



An
Coimisiún
Pleanála

Inspector's Report

PL-501087-DF-26

Development	Development will consist of a proposed new first floor extension to the rear of the existing house and all ancillary works
Location	15 Corduff Way, Dublin 15, D15 YP5N
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW26A/0042
Applicant(s)	Aaron Tansey and Susan Parnell
Type of Application	Permission
Planning Authority Decision	Refuse permission
Type of Appeal	First party
Appellant(s)	Aaron Tansey and Susan Parnell
Observer(s)	Noeleen Eccles

Date of Site Inspection

16 May 2026

Inspector

Killian Harrington

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1.0 Site Location and Description

1.1 The subject site with an area of 0.0135ha is located on the east side of Corduff Way and west of Blackcourt Road and the parallel Snugborough Road, to the north of Blanchardstown village. The site consists of a two-storey mid-terrace residential property with front and rear gardens. The surrounding area can be characterised as residential suburban. The subject terrace on this side of Corduff Way is similar in form and design to adjacent streets. The general pattern for properties in the surrounding residential streets is a mix of off-street parking or gardens to the front with back gardens consisting of garden sheds or single-storey rear extensions. The subject property has an existing rear single-storey extension.

2.0 Proposed Development

2.1 The proposed development comprises a proposed new first floor extension to the rear of the existing single storey rear extension of the house including 2 no. southeast-facing windows to the rear, 2 no. rooflights on the rear facing roof slope of the main dwelling and all ancillary works

3.0 Planning Authority Decision

3.1 Decision

Fingal County Council refused planning permission for the following reason:

Reason for refusal:

1. The subject site is zoned 'RS' Residential with the objective to 'provide for residential development and protect and improve residential amenity' within the Fingal Development Plan 2023-2029. It is considered that the proposed first-floor rear extension by virtue of its design, consisting of a flat roof and its readily visible location from Blackcourt Road, appears incongruous and would be seriously injurious on the visual amenity of the surrounding area. Furthermore, the proposed first-floor rear extension by virtue of its c.3.8 metre depth and encroached proximity towards mutual boundaries would result in adverse overbearing,

overshadowing and domineering impacts and seriously injure the residential amenities of nos. 14 & 16 Corduff Way and would depreciate the value of same. As such, the proposed development would contravene Section 14.10.2.4, Policy SPQHP41, Objective SPQHO45 and would materially contravene the 'RS' Residential zoning objective of the Fingal Development Plan 2023-2029 and set an inappropriate precedent for other similar forms of development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.1.1. Planning Authority Reports

The report confirmed that ancillary accommodation was acceptable in principle under RS zoning. The proposed flat roof appeared to be out of place and not in harmony with the existing dwelling. The rear elevation is also readily visible from Blackcourt Road and adjacent open space. The impact on the visual amenity was therefore deemed to be harmful. In terms of residential amenity, the proposed first floor extension is to be built right up to the north and south boundaries with 14 and 16 Corduff Way. With a depth of 3.8 metres, it was considered that this would cause undue overbearing and overshadowing impacts and would dominate the rear of this residential terrace. The report was satisfied that there would be no overlooking from the extension as there are no side windows facing neighbouring properties. Overall the proposal would not be in accordance with Section 14.10.2.4 of the Development Plan. There was further concern about structural integrity that owing to the ground floor extension currently set back 0.4 metres but the first floor extension would be full width with no set backs.

3.1.2 Other Technical Reports

- Drainage Division – no objection subject to standard condition

3.3. Prescribed Bodies

No submissions received

3.4. Third Party Observations

One submission raised the following concerns:

- Overbearing and overshadowing impacts
- Lack of construction, technical and fire safety detail
- Impact of construction activity and parking concerns
- Proximity to boundary

4.0 Planning History

4.1 Subject site

There is no relevant planning history

5.0 Policy Context

5.1 Development Plan

Under the Fingal Development Plan 2023-2029 the site is zoned as 'RS Residential' and the objective is 'to provide for residential development and protect and improve residential amenity' with the vision to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity'.

Policies and objectives

Policy SPQHP41 and Objective SPQH045 contain general support for residential extensions subject to the protection of residential and visual amenities. A common theme in all the aforementioned provisions is that such projects will be considered subject to appropriate scale, and the protection of residential amenities and the environment. The wording of these provisions are set out below:

- Policy SPQHP41 (Residential Extensions) - Support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.
- Objective SPQHO45 (Domestic Extensions) - Encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.
- Objective DMSO23 requires that a separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy.
- Objective DMSO26 (Separation Distance between Side Walls of Units) states that applications must 'ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units'.

Chapter 14: 'Development Management Standards':

Section 14.1: Introduction' states that: 'proposals must comply with the standards and criteria that apply to particular development types, be consistent with the objectives set out in the preceding chapters and be compliant with relevant legislative guidance.'

