development Plan Section 15.15.2.2 relating to Conservation Areas. The

proposed scale and bulk does not respect the character of the area and would impact on the amenity and architectural quality of the area. The proposal does not protect or improve the amenities of the Z2 Conservation Area and, under the zoning objective, would be deemed an unsuitable new development that the area ought to be protected from. The proposal is not cognisant of the scale of development that surrounds the site.

- Loss of light – the proposal is only 1 metre from the boundary of no. 74 and would impact on the light intake, in particular the ground floor apartments and would therefore be contrary to Appendix 18 of the Development Plan. The existing structures already limit the light intake of these properties. The shadow analysis with the application does not show which windows would be impacted and only shows sunlight intake in March and June and not mid-winter meaning there is an assumption that the impacts would get worse in winter. The appeal requests that a more detailed daylight sunlight assessment (including Vertical Sky Component) is conducted.
- Scale and bulk – the proposal would appear domineering over adjacent properties. The new flat roof is taller (at 3.4m) than the previous pitched roof and there is a greater visual impact. The proposed extension should not exceed the height of the boundary wall. In addition, there are concerns that the correct scale of no. 74 was not shown in the CGI image of the proposal contained in the planning application. The site already consists of a three-storey house with a three-storey rear extension and a single-storey rear extension. Although the proposal is within the site coverage and plot ratio required by the Development Plan, the long narrow shape of the site should be considered. The proposal therefore amounts to an overdevelopment of the site.

## **7.2. Planning Authority Response**

None

## **7.3. Observations**

None

#### **7.4 Applicant Response**

None

### **8.0 Assessment**

8.1. This proposal involves the demolition of an existing extension (c. 20 sqm) and replaced with a larger extension (30 sqm) that is wider (i.e. 1.2m wider); and slightly taller (0.3m) than the existing extension. The new extension would be 30 sq.m. (approx) in floor area; 7.1 metres in length; 5.6 metres in width and 3.4 metres in height. It would be set in from the shared party boundary with no. 74 St. Lawrence Road, located to the north by 1 metre and is to be built up along the party boundary with no. 76 St. Lawrence Road to the south.

8.2 Following a review of the file, I will assess this appeal in terms of (1) neighbouring residential amenity and (2) conservation and design matters

#### *1. Neighbouring Residential Amenity*

8.3 Appendix 18, Section 1.1 'General Design Principles' outlines that: *'the design of residential extensions should have regard to the amenities of adjoining properties and in particular, the need for light and privacy.'* and further states that an extension should *'not adversely affect amenities enjoyed by the occupants of adjacent buildings in terms of privacy, outlook and access to daylight and sunlight'*.

8.4 The grounds of appeal relate to no. 74 which is a former dwelling on the terrace that has been converted to a multi-occupancy property of 4 no. flats. It is immediately adjacent the subject site to the northeast. The appeal includes concerns that there would be an unacceptable impact on light intake to the ground floor unit of no. 74. It also claims the proposal would be overly dominant on the boundary and would have an overbearing effect on the property.

8.5 Firstly, in terms of potential overshadowing impacts to the 2 no. ground floor units of no 74, I have examined the shadow diagrams submitted with the application. One flat extends into the garden has a window directly facing the proposed

extension. The diagrams show summer solstice and vernal equinox shadow movements. I note that shadowing already takes place with the tall rear additions on this terrace. I also note that any new shadows from the proposal are concentrated on the infill portion of rear garden of no. 74. This garden, although narrow, has a substantial depth and this is a mitigating factor.

- 8.6 The appeal does not specify what rooms are affected. There is one window, presumably a habitable room, in the ground floor unit of no. 74 that faces southwest (the proposed extension). This could suffer some very minor shadow effect at certain times of the year but it is not considered that this would be a discernible loss of light overall that would impact on the quality of accommodation in that flat. In this instance, there are sufficient mitigating factors including the orientation of the properties, the single-storey height of the extension, the 1 metre set back between the proposed extension and the no. 74 boundary wall and the 4 metre distance between the boundary wall and the nearest ground floor window of no. 74, allowing sufficient space between the structure and the window. Any additional overshadowing beyond existing conditions will mainly overshadow the side passage of the application property itself with minimal additional overshadowing onto a small portion of the rear garden space of no. 74 Saint Lawrence Road.
- 8.7 The appeal states that the winter solstice is not shown in the shadow analysis and the proposal would benefit from a full daylight/sunlight assessment. However, the shadow analysis allows for a high level visual of projected shadow movements and with the proposal being a ground floor structure replacing a similar structure, I am satisfied that no further information is required in this regard.
- 8.8 Appendix 18, Section 1.6 (Daylight and Sunlight) states 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.

