Inspector's Report

PL-501603-DN-26

Development	Internal modifications to ground floor layout inclusive of new windows, demolition of existing attic and new first floor to provide four bedrooms, a store and 2 bathrooms. Proposed external finishes to match and align with existing dwelling inclusive of all associated site works
Location	21 Saint David's Wood, Artane, Dublin 5
Planning Authority	Dublin City Council North
Planning Authority Reg. Ref.	WEB1139/26
Applicants	David Fox and Mary Tracey
Type of Application	Permission
Planning Authority Decision	To grant permission with conditions
Type of Appeal	Third Party
Appellant	Stephen Moffatt
Observers	None
Date of Site Inspection	29th September 2026
Inspector	Trevor Rue

Table of Contents

1.0 Site Location and Description 3

2.0 Proposed Development 3

3.0 Planning Authority Decision 5

4.0 Planning History 9

5.0 Policy Context 9

6.0 EIA Screening 11

7.0 The Appeal 12

8.0 Assessment 15

9.0 AA Screening 18

10.0 Water Framework Directive 18

11.0 Recommendation 19

12.0 Reasons and Considerations 19

13.0 Conditions 19

Appendix A: Form 1 - EIA Pre-Screening 22

1.0 Site Location and Description

1.1. The application site is about 4.7 kilometres to the north east of Dublin City Centre. It is at the end of a cul-de-sac within a wider residential development known as Saint David's Wood, which is accessed from Malahide Road. The site has a stated area of 0.031 hectares and comprises the curtilage of a detached dwelling whose gross floor space is 165.61 square metres.

1.2. The dwelling has a complex hipped roof and a ridge height of 5.4 metres. The external walls are finished with red bricks and a cream render and the roof is finished with grey concrete tiles. The front elevation is about 9 metres wide and faces south eastwards towards the cul-de-sac. It includes a recessed entrance door and a bay window. The dwelling is of single-storey construction. Two dormer windows in the north-eastern side elevation, which is about 16.5 metres long, facilitate the use of the attic for storage with a shower room. There are four roof lights in the south-western elevation.

1.3. The dwelling has a back garden 62.4 square metres in size. There is an outbuilding in the western corner of the site. The site also includes a driveway, which projects at right angles from the south-western end of the front elevation and is fringed by a small grassed area containing a tree. The driveway is separated from the public road and a layby (or turning area) by gates and a low brick wall.

1.4. The south-western site boundary adjoining 5 to 8 Saint David's Wood and the north-western site boundary adjoining Nos. 11 to 13 are defined by substantial walls. There is a fence on the north-eastern boundary adjoining No. 20 to the north east. Nos. 22 to 26 are on the south-eastern side of the cul-de-sac. The surrounding dwellings, except No. 22 directly opposite the site, are all of single-storey construction.

2.0 Proposed Development

2.1. The proposal as originally submitted was to:

- carry out internal modifications to the ground-floor layout, including installation of new windows;
- demolish the existing attic;
- construct a new first floor to provide four bedrooms, a storage space and two bathrooms; and

- carry out associated site works.

2.2. The two downstairs bedrooms would each be reduced in size to 10.8 square metres to accommodate a new living area of 16.9 square metres to the rear of the dwelling. There would be related changes to fenestration on the rear and south-western side elevations.

2.3. The proposed first floor would have the same width as the existing ground floor and its length would be about 9.7 metres. The structure would be set back about 2.6 metres from the front elevation and about 4.2 metres from the rear elevation. It would have a roof apex of 7.2 metres (similar to the existing ridge height of 7.22 metres at No. 20). This would allow the first-floor rooms to achieve a floor-to-ceiling height of 2.75 metres. The first-floor front elevation would include one standard window and two bay windows. Two windows are proposed on the rear elevation. There would be two small windows on the north-eastern elevation and one on the south-western elevation. External finishes would match and align with those of the existing dwelling.