Section 14.10.2: 'Residential Extensions' contains general guidance and principles against which such applications shall be assessed. This includes a recognition and acknowledgement of: 'the need for housing to be adaptable to changing family circumstances', and that the Council will: 'support such applications ... subject to specific safeguards'. Of particular relevance to this appeal and the concerns of the Local Authority over the visual amenity of the proposed design, Section 14.10.2 provides that the design must have regard to, inter alia, 'the character and form of the existing building, its architectural expression ...external finishes and pattern of fenestration.'

There are additional provisions contained in Section 14.10.2 regarding potential impacts on adjacent properties, which states 'in particular, the design and layout

must have regard to and protect the amenities of adjoining properties, particularly in relation to sunlight, daylight, and privacy.’

Section 14.10.2.4 (First Floor extensions) states 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 set-back from mutual side boundaries.
- External finishes and design, which shall generally be in harmony with existing

Section 14.6.6.4 deals with overlooking and overbearance and states:

‘development proposals must assess levels of overbearance and potential to cause significant levels of overlooking to neighbouring properties....’

5.2. Natural Heritage Designations

The site is c. 3.2 km north of Liffey Valley proposed NHA and c. 9 km east of Rye Water Valley/Carton SAC, Rye Water Valley/Carton proposed NHA and Royal Canal 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 & 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 first party appeal raises the following grounds:

- Accommodation need – The extension of this property is necessary for the needs of an extended family
- Precedent - The proposal is similar to many extensions in the Greater Dublin area that have a depth greater than 3.8 metres
- The appeal includes the reason for refusal as reference

7.2. Planning Authority Response

The planning authority requests that their decision is upheld. In the event that this appeal is successful, provision should be made in the determination for applying a financial contribution and/or any Special Development Contributions required in accordance with Fingal County Council's Section 48 Development Contribution Scheme.

7.3. Observations

An observation was received and raised the following concerns:

- The appeal document does not address the core planning grounds
- The appeal does not adequately justify the need for the proposed layout and does not contain any technical assessments or reports including fire safety, design, drainage, architecture or construction management
- The first floor extension would cause significant overshadowing and an overbearing impact to both the garden and the rear elevation of the

neighbouring properties. The existing single storey rear extension is inches from the boundary wall

- The proposed design does not integrate with the area and would create a negative visual impact. The plot size is small and not comparable with other rear extensions
- Other issues raised include previous construction works having an adverse impact on safety and amenity and there is concern for future safety if further construction is to proceed.

8.0 Assessment

8.1. Following a review of the file, assessment of the relevant planning policies and inspection of the site, I am satisfied that the principle of a residential extension is acceptable under the residential zoning at this location and that the primary concern in this appeal relates to (1) design and visual appearance, and (2) neighbouring residential amenity.

(1) Design and visual appearance

8.2 The appeal refers to the need for the 3.8 metre length first floor extension over the existing single-storey rear extension to provide ancillary accommodation for the family dwelling.

8.3 Fingal Development Plan Policy SPQHP41 and Objective SPQHO45 provide general support for residential extensions, subject to the protection of residential and visual amenities and not negatively impacting on the environment or on adjoining properties or area. As referenced in Section 5 of this Report, the need for housing to be adaptable to changing family circumstances is recognised in Section 14.10.2 of the Development Plan. The principle of a first floor extension is also acceptable under the RS zoning subject to the criteria set out in Section 14 of the Development Plan. This need for ancillary accommodation is therefore balanced by this criteria requiring the integration of such developments with both the host dwelling and the wider locality and I consider these below.

- 8.4 In terms of integrating with the host dwelling, I refer in particular to Section 14.10.2, where it states that the design of a proposed extension must have regard to, inter alia, 'the character and form of the existing building, its architectural expression ...external finishes and pattern of fenestration.'
- 8.5 The proposed first floor extension is full width and full depth above the existing 3.8 metre single-storey extension. The total height of the extension would be 5.4 metres compared with 2.4 metres height of the existing extension (with 0.5m sloped roof). In the subject proposal, there is no set back provided at either side to reduce visual impacts on neighbouring properties and no height reduction to eaves level. As a result, this would be contrary to the design guidance set out in Section 14 of the Development Plan that seeks a subservient appearance for first floor extensions including external finishes and design needing to harmonise with the existing dwelling and the provision of setbacks from neighbouring boundaries.
- 8.6 As a result of the above, the proposed extension would appear incongruous and overbearing. It would have an unacceptably harmful impact on the character and form of the existing dwelling and as a full width and full depth extension would be inconsistent with the architectural expression of the existing dwelling.
- 8.7 The height goes above the eaves level distorting the appearance of the roof. As a result, the proposal would dominate the appearance of the terrace and would be particularly visible from Blackcourt Road causing a harmful impact on visual amenity in the area. With the full width extension resting on top of a ground floor extension that is currently set back 0.4 metres from the southern boundary, it would give rise to a haphazard appearance and in the absence of any architectural rationale, I would share the concerns of the planning authority regarding structural integrity.