- 8.9 Therefore, on balance, the southwest-facing rear garden of no. 74 would benefit from sufficient sunlight all year round owing to the general southerly orientation and the sufficient depth of the garden. The window of the ground floor flat that directly faces the proposed extension would still receive sufficient daylight and sunlight as a result of the 1 metre set back on the side of no. 75 and the further 4 metre distance from the boundary wall to the nearest window of no. 74. Although slightly taller than usual for a single-storey extension at 3.4 metres, the height is mitigated by the set back. Although a daylight assessment was not conducted, it is considered that any loss of vertical sky component would not be a detrimental loss due to the distance from the ground floor window, allowing it to pass the general 45 degree guideline where the structure does not intrude on a 45 degree line if taken from the centre of the windows at this elevation.
- 8.10 The appeal refers to the appearance of bulk and possible overbearing impact. The existing extension is set approximately 1.5 metres further back from the boundary than the proposal and is slightly smaller in height (0.3m less). It is accepted that with the loss of the pitched roof and more block-like appearance there may be a heightened visual impact from the rear garden of no. 74. However I do not agree that this amounts to a sense of enclosure. The proposal is single-storey at 3.4 metres in height and is set back from the boundary by 1 metre, which complies with the criteria for rear extensions in Appendix 18 of the Development Plan. Despite the new extension positioned closer to no. 74, I am satisfied that the combined 5 metre distance from the boundary wall to the nearest windows at no. 74 mitigates the increase in height and the appearance of bulk.
- 8.11 It is considered that, in the context of an urban and terraced setting where some degree of rear additions and related overshadowing is anticipated and given the length of the rear gardens on this terrace and the modest scale of the proposed first floor extension, the visual, overshadowing and overbearing impacts would be minor and acceptable in planning terms. I also note that there is sufficient rear garden space remaining for the subject property and so their amenity is also protected. I also note that there would be no impacts to no. 76 which is built up at

the boundary, has no windows facing the proposal and is to the south of no. 75 so there would be no shadow impact or overlooking.

8.12 I therefore consider the proposal to be in accordance with Appendix 18 of the Development Plan in relation to the criteria for rear extensions and the protection of surrounding residential amenities.

*(2) Conservation and Design Matters*

8.13 The Z2 zoning objective, Section 15 (Development Standards), Policy BHA2 (Development of Protected Structures) and Policy BHA9 (Conservation Areas) are set out in Section 5 of this report. Policy BHA10 (Demolition in a Conservation Area) does not apply in this case as the existing single-storey extension is modern, located to the rear and so would not make a contribution to the character of the Conservation Area.

8.14 Under the Z2 Residential Neighbourhood (Conservation Area) zoning residential development inclusive of upgrades to existing residential protected structures is permissible. However, it is noted that the designation of certain areas as the Z2 zoning objective forms part of the conservation policy framework of the Development Plan. The proposal is ancillary to residential and as such the proposed development is acceptable in principle subject to an assessment of the impacts of the proposed development on the integrity of the protected structure itself, the surrounding area and protected structures and compliance with relevant Development Plan criteria.

8.15 The appeal states that the proposal does not respect the character of the area and does not protect or improve the amenities of the Z2 Conservation Area.

8.16 The site is not located within an Architectural Conservation Area and instead is subject to the criteria set out in Policy BHA9, which states that any development within a Conservation Area '*must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible*'. It is also a Protected

Structure, and so all works to the building including boundary treatment is subject to Policy BHA2 and Section 15.15.2.3 of the Development Plan.

- 8.17 I note that an Architectural Heritage Impact Assessment (AHIA) was not submitted with this application with respect to the protected structure. However, the proposed extension replaces a non-original extension and so there would be no loss of historic fabric. The proposal is modest and to the rear of the building in a way that is proportionate to the host dwelling. It is only slightly wider and taller than the existing extension. I note the appropriate materials chosen and the positive assessment by the Conservation section of the local authority. I am satisfied that the proposed modifications to the building are minor and necessary for the continued maintenance of a protected structure without detracting from the historical integrity of the structure or its setting. The render finish differentiates the extension from the dwelling and gives it a subservient appearance. The membrane roof matches the slate roof colour of the dwelling I would also agree with the DCC Conservation Officer that the proposed design retains the legibility of the historic footprint.
- 8.18 It is considered that the alterations would be in compliance with Policy BHA2 (Development of Protected Structures), Section 15.15.2.3 (Protected Structures), Policy BHA9 and Section 15.15.2.2 (Conservation Areas) and would meet the objectives of the Z2 (Residential Neighbourhoods) zoning to protect and or improve the amenities of residential conservation areas.
- 8.19 If the Commission is minded to grant permission, a condition can be attached requiring compliance and submission of details for review by the Conservation section of the planning authority in line with the condition attached by the planning authority. This condition would ensure that works would be carried out in accordance with best practice, would be monitored to ensure no damage to the protected structure and require confirmation of the state of the site boundaries.
- 8.20 In terms of other issues raised, the appeal states that a 3D image of the proposed extension does not accurately represent no. 74 as it depicts a three-storey rear return for no. 74 and this should be two-storeys. This is noted. However, there is

sufficient information in the application to make an assessment, including the architectural drawings.

