



An
Coimisiún
Pleanála

Inspector's Report

PL-501426-DR-26

Development

The development consists of provision of a single-storey rear extension with a sloped roof for a gym (44.9m²), a utility room (7.4m²), two store rooms (6.4m² and 6.8m²), a WC/laundry room (3m²), and all associated site works.

Location

16 The Grove, Goatstown Road,
Dublin 14 D14Y5HO

Planning Authority

Dún Laoghaire-Rathdown County Council

Planning Authority Reg. Ref.

D26B/0131/WEB

Applicant(s)

Kinhau Luo

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Kinhau Luo

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 comprised of a three-storey detached dwelling at the end of a terrace of dwellings which are located approximately 150 metres southwest of the junction with Goatstown Road.
- 1.2. The building within is of brick construction with a tiled roof, aluminium windows, composite doors and uPVC fascia and gutters.
- 1.3. At the front of the dwelling is a small semi private landscaped area. Footpaths either side of the building provide access to a rear garden that is largely rectangular in shape and approximately 130 square metres in size.
- 1.4. The boundary to the rear is comprised a block wall with a concrete coping along its entire length. The other two boundaries are comprised of close boarded timber fencing. All three boundaries are landscaped and there is a small timber shed located in the southwestern corner.
- 1.5. There is allocated parking for two cars in front of the adjacent dwelling at No.17 The Grove.

2.0 Proposed Development

- 2.1. The development comprises a single-storey rear extension with a gym, utility room, two store rooms, WC/laundry room, and all associated site works.

3.0 Planning Authority Decision

3.1. Decision

- On 29th April 2026 the Planning Authority issued notification of their decision to refuse planning permission for the abovementioned development as its excessive size, depth and overall scale, would not provide adequate rear open space and would represent overdevelopment of the subject site.
- Consequently, the Planning Authority further considered that the development would be contrary to Section 12.3.7.1 (ii) Extensions to the Rear and Section 12.8.3.3 Private Open Space (i) of the Dún Laoghaire-Rathdown County

Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The planning report noted that the proposed development is within an Objective A zoning where an extension to an existing dwelling will be acceptable in principle. This is subject to meeting the relevant policies and objectives of the Development Plan.
- It was identified by the Planning Authority that the rear extension was overdevelopment due to its excessive size, scale and depth contrary to Section 12.3.7.1 (ii) of the Development Plan. If constructed the balance of the remaining private amenity space would not be of sufficient quality to service the subject site.
- It was further identified that while it is proposed to retain 67.5 square metres of private amenity space the gap between the proposed rear elevation and boundary would be reduced to between 1.8 and 2.9 metres. The Planning Authority did not consider the narrow strips to the edges of the proposed extension to be usable quality private amenity space.
- The officer advised that if a new application for a smaller extension was being submitted then the amount of glazing that faces into No.17 The Grove should also be reduced.
- Finally, it was noted that a small wooden shed had not been detailed on the plans and should be included in the future for the purpose of full and proper assessment.

3.2.2. Other Technical Reports

- Municipal Services Department - Drainage Planning: No objection subject to conditions requiring the submission of a SuDS drainage proposal for any storm water generated by the proposal.

3.3. Prescribed Bodies

- None

3.4. Third Party Observations

- None

4.0 Planning History

The site

- 4.1. D17A/0508 - Permission granted to amend permission D16A/0212, the 'parent permission' D11A/0595, and permissions D15A/0199 and D15A/0324 for a 40.5 square metre ground and first floor level extension to the detached dwelling house permitted as part of Terrace 5, associated internal and external alterations to the dwelling, a reduction in the dwelling's garden size, associated amendments to the hard and soft landscaping all other site excavation and development works above and below ground.

Adjacent lands (to the west)

- 4.2. ABP30943021 - Permission granted for a strategic housing development comprised of the construction of a student accommodation development containing 698 No. bedspaces with associated facilities located in 8 No. blocks, which range in height from part 3 No. storeys to part 6 No. storeys over part lower ground floor level (7 No. storeys as viewed from a courtyard that will be internal to the scheme at lower ground floor level). The development also includes the provision of communal residential amenity space at lower ground floor level including the provision of a movie room, a music room and a laundry, communal residential amenity space at ground floor level including the provision of a gym, reception desk and seating area, a common room, a study space, a library, a yoga studio, a prayer room and group dining, staff and administrative facilities, 9 No. car parking spaces, 4 No. motorcycle parking spaces, 860 No. cycle parking spaces, refuse stores, signage, an ESB substation and switch room, boundary treatments, green roofs, PV panels; hard and soft landscaping, plant, lighting and all other associated site works above and below ground.

