Inspector's Report
PL-501608-KE-26

Development	Alterations and extensions to existing dwelling and all associated site works.
Location	73 Willowbrook Lawns, Celbridge, Co. Kildare
Planning Authority	Kildare County Council
Planning Authority Reg. Ref.	2660367
Applicant(s)	Kim Murphy
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellant(s)	Loughlin & Kay Stephens Annette Head
Observer(s)	None
Date of Site Inspection	8th October 2026
Inspector	Elaine Sullivan

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1.0 Site Location and Description

1.1. The subject site is located in the established residential development of Willowbrook Lawns, off Thornhill Road, Celbridge. The site comprises a 2-storey semi-detached dwelling with a detached timber garden shed to the rear.

2.0 Proposed Development

2.1. Planning permission is sought for a domestic extension of 63.3 sq. m to the front, side and rear of a two-storey, semi-detached house. The extension would comprise a new entrance porch, home office, utility room, playroom and extended living area all at ground floor level and extensions to existing bedrooms and an additional bedroom at first floor level.

3.0 Planning Authority Decision

3.1. Decision

The Planning Authority (PA) granted permission for the development subject to ten planning conditions, which are standard in nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Planning Officer dated the 27th May 2026 informed the decision of the PA.
- The PO found the proposed development to be acceptable for the residential area and considered that it would not have a significant negative impact by way of overshadowing, overlooking or overburdening impact on neighbouring residential amenity

3.2.2. Other Technical Reports

- Area Engineer – No objection.

- Environment Department – No objection.
- Water Services – No objection.

3.3. Prescribed Bodies

- No responses.

3.4. Third Party Observations

3 no. submissions were received by the Planning Authority which can be summarised as follows:

- Concerns in relation to loss of privacy/overlooking
- Concerns in relation to disruption and noise
- Concerns in relation to proposed finishes
- Excessive Scale, Bulk and Massing / Overdevelopment of site
- Impacts on residential amenity
- Proximity of extension to shared boundary
- Concerns in relation to disruption, inconvenience and environmental concerns

4.0 Planning History

- No planning history on record.

5.0 Policy Context

5.1 Development Plan

The operative development plan for the site is the **Kildare County Development Plan 2023-2029** (KCDP).

The site is also within the boundary of the **Celbridge Local Area Plan 2017-2023** and is zoned Objective B 'Existing Residential/Infill' which seeks "To protect and enhance the amenity of established residential communities and promote sustainable intensification."

The Celbridge LAP expired in 2023 and was not formally extended. Regarding LAP's, the Kildare County Council public website states that, Kildare County Council will have regard to the Celbridge LAP 2017-2023 until such time as it is reviewed or another plan made. At the time of writing, the Kildare County Council website contains no reference to an updated plan for Celbridge.

The main policies/objectives of the Development Plan that relate to the development proposal are set out below. This is not an exhaustive list and should not be read as such.

The Commission should consider inter alia the following:

Chapter 15: Development Management Standards

15.4.12: Extensions to Dwellings

The following basic principles shall be applied:

- The extension should be sensitive to the appearance and character of the house and the local area (urban or rural).
- The extension shall have regard to the form and scale of the existing dwelling and should not adversely distort the scale or mass of the structure.
- The design and scale should have regard to adjoining properties.
- A flexible approach will be taken to the assessment of alternative design concepts and high-quality contemporary designs will be encouraged. A different approach may apply in the case of a Protected Structure, structures with significant heritage or within an Architectural Conservation Area.
- In rural areas, the design of extensions should have regard to the Key Principles set out in Appendix 4 Rural House Design Guide.
- The extension should not provide for new overlooking or loss of privacy below reasonable levels to the private area of an adjacent residence.
- The cumulative impact of the existing extent of overlooking and the overlooking that would arise as a result of any proposed extension need to be considered.

- The extension should not have an overbearing impact on neighbouring properties. Large extensions, particularly if higher than one storey, should be moved away from neighbouring property boundaries.
- New extensions should not overshadow adjacent dwellings to the degree that there is a significant decrease in daylight or sunlight entering into the house.
- An adequate area of private open space, relative to the size of the dwelling should be retained, generally not less than 25sq.m.
- Where required, it will be necessary to demonstrate that the existing on-site wastewater treatment system serving the main dwelling can facilitate the additional loading from the proposed extension. Where this cannot be demonstrated, it will be necessary for the on-site wastewater treatment system to be upgraded as part of the development proposal.

5.4 Natural Heritage Designations

5.1.1. No designations apply to the subject site.

6.0 EIA Screening

6.1.1. 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

Two appeals were lodged on the decision of the Planning Authority (PA). As there are some overlapping issues raised in both appeals, I have summarised the main points raised in both appeals below.

