



An
Coimisiún
Pleanála

Inspector's Report

PL-501339-DR-26

Development

The proposed development will consist of subdivision of the existing site and construction of a new two storey dwelling, with associated site development works. The development will also consist of works to the existing house to include the removal of 1 No. existing chimney breast and 3 No. windows on north-east elevation and a proposed window on the north-west elevation.

Location

Lisheen, 31 Knocksinna Park,
Newpark, Dublin 16 D18C5R3

Planning Authority

Dún Laoghaire-Rathdown County Council

Planning Authority Reg. Ref.

D26A/0195/WEB

Applicant(s)

Emma Hanley

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Emma Hanley

Observer(s)

None

Date of Site Inspection

14th July 2026

Inspector

Conor Hughes

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1.0 Site Location and Description

- 1.1. The site is located at the junction of Knocksinna Park and Knocksinna Grove/Granville Park, Newpark and comprised of the buildings and curtilage of a single-storey dwelling house.
- 1.2. The building within is of masonry construction with a tiled roof, uPVC windows, composite doors and uPVC fascia and gutters.
- 1.3. At the front of the dwelling is a gated entrance, private driveway and hardstanding with in-curtilage parking for at least three cars. The hardstanding is enclosed on all sides by hedgerow.
- 1.4. The rear and side gardens (adjacent to Knocksinna Grove) are enclosed on three sides by a mixture of masonry walls, fencing and hedgerow.
- 1.5. The area surrounding the site is predominantly residential in character and most of the dwellings are detached bungalows and two-storey dwellings.

2.0 Proposed Development

- 2.1. The proposed development comprises the subdivision of the site, alterations to the existing house to remove the existing chimney breast and three windows on north-east elevation and insert window on the north-west elevation and construction of a new two storey dwelling, with associated site development works.

3.0 Planning Authority Decision

3.1. Decision

- On 30th April 2026 the Planning Authority issued notification of their decision to refuse planning permission as the proposed dwelling because of its proximity to site boundaries, scale, massing, relationship to existing adjacent properties and overall design, would be visually dominant when viewed from Granville Road and Knocksinna Grove.

- It would also seriously injure the residential and visual amenity of adjacent properties by reason of its overbearing appearance detracting from the existing amenities of the area.
- It would not accord with the provisions of Sections 12.3.7.5 - Corner/Side Garden Sites and 12.3.7.7 - Infill of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 (the Development Plan) and set an undesirable precedent for similar overdevelopment in the area.
- Consequently, the proposed development would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1 Planning Reports

- The principle of development was considered to be consistent with the National Policy Objective 45 of the National Planning Framework (NPF) which promotes increased residential density through infill development.
- In an Objective A residential zoning in the Development Plan this type of proposal would be permitted where the proposed development is consistent with the proper planning and sustainable development of the area.
- In respect of climate change the proposed development was considered to be designed to the high standards of the current building regulations and would not create a negative impact in terms of energy use and performance.
- As the proposal increases the available housing supply and density of development the Planning Authority considered this to be in accordance with Sections 4.3.1.1 and 4.3.1.2 of the Development Plan.
- The size of the dwelling at approximately 165 square metres would in accordance with the internal floorspace guidelines for a three-bedroom dwelling as set out in the Quality Housing for Sustainable Communities 2007 document.
- The proposal was examined against the thirteen criteria of Section 12.3.7.5 of the Development Plan.

- The size, design and layout of the proposed dwelling in the context of the neighbouring properties was considered to be at odds with the style and character of the area.
- The narrow shape and roof-form was in sharp contrast to the other buildings and not integrated into the streetscape given the prominence of the site on a corner with minimal setback.
- The established building line on Granville Park/Knocksinna Grove was considered to be broken and this was not an appropriate design response for a side/corner site.
- No loss of residential amenity to the properties on the northeastern side of Granville Park was identified. However, the dwelling would be dominant and overbearing and the 31 Knocksinna Park and 76 Granville Park because of its proximity to the adjacent boundaries.
- The size of the internal rooms would be in accordance with the guidelines set out in the Quality Housing for Sustainable Communities 2007 document but the Planning Authority considered the daylight and sunlight performance of the first-floor rooms would be poor as they were all north facing.
- The finishes were considered acceptable and the use of stone on the ground floors would tie in with the existing dwelling.
- No car parking was proposed. Given the proximity of the site to the N11 bus corridor this was considered acceptable.
- A pedestrian gate onto Knocksinna Grove would provide access to the private garden for maintenance and this was acceptable to the Planning Authority.
- Whilst the approximately 67 square metres of private amenity space would exceed the minimum requirement for a three-bedroom dwelling it is designed in two parts and the Planning Authority expressed concern about the quality of the space.
- The modifications to the existing dwelling were considered minor in nature, would not give rise to any loss of visual or residential amenity and therefore acceptable to the Planning Authority.