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.
- It states at Section 4.3.1.2 PHP19 Existing Housing Stock - Adaptation that it is a policy objective to conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with the National Planning Framework.
- Section 12.3.7.1 provides guidance for extensions to dwellings in Existing Built-up Areas and at (ii) Extensions to the Rear it states:

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. External finishes and design, which shall generally be in harmony with existing.

- Section 12.8.3.3 (i) sets out at table 12.10 the private open space requirement for new houses. For a four-bedroom house the guidance states that 75 square metres of good quality usable private open space shall be provided behind the front building. It further states that the requirements of this section should be read in conjunction with the development management requirements of section 12.3.7.1.

5.2. Relevant National or Regional Policy / Ministerial Guidelines

- None

5.3. Natural Heritage Designations

- The site is approximately 2.75 kilometres southwest 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).

6.0 EIA Screening

- 6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

7.0 The Appeal

7.1. Grounds of Appeal

- The appellant argues that the development does not constitute overdevelopment. It is carefully designed to remain subordinate and represents a modest and appropriate extension because it is single storey, has a low-profile roof, is entirely in the rear of the rear of the dwelling, uses materials to match the existing and does not overlook any other property.
- The appellant also argues that whilst the amount of private amenity space is reduced to 67.5 square metres this is adequate to meet the outdoor recreation, family residential use, landscaping, outdoor seating and amenity activities of the occupants.
- This amount of private amenity space exceeds the minimum 25 square metres commonly referenced for exempted development provisions for domestic extensions in the development plan which does not prescribe a strict minimum numerical rear garden requirement.
- It is the appellant's view that the retained private amenity space should be assessed on the basis of its functionality and usability rather than as a quantitative measurement.
- The appellant states that there is no material impact on the residential amenity of any neighbouring properties by reason of overlooking, overshadowing, loss of privacy or overbearance. As the proposal maintains an acceptable standard of residential amenity this is consistent with proper planning and sustainable development.

- The appellant argues that the proposed development would not adversely affect visual amenity or neighbourhood character as it is entirely in the rear and cannot be seen from any part of the public realm. It would not materially alter the established streetscape or visual character of The Grove.
- In conclusion the appellant argues the proposal accords with the objectives of the local development plan as it protects residential amenity, maintains visual amenity, supports sustainable residential occupation, makes efficient use of serviced land and preserves the established character of the area.
- In this regard the appellant considers the planning authority placed disproportionate emphasis on the reduction in quantitative rear garden space without adequate consideration of the continued functionality and usability of the space.

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 size of the extension and remaining usable private amenity space

The principle of development

8.2. The site is subject to zoning Objective A in the Development Plan which has the purpose of improving residential amenity while protecting existing residential amenities.

- 8.3. I agree with the assessment of the Planning Authority that an extension to the rear of the dwelling is acceptable in principle subject to 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 size of the extension and remaining usable amenity space

- 8.4. Having visited the site, I note the proposed development is entirely in the rear curtilage and although part of extension extends beyond the southern gable elevation it cannot be seen because of the bulk, scale, mass and orientation of the host dwelling in the foreground and the mature vegetation along the southern boundary.
- 8.5. Despite having a large footprint, I agree for the reasons stated in the previous paragraph that the proposed development will not be detrimental to the visual amenity of the host dwelling or the wider character of this established residential area.
- 8.6. The proposed extension is of masonry construction with a painted smooth render finish to complement the existing house and the windows and roof tiles are specified to match the existing. Based on a review of the submitted plans I conclude the finishes of the single-storey rear extension will be in harmony with the existing house.
- 8.7. The closest neighbouring properties are 17 The Grove (to the north) and 4 Friarsland Avenue (to the south). Based on my visual inspection the proposed single storey extension despite being less than 1.5 metres from the boundary with both properties will not be dominant or overbearing nor would it result in overlooking or overshadowing of either property. The mono-pitch roof ties into the existing parapet wall and is no higher than the existing single storey rear return. The walls closest to the boundaries will only rise above the boundary fence by approximately 800mm.
- 8.8. While I note the planning authority expressed concern about the extent of glazing in the northern gable elevation adjacent to 17 The Grove I do not consider there would be any loss of amenity as a result of overlooking, noise or nuisance. There is no reason why the pattern of fenestration along this elevation would need to be amended to protect the residential amenity of the residents in the neighbouring property.
- 8.9. In the absence of any adverse visual or residential amenity impact on the neighbouring properties, the remaining issue to be considered is whether the size of the proposed extension because of length and depth, proximity to mutual boundaries and the

quantum of remaining usable rear amenity space is overdevelopment contrary to the Development Plan and to the proper planning and sustainable development of the area.