(2) Neighbouring Residential Amenity

- 8.8 The Development Plan Development Management section includes several references to the protection of the amenities of adjacent properties when considering proposals such as that the subject of this appeal. These include Section 14.10.2.4 (First floor residential extensions) wherein it is provided that the

design and layout 'must have regard to and protect the amenities of adjoining properties, particularly in relation to sunlight, daylight, and privacy.'

8.9 The need to adapt the home, therefore must be balanced against the following additional considerations:

- Remaining rear private open space, its orientation and usability.
- Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries.
- Degree of set-back from mutual side boundaries.

8.10 In terms of the private open space of the main dwelling, as there is no further extension at ground floor level proposed, I am satisfied that there would be sufficient private open space remaining and it would be useable space with sufficient sunlight owing to its c 7 metre depth and southeastern orientation.

8.11 In terms of the impact on the amenity of no. 14 and no. 16, there would be an overbearing impact on both of these neighbouring properties and there would likely be significant overshadowing on a part of the rear garden of no 14 and the loss of light to a number of rear facing windows due to the southeastern orientation of the rear of this terrace. The proposed first floor extension is full width and full depth above the existing 3.8 metre single-storey extension. The total height of the extension would be 5.4 metres compared with 2.4 metres height of the existing extension at eaves level (with a 0.5m sloped roof).

8.12 The need for the extension is noted but there have been no concessions provided in the design to reduce the bulk and massing at the boundary walls and no height reduction from the roof to harmonise with and be subservient to the existing building. As a result, the overshadowing and overbearance impacts for neighbours would not be mitigated and there would be an adverse visual impact on the area. The extension has not been designed relative to the plot size. The proposal would be contrary to the design guidance set out in Section 14 of the Development Plan in that it would not be deferential in design and would cause undue harm to the amenity of the adjacent properties and the residential character of the area.

9.0 Material Contravention of the Development Plan

- 9.1 The subject site is zoned 'RS' Residential with the objective to 'provide for residential development and protect and improve residential amenity' within the Fingal Development Plan 2023-2029.
- 9.2 In their reason for refusal, the planning authority stated that by reason of design, its readily visible location from Blackcourt Road, its incongruous appearance, impact on visual amenity and adverse overbearing, overshadowing and domineering impacts on residential amenity would *materially contravene* the 'RS' Residential zoning objective of the Fingal Development Plan 2023-2029.
- 9.3 It is considered that the objective of the residential zoning in the Development Plan is sufficiently broad and not specific enough to justify the use of the term 'material contravention' in terms of normal planning practice. The refusal relates to a relatively minor aspect of the Development Plan. The Commission should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act.

10.0 AA Screening

- 10.1. 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 c. 9 km east of Rye Water Valley/Cartron SAC.
- 10.2. The proposed development comprises a first floor domestic extension to the rear of a dwelling. No nature conservation concerns were raised in the planning appeal.
- 10.3. 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

10.4. 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.

11.0 Water Framework Directive

11.1. The subject site is located at 15 Corduff Way Dublin 15 c. 300 metres west of the Tolka river at its nearest point. The proposed development comprises of a first floor domestic extension in an urban area. No water deterioration concerns were raised in the planning appeal.

11.2 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

11.3 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.

12.0 Recommendation

12.1. I recommend that permission be refused

13.0 Reasons and Considerations

13.1 Having regard to residential zoning of the site, the residential character of the area, the design of the proposed development and the policies and objectives contained in the Fingal Development Plan 2023-2029, it is considered that the proposed development would cause substantial harm to the residential amenity of neighbouring dwellings, would have an incongruous appearance from the public road seriously injuring the visual amenity of the area and would be contrary to Policies SPQHP41, SPQHO45 and the residential zoning objectives contained in the Fingal Development Plan 2023-2029 . The proposed development would therefore not be in accordance with the proper planning and sustainable development of the area

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

Killian Harrington
Planning Inspector

28 May 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-501087-DF-26
Proposed Development Summary	Development will consist of a proposed new first floor extension to the rear of the existing house and all ancillary works
Development Address	15 Corduff Way, Dublin 15, D15 YP5N
IN ALL CASES CHECK BOX /OR LEAVE BLANK	
<p>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</p> <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) 	<p><input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.</p> <p><input type="checkbox"/> No, No further action required.</p>
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)?	
<p><input type="checkbox"/> Yes, it is a Class specified in Part 1.</p> <p>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
1. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

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

Inspector: _____

Date: 28 May 2026