- The proposed development being in contrast to the established pattern, layout and design of housing in the established residential area was considered visually incongruous and not in accordance with Section 12.3.7.7 of the Development Plan.

3.2.2 Other Technical Reports

- Municipal Services Department - Drainage Planning - No objection subject to two conditions requiring the surface water runoff generated by the development to be discharged locally within the property curtilage and any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS).
- Transportation Planning - No objection to the proposed development subject two conditions requiring the proposed pedestrian access gates onto the adjacent footpath at Knocksinna Grove to open inwards and all necessary measures being taken to avoid conflict between construction activities and pedestrian/vehicular movements on the surrounding public roads during construction works.

3.3. Prescribed Bodies

- Uisce Éireann were consulted but did not return a response before the decision issued.

3.4. Third Party Observations

- One observation was received in objection in the proposed development on the grounds that it:
 - was out of character with the bungalows in Knocksinna Grove and Park;
 - was visually dominant because of its location on a corner plot, size and design;
 - was not in accordance with the standards in the Development Plan in terms of separation distances and overlooking;
 - would add to traffic congestion because there is no driveway or in-curtilage parking; and

- would harm residential and visual amenity and set an undesirable precedent for similar development.

4.0 Planning History

Application site – 31 Knocksinna Park

- 4.1. PAC 82/25 – this pre-planning consultation set out the policies to be considered and offered the following advice:

The Applicant is advised that any formal planning application should have particular regard to Section 12.3.7 of the County Development Plan, and in particular Section 12.3.7.5 that sets out the parameters for Corner Site development. The applicant is advised that the proposed development of a 4-bedroom dwelling is unlikely to be supported in its current form, revisions to the scheme are recommended. The applicant is requested to submit full dimensioned plans, elevations, sections, contiguous elevations, and proposed site layout for any future planning application. Materials and finishes should also be outlined at planning application stage.

- 4.2. PAC 131/25 – this second pre-planning consultation set out again the policies to be considered by the offered the following advice in respect of an amended proposal:

The Applicant is advised that any formal planning application should have particular regard to Section 12.3.7 of the County Development Plan, and in particular Section 12.3.7.5 that sets out the parameters for Corner Site development. The applicant is advised that generally speaking the proposed development of a 3-bedroom dwelling at this location would generally be considered to be acceptable. It is noted that a Construction Management Plan should be considered for submission with any future planning application given proximity to schools in the local area.

- 4.3. V/019/26 – Part V Certificate of Exemption granted as the proposed development is comprised of less than four houses and located on land less than 0.1 hectares in size.
- 4.4. D02B/0704 – Permission granted for single storey extension of a sun room to the side and a single storey extension of one bedroom to the front.

Adjacent property to the northwest – 67 Granville Park

- 4.5. D25A/0561/WEB – Permission granted for alterations to works previously granted under D21A/0689 the demolition of a sunroom to Rear, existing garage, existing chimneys and select parts of the existing dwelling, construction of flat roof extension to rear, construction of two-storey extension to side, elevational alterations to existing dwelling including redesign of existing roof layout to install a dormer window and two Velux windows to front, reconfiguring of existing internal ground and first floor layouts including new stair layout, lowering of existing ground floor level by approximately 150mm, external insulation wrap, construction of a garden room and patio area to rear, existing vehicular entrance widened to 3.5m, and associated site works.