- 8.10. The appellant argues that the planning authority places a disproportionate emphasis on the reduction in quantitative rear garden space without adequate consideration of the continued functionality and usability of the space.
- 8.11. The appellant also considers the remaining 67.5 square metres of private amenity space to be sufficient for outdoor seating, recreation, landscaping and normal family use.
- 8.12. The appellant further considers that the Development Plan does not prescribe a specific minimum numerical requirement and seeks to draw a parallel with the Exempted Development Regulations which reserves a minimum of 25 square metres of private amenity space.
- 8.13. Having visited the site and examined the submitted plans I do not consider the appellants comparison with a minimum reserved threshold of 25 square metres in the exempted development regulations to be an appropriate comparison. This is simply to identify a circumstance in which an extension to the rear of a dwelling will not be exempted.
- 8.14. The private open space standards for new dwellings are set out paragraph 5.1 of this report. The minimum private open space requirement for a four-bedroom dwelling is 75 square metres which should be good quality usable private open space provided behind the front building.
- 8.15. The appellant calculates there will be 67.5 square metres of private open space available to the occupants when the extension is built and whilst I acknowledge this is close to the requirements of the Development Plan these calculations exclude any footpaths around the edge of the proposed building, any existing exempted buildings within the curtilage and any existing landscaping on the boundaries.
- 8.16. I consider the area along the northern boundary to be the same width as the existing footpath and will be the only access to the rear garden when the extension is built. It will be required for circulation and will have no amenity value.
- 8.17. I further consider when a footpath is constructed for circulation between the rear wall of the proposed extension and the boundary wall the remaining open space will vary in

depth between 800 mm to 1.9 metres which is only sufficient for the retention of landscaping and of limited value as usable private open space. It might only be suitable for sitting out at the northwestern corner of the site.

- 8.18. I consider the only usable private open space for 'other family use' to be the triangle at the southwestern corner which is approximately 30 square metres and in which the appellant does not identify the existing timber shed as removed.
- 8.19. This is a large dwelling designed for a larger household. Whilst there may be room along the rear boundary to provide some private open space this has limited amenity value as it can only be used for landscaping and seating. I consider the only usable space to be located at the southwestern corner and this falls significantly short of the requirement of Section 12.8.3.3 (i) of the Development Plan.
- 8.20. I further note that the Development Plan highlights Section 12.8.3.3 (i) should be read in conjunction with the development management requirements of section 12.3.7.1 in terms of its usability and proximity to mutual boundaries.
- 8.21. I consider the length and depth of the proposed extension to be excessive and its proximity to the boundaries (limiting circulation into and out of the rear garden) only leaves small pockets of left over space which are limited in terms of usability for this size of dwelling.
- 8.22. The concerns of the Planning Authority for these reasons are well founded and the proposed development does in my opinion represent overdevelopment of the subject site. As such it is contrary to Section 12.3.7.1 (ii) Extensions to the Rear and Section 12.8.3.3 Private Open Space (i) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

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 2.75 kilometres southwest 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 proposal comprises a single-storey rear extension with a sloped roof with a gym, utility room, two store rooms, WC/laundry room, and all associated site 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 neighbourhood and the scale of the proposed development which is a domestic extension at the rear of a four-bedroom dwelling is small.
- 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 750 metres east of the River Slang.

The proposed development as previously described is for a single-storey rear extension with a sloped roof with a gym, utility room, two store rooms, WC/laundry room, and all associated site 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 location of the site in an established residential neighbourhood and the scale of the proposed development which is an extension to the rear of a four-bedroom domestic dwelling is small. Sustainable Urban Drainage can be used as mitigation and if properly designed reduce the impact of surface/storm water entering the drainage network.

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 the planning permission should be refused for the following reasons and considerations.

12.0 Reasons and Considerations

- 12.1. The commission is satisfied, based on the information provided that planning permission is refused as the proposed development comprising a single storey rear extension for a gym, utility room, two store rooms, WC/laundry is contrary to Section 12.3.7.1 (ii) Extensions to the Rear and Section 12.8.3.3 Private Open Space (i) of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and will be seriously injurious to residential amenity due to its excessive size, depth and length and because it does not retain adequate private open space. Consequently, it is contrary to the proper planning and sustainable development of the area and would set an undesirable precedent for similar development.

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

4th August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-501426-DR-26
Proposed Development Summary	The development consists of the provision of a single-storey rear extension with a sloped roof for a gym (44.9m ²), a utility room (7.4m ²), two store rooms (6.4m ² and 6.8m ²), a WC/laundry room (3m ²), and all associated site works.
Development Address	16 The Grove, Goatstown Raod, Dublin 14 D14Y5HO
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.	State the Class here
☒ 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	State the Class and state the relevant threshold
☐ 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)	State the Class and state the relevant threshold
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: 4th August 2026