Further Information

2.4. In response to a request for further information from the planning authority (see Section 3.2.1 below), the applicant submitted:

- four drawings intended to show minimal overshadowing of No. 6 and 7;
- a revised plan showing the proposed first-floor extension pulled back by 900 millimetres from the north east, reducing the number of proposed new bedrooms on that floor to three and also reducing the impact on No. 20;
- a revised contiguous elevation showing a distance of 3285 millimetres at first-floor level between the proposed extension as revised and No. 20 – the drawing also shows the proposed roof apex reduced to 7.04 metres; and
- a Google Earth study on two sheets illustrating the massing of the proposed development and highlighting similar developments in the area.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On 4th June 2026, Dublin City Council decided to grant permission subject to six conditions. Condition 1 required the development to be built in accordance with the submitted plans, particulars and specifications. Condition 2 required a development contribution to be paid to the planning authority. Condition 4 required the materials, finishes and design of the development to be as outlined in the application unless otherwise agreed in writing with the authority. Condition 5 restricted the hours during which works were to take place. Condition 6 governed the manner in which the works were to be carried out.

3.1.2. Condition 3 reads as follows:

3. The first-floor extension hereby permitted shall be amended as follows:
i. The south-west elevation shall be set back from the shared party boundary with Nos. 6 & 7 Saint David's Wood by an additional 1 metre along the entirety of its length and there shall be no setback required on the north-east elevation. The applicant shall submit details of same for the written agreement of the planning Authority prior to the commencement of development.
Reason: To protect the residential amenity of Nos. 6 & 7 Saint David's Wood.

3.2. Planning Authority Reports

3.2.1. **Planning officer's reports** dated 12th March 2026 and 8th June 2016 provided the reasoning for the authority's decision. The main points in the first report were as follows:

- Having regard to the zoning of the site, the proposed development is permissible in this area. It would maintain the established residential use of the site and would not increase residential density in the area. It would not represent overdevelopment.
- As the development relates to the alteration and extension of an existing dwelling house without the creation of additional residential units, the number of vehicle movements associated with the property would remain comparable

to the existing situation. Accordingly, the development is not expected to result in additional traffic congestion in the surrounding road network.

- The internal modifications to the ground floor are minor and cause no concerns. Demolition of the attic features is acceptable in principle.
- The sizes of the four proposed first-floor bedrooms are acceptable. The proposed external wall finishes of the first-floor extension are also acceptable. The finish of the proposed first-floor side windows is not specified on the submitted drawings. If permission is granted, these windows should be fitted with obscure glazing to mitigate potential overlooking of adjoining properties.
- The introduction of a new first floor would represent a significant increase in the overall height and massing of the dwelling. While the majority of dwellings in Saint David's Wood have two storeys and the proposed parapet height of 7.2 metres is comparable to that of existing dwellings in the area, the development would increase the visual presence of the applicants' dwelling. This change would be most pronounced in relation to the three dwellings to the *south east* of the site, given the close proximity of their rear gardens. The development has potential to create an increased sense of enclosure and to be more dominant, imposing and overbearing than the existing single-storey dwelling.
- Given the orientation of the site and the proximity of the neighbouring dwellings to the *south east*, the proposed elevation of the roof structure on this side of the building has potential to result in increased overshadowing and a reduction in daylight availability to these adjoining properties.
- While residential development within established urban areas commonly results in mutual overlooking between neighbouring properties, the introduction of new first-floor windows has potential to increase the level of overlooking towards adjoining sites, particularly those located to the *south east*.
- It is recommended that the applicant be advised that the planning authority has concerns regarding the negative impacts that the development proposal would have on the rear of those properties immediately adjoining to the south west, namely 6 and 7 Saint David's Wood, in terms of excessive overshadowing and overbearance. The applicant should be requested to submit, by way of further information, any revised design proposal or alternative design options which

demonstrate how the potential negative impacts of the proposed first-floor extension on neighbouring residential properties, particularly those located to the *south east* of the site, could be avoided. Any revised proposal should seek to minimise the potential for excessive overbearing impact, overshadowing and overlooking of the neighbouring dwellings in this direction.

3.2.2. The main points in the second planning officer's report were:

- The updated proposal submitted as further information has reduced the perceived impacts that the proposed extension will have on No. 20 to the north, however the planning authority had no concerns regarding same.
- While the applicant has submitted studies showing minimal overshadowing effects on Nos. 6 and 7 to the *south east*, he has failed to reduce the potential overbearing impacts on those properties. Rather than refusing planning permission at this juncture, this issue can be addressed by a condition that would allow for a good standard of first-floor accommodation for the occupants while ensuring that the residential amenities of Nos. 6 and 7 are protected.