5.0 Policy Context

5.1. Development Plan

- The Dún Laoghaire-Rathdown County Development Plan 2022-2028 (the Development Plan) is the relevant plan for the area and the site is zoned as Zoning Objective A to provide residential development and improve residential amenity while protecting the existing residential amenities.
- Section 4.3.1.1 PHP18 Residential Density states it is a policy objective to increase housing supply, promote compact urban growth through the consolidation and re-intensification provided that proposals provide for high-quality sustainable residential development and the protection of existing residential amenities and the established character of the surrounding area.
- Section 4.3.1.2 PHP19 Existing Housing Stock states it is a policy objective to densify existing built-up areas through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.
- Section 12.3.1.1 Design Criteria states it is an objective that high standards of design and layout to create liveable neighbourhoods and details the criteria to be taken account of when assessing applications which includes reference to compliance with all relevant National and Regional policy objectives.
- Section 12.3.7.5 Corner/Side Garden Sites refers to sub-division of an existing house curtilage and/or an appropriately zoned brownfield site, to provide an

additional dwelling(s) in existing built-up areas. It states in these cases, that the Planning Authority will have regard to the following parameters:

- Size, design, layout, relationship with existing dwelling and immediately adjacent properties.
 - Impact on the amenities of neighbouring residents.
 - Accommodation standards for occupiers.
 - Development Plan standards for existing and proposed dwellings.
 - Building lines followed, where appropriate.
 - Car parking for existing and proposed dwellings provided on site.
 - Side/gable and rear access/maintenance space.
 - Adequate usable private open space for existing and proposed dwellings provided.
 - Level of visual harmony, including external finishes and colours.
 - Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in certain areas where it may not be appropriate to match the existing design.
 - Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
 - Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/ reinstated where possible.
 - Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.
- Section 12.3.7.7 states new infill development shall respect the height and massing of existing residential units and retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings.

- Section 12.3.4.2 requires the minimum size of habitable rooms to conform with 'Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).
- Section 12.4.5.6 Residential car parking states proposals will be assessed having regard to their impact on place making as well as providing residents with adequate and safe access to their private vehicle. Any surface carparking should be suitably integrated into the site with soft landscaping proposals and have regard to SuDS.
- Section 12.4.6.1 states for cycle parking for new residential developments of less than 5 units shall include a Cycle Statement, setting out how it meets the requirements of Council's 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018).
- Section 12.8.3.3 (i) sets out at table 12.10 the private open space requirement for new houses. For a three-bedroom house the guidance states that 60 square metres of good quality usable private open space shall be provided behind the front of the building.
- Section 12.8.7.1 Separation Distances states that a minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, for new developments. This normally results in a minimum rear garden depth of 11 metres.
- Section 12.8.7.2 Boundaries states that in all cases, suitable boundary treatments both around the side and between proposed dwellings shall be provided. Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application. These shall include details in relation to proposed materials, finishes, and, in the case of planted boundaries, details in respect of species together with a planting schedule.

5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

- Section 5.3 of the DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) sets out the internal layout and space provision for new dwellings. The room sizes for three-bedroom dwellings are specified at Table 5.1.

- Section 5.0 of the ‘Development Standards for Houses’ contained in the ‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024)’ provide the general principles and standards for houses. In respect of this proposal:
 - Policy SPPR 1 sets for residential development, a separation distance of at least 16 metres between opposing windows serving habitable rooms at the rear or side of houses, above ground floor level shall be maintained.
 - Policy SPPR2 set a minimum private open space standard for three-bedroom houses of 40 square metres.
 - The guidelines for considering the impact of daylight performance are set out at paragraph 5.3.7.

5.3. Natural Heritage Designations

- The site is approximately 4.25 kilometres south of the South Dublin Bay Special Area of Conservation (SAC:000210) and the South Dublin Bay and River Tolka Estuary Special Protection Area (SPA:004024).
- The site is approximately 5.75 kilometres west of the Rockabill to Dalkey Island Special Area of Conservation (SAC:03000) and Dalkey Special Protection Area (SPA: 004172).