- Concerns were raised regarding the impact of the proposal and the potential for damage to private property.
- The appellant does not consent to the removal of the shared boundary wall or any encroachment onto their property.
- The height of the rear extension will block light to the adjoining property to the south, especially during the winter months.
- Disruption during construction and loss of amenity in terms of impact on the rear garden amenity space.

7.2. **Applicant Response**

A response was received from the applicant and is summarised below.

- The applicant states that they consulted with the appellants during the design process and prior to lodging the planning application.
- Clarification is provided by the applicant that the proposed foundations do not encroach on the neighbouring property at No. 72 Willowbrook Lawns. The application drawing entitled 'Floor Plans and Sections' demonstrates this.
- There will be no loss of access to the front or rear garden, or driveway to the neighbouring property at No. 72.
- It is proposed to remove an existing concrete boiler shed attached to the shared boundary wall as part of the works. This will require additional works to ensure the structural integrity of the shared wall.
- The applicant considers the request to reduce the height of the rear extension to 3m is unreasonable. The internal floor to ceiling height is 2.5m. The remaining height is required to accommodate a standard roof structure and finishes.
- The applicant notes that similar extensions have been constructed in the estate and provides house numbers to this effect.

7.3. **Planning Authority Response**

- A response was received from the PA. They have no further comments to make and direct the Commission to the Planner's Report and the various technical departmental reports.

8.0 Assessment

8.1. The issues raised in the grounds of appeal are addressed under the following headings,

- Principle of Development
- Impact on Private Property
- Impact on Existing Amenity

8.2. **Principle of Development**

8.2.1. The subject site is in the settlement boundary of Celbridge, which is designated as a Self-Sustaining Town in the Kildare County Development Plan 2023-2029 (KCDP). The site is also within the boundary of the Celbridge Local Area Plan (LAP) 2017-2023 where it is zoned objective *'B – Existing Residential'.* The Celbridge LAP expired in 2023 and was not formally extended. Regarding LAP's, the Kildare County Council public website states that, Kildare County Council will have regard to the Celbridge LAP 2017-2023 until such time as it is reviewed or another plan made. At the time of writing, the Kildare County Council website contains no reference to an updated plan for Celbridge.

8.3. Given the nature and location of the subject site which is in existing residential use within an urban settlement, I consider the development proposal to be acceptable in principle subject to the policies and objective of the KCDP.

8.4. **Impact on Private Property**

8.4.1. Appellants raised concerns regarding the potential for the proposed extension to cause damage to private property through the structure or elements of the building

encroaching on adjoining site and/or removal of or building on the shared boundary wall. The appellants submit that construction of the proposal would necessitate the removal of the shared boundary wall, including the side entrance and gates to the adjoining rear garden.

8.4.2. Damage to private property or encroachment onto private property are civil issues and are not dealt with through the Planning Acts. Therefore, any concerns regarding the damage to private property are outside the scope of this appeal and are not matters for the Commission to consider. In this instance, I refer to Section 34(13) of the Planning and Development Act 2000 (as amended) which states that, '*A person shall not be entitled solely by reason of a permission under this section to carry out any development.'*

8.4.3. Notwithstanding the separate legislative code overseeing civil issues such as damage and encroachment, the applicant states that the development will not encroach on adjoining properties in terms of its foundations and/or its eaves. The applicant refers to the applicant drawing titled 'Floor Plans & Section' to demonstrate this. I note that this drawing includes standard text which states that all figures and dimensions to be checked on site and that it is not to be used as a working drawing. As the issue of access and damage to private property are matters that are dealt with under a separate legal code, these are not issues to be addressed as part of the appeal.

8.5. **Impact on Residential Amenity**

8.5.1. Concerns were raised in the grounds of appeal regarding the potential for the development to impact on existing residential amenity in terms of loss of light to existing properties, disturbance, noise and nuisance during the construction phase.

8.5.2. Due to the nature of the works, there will be additional noise and disturbance during the construction phase. This is unfortunate but unavoidable due to the nature of development. However, the disturbance will be temporary in nature as the heavy-duty construction works will have a finite completion date. The appellant raised a concern that they would be unable to use their rear garden during the construction phase due to the removal of the wall and side gate. As noted previously any alterations to shared boundary walls would be subject to agreement between the parties. Whilst the appellant may not wish to use their garden during the works, the

applicant has confirmed that access to the appellants garden will not be restricted by the works.

8.5.3. There would be no increase in overlooking or loss of privacy as no windows would be facing onto the adjoining properties. The stated objection to rooflights would not result in overlooking or loss of privacy to existing houses.