3.2.3. The Council's **Drainage Planning, Policy and Development Management Division** had no objection to the development.

3.3. Prescribed Bodies

3.3.1. No report was received from Uisce Éireann.

3.4. Third Party Submissions

3.4.1. The Council received six submissions from residents of Saint David's Wood, including one from the appellant, the substance of which was repeated in his appeal statement.

3.4.2. The other submissions, from residents of Nos. 4, 5, 8, 20 and 23 raised concerns about the following matters:

- The cul-de-sac was almost certainly planned with two bungalows at the end to provide a low-rise buffer to prevent excessive crowding to the homes beyond, whose rear gardens back directly on to the bungalows. If No. 21 were to increase in height to a full two storeys, that buffer would be compromised. Nos. 6 and 7 would have a blank wall looming over their gardens. Nos. 11 and 12

would no longer have an open aspect through the gap, and there would be direct overlooking of their gardens. The second-floor windows would significantly compromise the privacy of the back gardens of Nos. 3, 4 and 5. All the other end houses in the estate have two storeys and are placed next to a roadway or a green space.

- The existing bungalow is set in a recessed position on its site. The proposed development would not be in alignment or in character with the other properties in the estate. The garden size at No 21 has been reduced already due to a previous extension. The dwelling now fills a large proportion of its plot. The development would result in a six-bedroom dwelling with multiple living spaces, which would be excessive for this site within a quiet residential cul-de-sac. This number of bed spaces would be out of proportion to the available private space in the back garden [having regard to the requirements of] the Development Plan. No other house on the estate, even after extensions, is as big as this. If there were a need for such a large house, this would not be the place to put it.
- The extended house would be akin to two separate dwellings under one roof. It is of concern that in the future its size and layout could make it attractive to landlords for some form of multiple occupation.
- The proposed development would extinguish or restrict views from neighbouring property. The skyline vista to the trees and historic school building behind the estate would destroyed.
- The increase in height and mass would create an overbearing and visually dominant structure and reduce daylight to gardens. It would have a detrimental effect on the light coming into No. 20 from the south west, impacting on the hall, stairs, landing, bathroom and crucially on the kitchen/ dining room which relies greatly on the light that comes through the glazed side door facing No. 21. The structure would reduce the efficiency of solar panels, technology critical to combating climate change. The proposal lacks meaningful design mitigations such as stepping back the upper floor and reducing the roof mass.
- The existing bungalow form ensures privacy between properties. The introduction of multiple elevated bedroom windows would fundamentally alter this relationship and result in significant and intrusive overlooking of private

amenity space. It would create clear lines of sight into back gardens, kitchens and rear bedrooms which currently have reasonable privacy. This impact could not be mitigated by fencing or planting and the application does not include measures such as obscure glazing.

- The proposed site plan shows parking for two cars. A 12-person house could generate significant demand for parking, which would be likely to take place on the turning head. That would compromise road safety for other residents and visitors and potentially create access problems for emergency services, especially ambulances. This cul-de-sac has an aging population, with the majority of households having residents aged 60 or over.
- The development would also have an impact on the drainage and sewerage systems within the estate.

4.0 Planning History

4.1. **3388/98:** On 3rd March 1999, permission was granted for a rear extension and roof alteration at the present application site.

4.2. **2603/03:** On 31st July 2003, permission was granted for two dormer windows to one side, a roof light and a circular window to the other, all at roof level, at the present application site.

4.3. **6096/07:** On 21st February 2008, permission was granted for a single-storey, ground-floor rear extension at the present application site.

5.0 Policy Context

5.1. Development Plan

5.1.1. Map B of the Dublin City Development Plan 2022-2028 indicates that the application site is within Primary Land Use Category Z1, Sustainable Residential Neighbourhoods where the zoning objective is to protect, provide and improve residential amenities.

5.1.2. Section 15.11.3 of the Development Plan states that private open space for houses is usually provided by way of private gardens to the rear of a house. A minimum standard of 10 square metres of private open space per bed space will normally be applied. A

single bedroom represents one bed space and a double bedroom represents two bed spaces. Generally, up to 60 to 70 square metres of rear garden area is considered sufficient for houses in the city. In relation to proposals for house(s) within the inner city, a standard of 5 to 8 square metres of private open space per bed space will normally be applied. These standards may be relaxed on a case-by-case basis subject to a qualitative analysis of the development.