6.0 EIA Screening

- 6.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

- The appellant states that the construction of a dwelling will create an opportunity for extended family support and allow her to return to the community she previously lived in. The location is also accessible to a range of local facilities and good public transport connections.
- The existing family home is a large corner site and to test the potential of developing part of the plot the appellant entered into pre-planning discussions with the Planning Authority.
- The initial advice received from the Planning Authority was to change the layout and design of the building and a bedroom was removed. A second pre-planning submission was made and based on an understanding that the proposal was acceptable in principle the appellant submitted an application for planning permission.
- The appellant highlights that the two adjoining neighbours did not have any objection to the proposed development and that the refusal of permission was unexpected given the advice received at the pre-planning discussions.
- The appellant argues that insufficient weight was given to the proposal's compliance with the relevant standards and the positive planning merits of the scheme. It remains the appellant's view that the design is in keeping with the standards of the Development Plan.
- The appellant provides three examples of similar corner development with modern contemporary buildings that vary from the traditional vernacular style and which have been granted planning permission by the same Planning Authority.
- The appellant strongly disagrees with the conclusion that the proposal does not integrate into the local environment. The height of the proposed dwelling takes account of the ridge lines of the two adjacent properties and is an appropriate design response.

- The appellant argues that the massing of the building is broken up by the use of contrasting materials which reduce the massing and scale and will integrate the dwelling into the local streetscape.
- In terms of the relationship to the two closest neighbouring properties there is no overlooking or overshadowing and this is accepted by the Planning Authority.
- In summing up the appellant states this proposal adopts a contemporary architectural design approach that provides a high-quality energy A rated efficient home that is consistent with Objective 45 of the NPF. It is suitable for a plot of this size and appropriate to this location.

7.2. Planning Authority Response

- No new matters are raised in the grounds of appeal that would alter the position of the Planning Authority that the proposed development is refused.

7.3. Observations

- None

8.0 Assessment

8.1. Having examined the application details and all the other documentation on file, including the submission received to appeal, the reports of the local authority, and having inspected the site, and having regards to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered as follows:

- The principle of development
- The impact on visual amenity
- The private open space requirement
- The impact on residential amenity
- The precedent created by other development
- The pre-planning advice

The principle of development

- 8.2. The appellant sets out in the grounds of appeal, that the proposed development is consistent with Objective 45 of the NPF as infill development. I note that policy objectives PHP18 and PHP19 of the Development Plan are consistent with the national strategic objective in NPF to promote compact urban growth and densify existing built-up areas through small scale infill development.
- 8.3. The site is also subject to zoning Objective A in the Development Plan which has the purpose of improving residential amenity while protecting existing residential amenities.
- 8.4. I acknowledge that the sub-division of an existing house curtilage for a new dwelling at this location would be acceptable in principle and consistent with the objective of the NPF. However, this is subject to the detail of the proposal being in accordance with the requirements of the policies and objectives of the zoning and consistent with the proper planning and sustainable development of the area.

The impact on visual amenity

- 8.5. The appellant argues that the planning authority did not attach sufficient weight to the positive planning merits of the development which they say is proposed in a sustainable location; designed to the space standards of the Development Plan; does not impact on residential amenity; and is of a form, scale and mass appropriate to the visual amenity and character of the area.
- 8.6. While the appellant does not address directly the development standards for new dwellings on corner sites, I note that some of the parameters of Section 12.3.7.5 of the Development Plan (as described in the previous paragraph) are engaged in the appeal submission.
- 8.7. In this respect I acknowledge having reviewed the submitted plans that the proposed dwelling at 165 square metres has a floor area far in excess of the minimum 100 square metres required for a six person three-bedroom dwelling in the 2007 Best Practice Guidelines for Delivering Homes Sustaining Communities. I further acknowledge that the minimum aggregate sizes for the living, bedroom and storage areas also met and that the accommodation standards for the future occupants are acceptable.