8.5.4. In terms of overshadowing or loss of light to adjoining properties, the only potential for this would be from the single storey extension to the rear. The proposed two-storey extension to the side would not extend past the front or rear boundary of the subject property and would generally alight with the elevations of the adjoining property to the south, No. 72. The single storey extension would have a height of 3.3m to the top of the flat roof ridge. It would extend to a depth of c. 3.5m along the southern boundary and c. 4.8m along the northern boundary with No. 74. I do not consider the height of the flat roof extension to be excessive. The internal floor to ceiling height would be c. 2.5m (as measured from the drawings), which is slightly above the standard height of 2.4m.

8.5.5. The property to the south of the subject site, No. 72, would not experience any overshadowing from the extension to the rear. This is due to its orientation to the south of the proposal and the trajectory of the sun. To the north of the site, the extension would be more visible when viewed from the rear of No. 74. This property would experience some additional overshadowing from the extension during the winter months when the sun is low in the sky. However, given the position of the adjoining property, this would be limited to early-mid morning hours. On balance, I am satisfied that the property to the north would not experience any undue overshadowing or loss of light or any impacts that over and above those occurring in a residential area in an urban environment.

8.5.6. Overall, I consider the proposal to be in accordance with the provisions of Section 15.4.12 of the KCDP as it is of appropriate design and scale and would not distort the mass of the existing house or the adjoining houses. It would not result in overlooking or loss of privacy and it would not overshadow adjacent dwellings to the degree that there is a significant decrease in daylight or sunlight entering into the house.

9.0 AA Screening

9.1.1. The site is in a serviced urban area, approximately 4km from the Rye Water Valley/Carton SAC, which is the closest European site. The proposed development seeks extend a semi-detached, two-storey house in an established residential area.

9.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- The urban location and modest scale of the works,
- The distance between the site and the closest European site.
- The screening determination by Kildare County Council.

9.3. 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.

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

10.0 Water Framework Directive

10.1. An assessment of the proposed development has been undertaken with regard to the objectives set out in Article 4 of the EU Water Framework Directive. Having considered the nature, scale, and location of the proposed development, it is concluded that the proposal will not result in any risk of deterioration in the status of any water body, including surface waters (rivers and lakes), groundwater, transitional waters, or coastal waters. This applies to both qualitative and quantitative status, and in respect of temporary and permanent effects.

10.2. In addition, the proposed development will not adversely affect the achievement of established environmental objectives, including the protection, maintenance, and improvement of water body status, as required under the Directive. Accordingly, the proposed development is considered to be compliant with the requirements of Article 4.

11.0 Recommendation

11.1. I recommend that planning permission is granted for the development.

12.0 Reasons and Considerations

Having regard to the nature of the proposed development for a single and two-storey extension to an existing dwelling in an established residential area within the settlement boundary of Cellbridge, it is considered that by virtue of the design, location and context, the proposed development would not seriously injure the amenities of the area or property in the vicinity and would not be detrimental to the quality of the public realm. The proposed development would therefore be in accordance with the policies and objectives of the Kildare County Development Plan 2023-2029 and with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 7th day of April 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. Site development and building works shall be carried out between the hours of 07:00 to 19:00 Mondays to Fridays inclusive, between 08:00 to 14:00 on Saturdays and not at all on Sundays and public holidays. Deviation from these

times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

3. The site development work and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material.

   Reason: In the interests of orderly development and to ensure that the adjoining roadways are kept in a clean and safe condition.

4. The existing dwelling, extensions and proposed extension shall be jointly occupied as one single housing unit and shall not be sold, let or otherwise transferred or conveyed save as part of the dwelling.

   Reason: To restrict the use of the extensions and structures on the site in the interests of residential amenity.

5. Site development and building works shall be carried out only between the hours of 07.00 to 18.00 Mondays to Friday inclusive, between 0800 to 14.00 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

   Reason: In order to safeguard the residential amenities of property in the vicinity.

6. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements, in writing where necessary, of the planning authority for such works and services.

   Reason: In the interest of public health.

7. 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, as amended. The contribution shall be paid prior to 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 Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, 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.

Elaine Sullivan
Senior Planning Inspector

9th October 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	**501608-26**
Proposed Development Summary	Extension to a domestic dwelling.
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.
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.**	**State the Class and state the relevant threshold**
☐ Yes, the proposed development is of a Class but is sub-threshold.	**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 ☐	**Screening Determination required (Complete Form 3)**
No ☒	**Pre-screening determination conclusion remains as above (Q1 to Q3)**

Inspector: _____ **Date:** _____