- 8.21 Overall, having regard to the modest single-storey nature of the development, the rear garden depth, the existing scale and massing of the terrace and the separation distance, it is considered that the proposal would not cause significant harm to residential amenity of the host dwelling or neighbouring dwellings and would protect and enhance the protected structure and Conservation Area in line with the Z2 zoning, Section 15 development standards, Appendix 18 of the Development Plan and policies BHA9 and BHA2.

## **9.0 AA Screening**

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located in an established residential area c. 0.6km north of South Dublin Bay and River Tolka Estuary SPA, c. 2km northwest of North Dublin Bay SAC and North Bull Island SPA and c. 4km northwest of South Dublin Bay SAC.
- 9.2. The proposed development comprises works to a protected structure consisting of demolition of an existing single-storey rear extension to a dwelling and construction of a larger single-storey rear extension with alterations to roof profile and all associated site works. No nature conservation concerns were raised in the planning appeal.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- Nature of works
  - Location in an established residential area
  - Lack of connections to nearest European sites

9.4. 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. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## **10.0 Water Framework Directive**

10.1. The subject site is located at 75 St Lawrence Road Dublin 3 approximately 600 metres north of the Tolka Estuary.

10.2 The proposed development comprises works to a protected structure consisting of demolition of an existing single-storey rear extension to a dwelling and construction of a larger single-storey rear extension with alterations to roof profile and all associated site works

10.3 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works
- Location-distance from nearest water bodies and/or lack of hydrological connections

10.4 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in

reaching its WFD objectives and consequently can be excluded from further assessment.

## **11.0 Recommendation**

11.1. I recommend that planning permission be granted.

## **12.0 Reasons and Considerations**

Having regard to the nature and scale of the proposed development and its relationship with adjoining properties, the Z2 zoning and the policies and objectives as set out in the Dublin City Development Plan 2022-2028 including Policies BHA2 and BHA9, it is considered that the proposed works to the protected structure would not cause serious harm to the residential amenities of the surrounding area or the residential character of the area, would protect and enhance the protected structure and Conservation Area and would therefore accord with the provisions of the Development Plan and 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. The following conservation requirements of the planning authority shall be complied with:

(i) A conservation expert with proven and appropriate expertise shall be employed to design, monitor and implement the works and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained fabric and the curtilage of the Protected Structure.

(ii) All works to the structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of Housing, Local Government and Heritage. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair offsite shall be recorded prior to removal, catalogued and numbered to allow for authentic reinstatement.

(iii) All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.

(iv) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.

(v) The applicant shall clarify the current condition of the site boundaries in close proximity to the proposed extension (those which would be physically impacted by the proposed works), and whether any historic boundary walls remain on site. Should an historic boundary wall be located close to the proposed work and physically impacted as a result of the proposal, detailed schedules of any repair and reinstatement works that are required to the wall should be fully detailed and submitted to the planning authority prior to the commencement / during the course of the works.

Reason: In order to protect the original fabric, character and integrity of the Protected Structure and to ensure that the proposed works are carried out in accordance with best conservation practice

3. All necessary measures should be taken by the applicant and contractor to prevent the spillage or deposit of clay, rubble or other debris on the public road network, repair any damage to the public road arising from carrying out works and avoid conflict with between construction activities and pedestrian and vehicular movements on the surrounding public roads.

Reason: In the interest of amenities, public health and safety and environmental protection

4. 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

5. Site development and building works shall be carried out between the hours of 7:00 am to 6:00pm Mondays to Fridays inclusive, between 8:00am to 2:00pm 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 amenity 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.

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Killian Harrington  
Planning Inspector

6 May 2026

## Appendix A: Form 1 EIA Pre-Screening

<b>Case Reference</b>	PL-500859-DN-26
<b>Proposed Development Summary</b>	Protected structure: The works will consist of (a) the adaptation and extension of a non-original existing rear ground floor extension to provide an additional 10 sqm of kitchen space; (b) the alteration of the existing mono pitch roof of the existing extension in order to create a new flat roof to the proposed extension; (c) minor associated internal alterations to existing layout as indicated on the submitted drawings; (d) all associated external site works
<b>Development Address</b>	75 St. Lawrence Road, Dublin 3, D03 W6P0
<b>IN ALL CASES CHECK BOX /OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means:  - The execution of construction works or of other installations or schemes,  - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> No, No further action required.
<b>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)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in <b>Part 1</b> .  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<p><b>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?</b></p>	
<p><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.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	
<p><b>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)?</b></p>	
<p>Yes <input type="checkbox"/></p>	<p><b>Screening Determination required (Complete Form 3)</b></p>
<p>No <input checked="" type="checkbox"/></p>	<p><b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b></p>

Inspector: \_\_\_\_\_

Date: 6 May 2026