- 8.8. The alterations to the existing dwelling are minor in nature and do not result in the loss of any floor area and I further acknowledge that the accommodation standards would also be maintained for the occupants of the existing dwelling.
- 8.9. Turning then to the size, design and layout of the proposed dwelling and its relationship with the existing dwelling and immediately adjacent properties I make the following observations having visited site visit and considered the proposed development in its context.
- 8.10. This is an established residential area comprised entirely of detached dwellings of conventional suburban layout and design on medium or large sized plots.
- 8.11. The existing dwellings typically front the street with private driveways, hardstanding for in-curtilage parking and gardens in the foreground. The private open spaces are all located at the rear.
- 8.12. The proposed development is sited on a long narrow plot which is approximately 25% of the average plot size in the area. There are no other pairs of semi-detached dwellings in the street or infill development of a similar form, layout, scale or character to what is proposed here.
- 8.13. As the plot is narrow and only capable of accommodating a single room depth floorplan the design is in stark contrast to the existing bungalows opposite and adjacent which are typically gable ended to the street with a double room floorplan and shallow pitched roof.
- 8.14. Whilst some variation in design may be acceptable on larger corner sites, Section 12.3.7.5 emphasises that for compact detached proposals, such as this, the design should more closely relate to adjacent dwellings.
- 8.15. In this respect the proposed development is set at the back of the footpath with no front garden or soft landscaped boundary. This is at odds with the established suburban character of the street in which the existing dwellings are set back behind hedgerow with a hardstanding for in curtilage parking in front.
- 8.16. The long two-storey elevation onto Knocksinna Grove at more than 17 metres is not in keeping with the adjacent dwellings and the design does not closely relate to the detail found in the adjacent two-storey dwellings at Granville Park.

- 8.17. These properties have a gable ended block that sits forward of the rest of the dwelling and has an asymmetrical roof with a shallow pitch on one side that mimics the form and layout of the bungalows opposite.
- 8.18. The appellant states that the use of a similar palette of materials to those in the adjacent bungalow reduces the massing and scale and will integrate the dwelling into the local streetscape. I do not consider the use of contrasting materials to be sufficient to address the concerns outlined above in respect of the design.
- 8.19. The building line leading from Granville Park into Knocksinna Grove is also not adhered to. Adding a new dwelling so far forward of the existing building line would appear visual incongruous in the streetscape on a corner that is a transition from two-storey to single-storey development.
- 8.20. Finally, I note the prominence of the proposed two-storey dwelling is amplified on the approach from Granville Park as the roof projects beyond the ridgeline of the adjacent bungalow even though it is sited on lower ground.
- 8.21. For the reasons outlined in the preceding paragraphs I consider the concerns raised by the Planning Authority in respect of the impact the proposed development would have on visual amenity to be well founded.
- 8.22. The proposed infill development on a corner site is therefore contrary to the development standards at Sections 12.3.7.5 and 12.3.7.7 of the Development Plan because of its size, height, design, layout, massing and relationship to the existing dwelling and immediately adjacent properties. It would not maintain the physical character of the and be visually incongruous in the streetscape contrary to the proper planning and sustainable development of the area. It would also if permitted set an undesirable precedent for similar development.

The private open space requirement

- 8.23. A total of 67 square metres of private open space is provided in two small courtyards either side of the proposed dwelling which are enclosed by 1.8-metre-high walls along the boundary with the public footpath and 2.275 and 2.670-metre-high walls on the boundary with the existing dwelling at 31 Knocksinna Park.

- 8.24. Access to the private open space is via two separate pedestrian gates from Knocksinna Grove. There is no hardstanding for in curtilage parking and while cycle parking and bin storage is required the location is not specified on the plans.
- 8.25. Contrary to the established layout and form of development both areas of private open space are proposed adjacent to the front gardens of the two neighbouring properties and to make them usable are enclosed on all sides with tall masonry walls.
- 8.26. I note that in Section 12.8.3.3 of the Development Plan it is stated, provision of open space to the front and side of the site to serve the proposed dwelling may also be considered, subject to design, residential amenity, etc.
- 8.27. The smaller of the two courtyards is specified as a sitting out area because of its size and location adjacent to the main living area. The high walls and unusual shape limit the usability and quality of the space.
- 8.28. No space in the larger of the two courtyards is allocated for outdoor storage, bicycle parking, outdoor drying or bin storage. A planter is proposed along the rear boundary to soften the impact of the tall boundary wall. Not all of the 40 square metres is usable private open space.
- 8.29. The proposed construction of a wall on the boundary with 31 Knocksinna Park means the rear garden of the existing dwelling would be no longer accessible from the street. The private open space for this property could only be maintained if accessed through the dwelling.
- 8.30. The appellant has designed a dwelling with an internal floor area significant in excess to the minimum requirement for a three-storey dwelling on a small narrow plot. Consequently, this means the private open space is compromised and is not good quality space which is contrary to Section 12.8.3.3 of the Development Plan.
- 8.31. The construction of the boundary walls will visually intrude into the street harming visual amenity and preventing access to the private open space for 31 Knocksinna Park which also contrary to Section 12.3.7.5 of the Development Plan.