5.1.3. Map J of the Development Plan shows the application site in Parking Zone 2. Table 2 in Appendix 5 to the Plan indicates that the maximum car-parking standard for houses in Zone 2 is one space per dwelling.

5.1.4. Section 1.1 of Appendix 18 acknowledges that residential extensions play an important role in promoting a compact city in line with the Plan's core strategy as well as providing for sustainable neighbourhoods and areas where a wide range of families can live. The design of residential extensions should have regard to the amenities of adjoining properties and, in particular, the need for light and privacy. The form of the existing building should be respected, and the development should integrate with the existing building through the use of similar or contrasting materials and finishes.

5.1.5. Section 1.4 of Appendix 18 says extensions should not result in any significant loss of privacy to the residents of adjoining properties. Generally, windows overlooking adjoining properties (such as in a side wall) should be avoided. Where essential, the size of such windows should be kept as small as possible and consideration should be given to the use of high-level windows and/or the use of obscure glazing where the window serves a bathroom or landing. Bedrooms in general should not be lit by obscure glazed windows as a means to prevent undue overlooking.

5.1.6. Section 1.5 of the Appendix states that in cases where the backs of dwellings face each other or where the side of one dwelling faces the rear of a neighbouring property, a certain degree of separation is required to avoid any overbearing effect of one dwelling upon the other. With the emphasis on increased residential densities and the consequent incorporation of a variety of unit types and sizes in schemes, the requirement for 22 metre separation may no longer be applicable in certain instances. The acceptable reduction of such distances, however, requires a high standard of building design and layout particularly having regard to the height and inter-relationship between buildings, the use and aspect of rooms and relative floor levels.

The exact distances applicable will be determined on a case-by-case basis. The planning system does not give neighbours a right to a view and does not always prevent people's view from being blocked. However, extensions should be designed so as not to dominate or appear unduly overbearing when viewed from adjoining properties.

5.1.7. Under the heading "Daylight and Sunlight", Section 1.6 of the Appendix recognises that in an urban context some degree of overshadowing is inevitable and unavoidable. It says consideration should be given to the proportion of extensions, height and design of roofs as well the position of windows including rooms they serve to adjacent or adjoining dwellings.

5.1.8. Section 1.7 of the Appendix states that the extension should not dominate the existing building and should normally be of an overall scale and size to harmonise with the existing house and adjoining buildings; the appearance of the existing structure should be the reference point for any consideration of change that may be proposed. The materials used should complement those used on the existing building; features such as windows and doors on the new extension should relate to those on the original building in terms of proportion and use of materials.

5.1.9. Section 4.0 of the Appendix states that the roofline of a building is one of its most dominant features and it is important that any proposal to change the shape, pitch or cladding of a roof is carefully considered. Alterations at roof level can include the provision of an additional storey modifying the roof profile entirely. The following criteria will be considered in assessing alterations at roof level:

- Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures
- Existing roof variations on the streetscape
- Distance/ contrast/ visibility of proposed roof end
- Harmony with the rest of the structure, adjacent structures, and prominence

5.1.10. Section 5.1 of the Appendix acknowledges that converting an attic as a full floor to the elevation of a dwelling can often be successfully achieved without affecting or impacting the overall character of the area or the residential amenity. The Council will support innovative design responses to the densification of suburban housing to consolidate existing built-up areas where it can be demonstrated that such a proposal

makes a positive contribution to the streetscape and has no adverse impact on the residential amenities of adjacent properties. Such densification solutions are often more suitable at end-of-terrace or corner-house sites where a feature/bookend design can be facilitated. Each proposal will be assessed on a case-by-case basis. Applications for an additional storey must ensure that all of the relevant internal residential standards are complied with. There will also be additional requirements such as demonstrating safe and secure access.

5.2. Natural Heritage Designations

5.2.1. The application site is not in any Natura 2000 site of European nature conservation importance. The nearest Natura 2000 sites are:

- South Dublin Bay and River Tolka Estuary Special Protection Area for birds (SPA), about 3 kilometres to the south east;
- North Bull Island SPA, about 3 kilometres to the east;
- North Dublin Bay Special Area of Conservation (SAC), about 3 kilometres to the east, designated for tidal mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud, salt meadows, shifting and fixed dunes, dune slacks and petalwort; and
- South Dublin Bay SAC, about 5 kilometres to the south east, designated for mudflats and sandflats, annual vegetation of drift lines, annuals colonising sand and mud and embryonic shifting dunes.