Impact on residential amenity

- 8.32. The appellant argues there is no overlooking or overshadowing and that the proposal is designed not to impact adversely on the residential amenity of the adjacent dwellings.

- 8.33. The planning authority considers that a two-storey building extending back beyond the rear elevation will dominate the northern shared boundary of 31 Knocksinna Park and be overbearing on the front garden of 67 Granville Park which is five-metres from the site boundary.
- 8.34. I have examined the proposed plans and note the fenestration is only on the two elevations facing Knocksinna Grove and Knocksinna Park. No windows overlook either of the two adjacent properties.
- 8.35. The window-to-window separation distance to the two closest properties opposite at 68 Granville Park and 3 Knocksinna Grove is approximately 22 metres and 28 metres respectively. There is adequate separation to prevent overlooking or overshadowing of these properties and this is more than the specified 16 metres in policy SPPR1 of the Sustainable Residential Development and Compact Settlements Guidelines. I also note the neighbour opposite despite having objected to the proposed development at the application stage did not submit any observations to the appeal.
- 8.36. Having visited the site, I do not consider that the objections raised by the Planning Authority in respect of the proposed development being dominant and overbearing on the adjacent properties could be sustained on the ground of loss of residential amenity.
- 8.37. There is no specified minimum separation distance at ground level or to the front of houses in the Development Plan and the test in SPPR1 relates to the loss of privacy. While the proposed dwelling abuts the rear garden of 31 Knocksinna Park and the rear elevation extends back along this boundary by approximately 5 metres the private open space is south facing and approximately 180 metres in size. I consider the size, shape and orientation of the private open space to all be mitigating factors and that the elevation despite being two-storeys in height will not dominate the boundary of 31 Knocksinna Park.
- 8.38. I note that the rear elevation will overshadow the new window in bedroom two of the existing dwelling but this property is owned by a family member and no objection is raised to the proposed design.
- 8.39. The private amenity space for 67 Granville Road is behind the front building and at the front the closest windows are perpendicular and would only have an oblique view of

the gable elevation of the proposed dwelling. It is my observation that the separation distance of approximately 5.5 metres is adequate and that it is not overbearing on the neighbouring property.

The precedent of similar development elsewhere in the Council Area

- 8.40. The appellant exhibits three examples of other infill development but they are in places that have a different context and setting. None of the examples about the gable elevation of a bungalow or are located on a corner where bungalows are part of the established character of the area.
- 8.41. There is nothing in submission by the appellant that would suggest to me that the examples sit on all fours with this proposal and should be given significant material weight to justify the infilling of a corner site here.

The pre planning advice

- 8.42. The appellant sets out in the grounds of appeal that by engaging in pre-planning discussions with the Planning Authority they were given sufficient comfort that a three-bedroom dwelling would be acceptable in principle and this prompted the submission of an application.
- 8.43. I acknowledge having read the advice offered by the Planning Authority at the pre-planning stage that it does give some comfort in stating *'the applicant is advised that generally speaking the proposed development of a 3-bedroom dwelling at this location would generally be considered to be acceptable.'*
- 8.44. That said the Planning Authority go on to advise that a site visit has not taken place and that this is not an exhaustive list of the issues that might arise at the application stage. They also provide a list of the requirements of the Development Plan which the appellant should consider as part of the formal planning process.
- 8.45. The Planning Authority also draw to the attention to Section 247(3) of the Planning & Development Act, 2000 (as amended) which states that:
- 'The carrying out of consultations shall not prejudice the performance by a planning authority of any other of its functions under this Act, or any regulations made under this Act and cannot be relied upon in the formal planning process or in legal proceedings'.*

8.46. While the Planning Authority could have been more explicit in offering advice beyond whether the space standards for a three-bedroom dwelling could met in principle I am not required to rely on the advice offered and it has no bearing on my assessment or recommendation to the Commission.

9.0 AA Screening

9.1. I have considered the proposed development in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended.

The subject site is located approximately 4.25 kilometres south of the South Dublin Bay and River Tolka Estuary Special Protection Area (SPA:004024) and South Dublin Bay Special Area of Conservation (SAC:000210) and approximately 5.75 kilometres west of the Rockabill to Dalkey Island Special Area of Conservation (SAC:03000) and Dalkey Special Protection Area (SPA: 004172).

The proposal development comprises the subdivision of the site, alterations to existing house to remove existing chimney breast and three windows on north-east elevation and insert window on the north-west elevation and construction of a new two storey dwelling, with associated site development works.

No nature conservation concerns were raised in the planning appeal.

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 appreciable effect on a European Site. The reason for this conclusion is as follows:

- The site in an established residential area and the proposed development involving the development of a corner plot for an infill dwelling is small in scale.
- The distance to the identified European sites and the lack of connection.
- Taking into account the screening determination by the Planning Authority.

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 (Stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

10.1. The subject site is approximately 900 hundred metres west of the Deansgrange Stream.

The proposed development comprises the subdivision of the site, alterations to the existing house to remove the existing chimney breast and three windows on north-east elevation and insert window on the north-west elevation and construction of a new two storey dwelling, with associated site development works.

No water deterioration concerns were raised in the planning appeal.

I have assessed the proposed 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 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 wither qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The site is located in an established residential area and the proposal involving the development of a corner site for an infill dwelling is small in scale.
- The applicant indicated SuDS drainage is proposed. If properly designed and installed SuDS can be an acceptable form of mitigation.

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 that planning permission should be refused for the reasons and considerations as set out below.

12.0 Reasons and Considerations

12.1. The commission is satisfied, based on the information provided, that permission is refused for the proposed subdivision and alterations to the existing dwelling and construction of a new dwelling as it is contrary to the provisions of Section 12.3.7.5 Corner/Side Garden Sites, Section 12.3.7.7 Infill and Section 12.8.3.3 Private Open Space of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. The proposed development because of its size, height, design, layout, massing, lack of quality private open space and relationship to the existing dwelling and immediately adjacent properties would seriously injure the visual amenity of the area as it is incongruous in the streetscape and will not maintain the physical character of the area. It would set an undesirable precedent for similar development and therefore contrary to the proper planning and sustainable development of the area.

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

Conor Hughes
Planning Inspector

10th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501339-DR-26
Proposed Development Summary	The proposed development comprises the subdivision of the site, alterations to the existing house to remove the existing chimney breast and three windows on north-east elevation and insert window on the north-west elevation and construction of a new two storey dwelling, with associated site development works.
Development Address	Lisheen, 31 Knocksinna Park, Newpark, Dublin 16 D18C5R3
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	

☒ 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?	
☐ 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.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold.	Schedule 5 Part 2 10 Infrastructure Projects (b)(i) construction of more than 500 dwelling units.
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 ☐	
No ☒	

Inspector: _____

Date: 10th August 2026

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL-501339-DR-26
Proposed Development Summary	The proposed development comprises the subdivision of the site, alterations to the existing house to remove the existing chimney breast and three windows on north-east elevation and insert window on the north-west elevation and construction of a new two storey dwelling, with associated site development works.
Development Address	Lisheen, 31 Knocksinna Park, Newpark, Dublin 16 D18C5R3
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is for a single dwelling with a modest footprint that comes forward as a standalone project. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The development is located in an urban area within an established residential neighbourhood where existing services are available. The development is removed from sensitive natural habitats, designated sites and landscapes of identified significance in the City Development Plan.

Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	No
There is a real likelihood of significant effects on the environment.	No

Inspector: _____

Date: 10th August 2026