5.2.2. There are no National Heritage Areas (NHAs) in Dublin City. Proposed NHAs are identified in Table 10 and Figure 4 of the Natura Impact Report for the Development Plan. The closest of those pNHAS to the application site are North Dublin Bay, South Dublin Bay, Dolphins Dublin Docks, Grand Canal and Royal Canal.

6.0 Environmental Impact Assessment 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**

7.1.1. The grounds of appeal submitted on behalf of a resident of 6 Saint David's Wood may be summarised as follows:

- The appeal property is currently a low-profile dormer bungalow which sides on to the appellant's dwelling. In the original development of the cul-de-sac, eight two-storey dwellings were approved along with two bungalows at Nos. 21 and 22. This created a transition in height and scale that protected residential amenity. A dormer extension was approved on the north-western side of the roof in 2008 but the house remains mainly single-storey in scale and profile.
- The appellant and his family enjoy privacy in their garden and rear rooms with access to good daylight and some early-morning sunshine. Only the top of the rear windows and the low sloping roof of No. 21 are visible above the boundary wall and timber screen fencing. While the appeal dwelling is relatively close, it is non-intrusive and does not appear overbearing or overlook their dwelling.
- With a two-storey mass within 1 metre of the common boundary this would change dramatically to the detriment of the appellant's amenity and living environment. The grossly overbearing impact would not be diminished by a nominal setback. The obtrusive gable wall would extend to a height of 5.45 metres over a depth of 9.74 metres. No. 7 would be affected to the same extent as No. 6, while No. 8 would impacted to some degree.
- While the applicant's studies show little overshadowing of Nos. 6 and 7, a perception of some overshadowing would remain, given the scale and mass of the development and the substandard separation distance. Daylight to downstairs rooms of both houses would be affected. An analysis based on [Building Research Establishment] standards should have been submitted.
- Direct overlooking from the bathroom would occur despite the use of obscure glazing once the window is opened.
- When viewed from the cul-de-sac, the development would look incongruous and disjointed.

- The development would be seriously injurious to the appellant's property and considerably depreciate its market value. For these reasons it would contravene the Development Plan zoning objective.

7.2. Applicant's Response

7.2.1. The applicant's response, which included an amended set of plans again showing three, rather than four, new first-floor bedrooms, may be summarised as follows:

- The first-floor layout has been amended as stipulated in the planning authority's Condition 3. The setback from opposing windows has been increased to 12.1 metres at 6 Saint David's Wood and 13.3 metres at 7 Saint David's Wood and the perceived overbearance of the first-floor extension has been reduced.
- The previously submitted shadow analysis showed negligible overshadowing of adjoining properties. Daylighting to ground-floor rooms of Nos. 6 and 7 would not be impacted as there would be no adverse overshadowing.
- It is standard practice to use obscure glazing in bathrooms to prevent overlooking. The concern about overlooking when the window is open is unfounded as bathroom windows are usually top-hung with restrictors.
- As illustrated in the Google Earth study submitted at further-information stage, there are precedents in the area for developments similar to that being proposed. There is a similar relationship between the two-storey house at 8 Saint David's Wood and the gardens of Nos. 9 and 10; and between the two-storey house at No. 1 and the gardens of Nos. 27 and 28.

7.3. Planning Authority Response

7.3.1. The planning authority requested the Commission to uphold its decision. It requested that if permission is granted a condition requiring payment of a development contribution be applied.

8.0 Assessment

8.1. Issues

8.1.1. Having inspected the site and considered in detail the documentation on file for this third-party appeal, it seems to me that the main planning issues are:

- whether the proposed development is acceptable in principle at this location;
- its effect on the character of the area; and
- its effect on the residential amenity of neighbouring properties; and
- the adequacy of provision for parking, drainage and sewage disposal.

8.2. Acceptability in Principle

8.2.1. The Z1 zoning objective, to which the site is subject, is to protect, provide and improve residential amenities. The Development Plan, at Appendix 18 is generally supportive of residential extensions, subject to appropriate design and due regard to the amenities of adjoining properties. The proposed development is therefore acceptable in general principle, subject to consideration of these matters.

8.2.2. I see no objection in principle to the revised proposal to create a five-bedroom dwelling, subject again to there being no unacceptable effects on local character or residential amenity. The rear garden area meets the Development Plan expectation of up to 60 to 70 square metres of private open space for houses in the city. To allay concern over possible multiple occupation, a condition could be attached to any permission requiring existing dwelling and the proposed extension to be jointly occupied as a single residential unit.

8.3. Character of the Area

8.3.1. Due to its recessed position, the application site is in full view only at the end of the cul-de-sac. No.21 (like No. 22 opposite) is a bungalow, set in the midst of taller two-storey houses. In that respect, the dwelling is a visual anomaly. It could be argued, having regard to the Development Plan's core strategy to promote a compact city, that the site is currently underdeveloped.

8.3.2. On paper the proposed front elevation has a somewhat top-heavy and slightly lopsided look. However when seen as a three-dimensional structure in the context of

surrounding development, the proposed building would not in my judgement seem incongruous or out of place. I am not persuaded that it would have an adverse effect on the character of the area.

8.4. **Residential Amenity**

8.4.1. The applicant's mock-up drawings, based on Google Earth imagery, give the general impression that the proposed development would fit comfortably into its surrounding context. However, the impact of the development on individual adjoining properties must be considered carefully. (Incidentally, I notice that 6 Saint David's Wood is incorrectly labelled as No. 7 on the mock-up drawing 3005.)

8.4.2. The appellant's dwelling, No. 6, has a flat-roofed rear extension which is about 3 metres in depth. A conservatory attached to that extension continues further into the back garden for about another 3.5 metres. The length of the back garden, taking account of the extension but not of the conservatory, is about 7.5 metres. There is a distance of about 1.25 metres from the property boundary to the existing side wall of the appeal property. The side wall rises to 2.65 metres above existing ground-floor level and then slopes back to the existing roof apex of 5.4 metres.

8.4.3. The distance between the existing rear extension to No. 6 and the proposed first-floor extension to the appeal property would be about 9.75 metres. That dimension takes account of the 1-metre setback provided for in the revised plans submitted at appeal stage. The proposed extension would rise to about 5.4 metres above existing ground-floor level before sloping back to the new roof apex of about 7.04 metres.

8.4.4. The development would intrude visually on the rear of the appellant's property to a greater extent than the existing bungalow does at present. I appreciate that this change would to some extent adversely affect the appellant's enjoyment of his home. However, I am persuaded by the applicant's shadow studies (based on an earlier proposal that did not provide for a 1-metre setback on the south-western side) that the development would not cause significant loss of light to No. 6. I also accept that, provided the proposed first-floor bathroom window is obscurely glazed and top-hung with restrictors, overlooking and loss of privacy would not occur. The impact of the development on No. 7 would be similar to its impact on No. 6. The development would have less impact on No. 8.

8.4.5. Views from the proposed front first-floor windows towards the back gardens of Nos. 3 to 5 would be oblique and filtered by vegetation in the applicant's driveway and by the boundary wall at the end of the cul-de-sac. The proposed back first-floor windows would be about 10 metres from the boundary with Nos. 11 and 12. Views into those gardens would be impeded by the outbuilding in the back garden of No. 21 and by the boundary wall. According to the proposed site plan, the distances to the opposing back windows in No. 12 would be 15.9 and 21.7 metres. I accept that there would be some overlooking of all these properties, but that is a normal feature of urban living.

8.4.6. Overlooking and loss of privacy to No. 20 could be overcome by requiring both windows in the proposed first-floor north-eastern elevation to be obscurely glazed. The applicant's shadow drawings show that throughout most of the year, in the absence of the proposed development, an area on the south-western side of that property is already in shade in the middle of the day and in the afternoon. The shaded area is at its greatest in winter and at its least in summer. It is inevitable that the development would cause some increased overshadowing of No. 20, adversely affecting living conditions in that property to some extent.

8.4.7. I am not persuaded that increasing the height of the apex of the roof of No. 21 from 5.4 to 7.04 metres would have a marked effect on views from neighbouring properties, given that adjacent buildings would continue to be higher. In any case, planning law and policy provide no absolute right to uninterrupted views.

8.4.8. My overall conclusion is that while the proposed development would have some detrimental effects on the residential amenity of neighbouring properties, these effects, individually and cumulatively, are not of such significance as to warrant the withholding of planning permission.

8.5. **Parking, Drainage and Sewage Disposal**

8.5.1. The application site includes an off-street driveway which is capable of accommodating two cars, one behind the other. The layby in front of the dwelling is part of the public road and functions as a turning area but there is no restriction preventing its use for parking one car parallel to the front elevation of the dwelling. There is another layby outside No. 22 opposite the site which can be used by emergency vehicles or lorries for turning when the layby in front of No. 6 is in use for

parking. The car-parking standard which applies in this area is one space per dwelling, regardless of how many bedrooms or occupants it has. In these circumstances, it would not be justifiable in my opinion to withhold permission due to insufficient parking.

8.5.2. The Drainage Planning, Policy and Development Management Division raised no objection to the development. A condition could be attached to any permission requiring the developer to agree proposals for the disposal of surface water with the planning authority prior to the commencement of development. It is indicated on the application form and the proposed site plan that wastewater would be directed to the existing public sewer. There is no evidence of any lack of capacity in that system.

9.0 **Appropriate Assessment Screening**

9.1. Having considered the nature, location and small scale of the proposed development, the nature of the receiving environment as a built-up urban area, the nature of the foreseeable emissions therefrom, the availability of public piped services to accommodate the foul effluent arising therefrom, the distance from the nearest European site and the absence of any known hydrological link between the application site and any European site, I am content on the basis of objective information that the development is not likely to have a significant effect on any European site, either alone or in combination with other plans or projects. I therefore conclude that the carrying out of an appropriate assessment under Section 177V of the Planning and Development Act 2000 is not required.

10.0 **Water Framework Directive**

10.1. The application site is located 1.8 kilometres from the Santry River. The proposed development comprises modifications to a dwelling, demolition of an attic and construction of new first floor. No water deterioration concerns were raised in the planning appeal.

10.2. I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive (WFD) 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 either qualitatively or quantitatively.

10.3. The reasons for this conclusion are the nature and modest scale of the works, the distance from the nearest water body and the lack of hydrological connections.

10.4. 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 to the Commission that planning permission be granted, subject to the conditions set out below.

12.0 **Reasons and Considerations**

12.1. Having regard to the Dublin City Development Plan 2022-2028, and in particular to the Z1 zoning objective and Appendix 18 thereof, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the overall character of this residential area, would not seriously injure the residential amenity of any neighbouring property and would accord with the proper planning and sustainable development of the area.

13.0 **Conditions**

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by An Coimisiún Pleanála on 14th July 2026, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the

	development shall be carried out and completed in accordance with the agreed particulars. **Reason:** In the interest of clarity.
2.	Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works. Prior to the commencement of development, the developer shall submit proposals for the disposal of surface water from the site for the written agreement of the planning authority. **Reason:** To prevent flooding and in the interest of sustainable drainage.
3.	The existing dwelling and the proposed extension shall be jointly occupied as a single residential unit and the extension shall not be used, sold, let or otherwise transferred or conveyed, save as part of the dwelling. **Reason:** In the interest of residential amenity.
4.	The glazing to all first-floor windows facing south-westwards or north-eastwards shall be manufactured opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable. The windows shall not be capable of being opened fully but may be top-hung with restrictors. **Reason:** In the interest of residential amenity.
5.	Prior to the commencement of works, the developer shall submit to and agree in writing with the planning authority a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of working, noise and dust management measures and off-site disposal of construction/ demolition waste. **Reason:** In the interest of public safety and amenity.
6.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000. The contribution shall be paid prior to the commencement of

	development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme. **Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme made under Section 48 of the Act be applied to the permission.

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.



TREVOR A RUE
Planning Inspector
12th October 2026

Appendix A: Form 1 – EIA Pre-Screening

Case Reference	*PL-501603-DN-26*
Proposed Development Summary	*Modifications to dwelling, demolition of attic and construction of new first floor*
Development Address	*21 Saint David's Wood, Artane, Dublin 5*
	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? (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)	☑ *Yes, it is a 'Project'.* Proceed to Q2.
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)?	
☑ *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.
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)?	
No ☑	Pre-screening determination conclusion remains as above (Q1 to Q3).

Inspector: Trevor A Rue _____ **Date:** 12th October 2026

TREVOR A RUE