



An
Coimisiún
Pleanála

Inspector's Report

PL-501675-DR-26

Development	Construction of a single storey extension to the side and rear of house and all associated site works
Location	20, Tudor Lawns, Foxrock, Dublin 18, D18P9E8
Planning Authority	Dun Laoghaire-Rathdown County Council
Planning Authority Reg. Ref.	D26B/0240/WEB
Applicant(s)	David and Fiona Gillett
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third party
Appellant(s)	John Hunt & Heidi O'Neill
Observer(s)	None

Date of Site Inspection

22 August 2026

Inspector

Killian Harrington

Table of Contents

1.0	Site Location and Description	4
2.0	Proposed Development	4
3.0	Planning Authority Decision	4
4.0	Planning History	6
5.0	Policy Context	6
6.0	EIA Screening	7
7.0	The Appeal	7
8.0	Assessment	10
9.0	AA Screening	14
10.0	Water Framework Directive	14
11.0	Recommendation	15
12.0	Reasons and Considerations	15
13.0	Conditions	16
	Appendix A: Form 1 EIA Pre-Screening	18

1.0 Site Location and Description

- 1.1 The subject site comprises a semi-detached dwelling in a residential estate of similar form dwellings in a linear pattern, all of which are northeast facing and looking out onto open space. Tudor Lawns is located south of the Leopardstown Road and just north of Leopardstown Racecourse. All of these properties have off-street parking and a privacy strip to the front and the primary amenity space is located to the rear. The subject property is adjoined with no. 21 to the west. On the eastern side is no. 19, which is separated by the side passages for both properties. The subject property has an existing flat roof single-storey rear extension and a single-storey lean to shed up to the boundary with no. 19, which in combination, effectively amounts to a full width extension to the rear.

2.0 Proposed Development

- 2.1 The proposed development comprises the addition of a single storey extension to the side and rear of their existing two-storey home. The works include the provision of a new bedroom at ground floor level, all complete with an en-suite bathroom, and the provision of a new utility room. It includes the removal of an existing timber shed, the part-replacement of existing timber fencing, the provision of two disabled wheelchair ramps, the provision of a new side access door, the addition of one new rooflight, and the formation of a new 'snug' seating area in place of the existing utility area. It includes the replacement of the old glazed utility door with a new window of equal size.

3.0 Planning Authority Decision

3.1 Decision

Dun Laoghaire-Rathdown County Council granted planning permission subject to standard conditions

- 3.1.1. Planning Authority Reports

The Planning Authority report noted the Objective A (residential) land use zoning and assessed the proposal in relation to the criteria set out in the Development Plan for residential extensions.

The extension was considered modest in scale, single-storey in height and appropriate in design. The report found that it would not result in unacceptable overlooking, overshadowing, loss of light, or overbearing impact on neighbouring properties. The development would remain entirely within the applicant's property boundary, with no requirement to remove the existing boundary wall. External finishes would match the existing dwelling, ensuring the extension integrates with the house and surrounding streetscape. Adequate private open space would remain after the extension is constructed.

Overall, the planning authority had no design or neighbouring amenity concerns regarding the side/rear extension and granted approval subject to standard conditions.

3.1.2 Other Technical Reports

- Drainage Section: No objection subject to conditions requiring sustainable drainage measures (SuDS) and soakaway arrangements for surface water.
- Environmental Enforcement: No objection.

3.2. Prescribed Bodies

None

3.3. Third Party Observations

One submission was received from a neighbouring property expressing concern that the length of the extension along the shared boundary could be excessive and overbearing

4.0 Planning History

4.1 Subject site

None

5.0 Policy Context

5.1 Development Plan

Under the Dun Laoghaire-Rathdown County Development Plan 2022-2028 the site is subject to the Land Use Zoning 'Objective A', which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities. The following are relevant Development Plan policies and objectives:

Policy Objective PHP18 - Residential Density: Seeks to increase housing supply and promote compact urban growth through the consolidation and re-intensification of infill / brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12. Additionally, this policy objective seeks to encourage higher residential densities on the proviso proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.

Policy Objective PHP19: Existing Housing Stock – Adaptation states that it is a Policy Objective to densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.

Policy Objective PHP20 - Protection of Existing Residential Amenity: Seeks to ensure the residential amenity of existing homes in the Built-Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.

Chapter 12 Development Management

Section 12.3.4 refers to Residential Development – General Requirements.

Section 12.3.7 refers to Additional Accommodation in Existing Built-up Areas and includes the following:

Section 12.3.7.1 Extensions to Dwellings

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. Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.

5.2. Natural Heritage Designations

The subject site is approximately 3.6km southwest from South Dublin Bay proposed NHA, Booterstown Marsh proposed NHA and European sites South Dublin Bay SAC & South Dublin Bay and River Tolka SPA

6.0 EIA Screening

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

7.0 The Appeal

7.1 Grounds of Appeal

The third party appeal includes the following grounds:

(1) Overbearing and Visual Impact on No. 21

The appellants contend that the planner's report focused mainly on overlooking and overshadowing but failed to properly assess overbearing impact. They argue that the extension would run for approximately 11 metres continuously along the shared boundary. A long wall positioned immediately beside the boundary would create enclosure and visual dominance. The effect on outlook, openness and enjoyment of the neighbouring garden was not adequately assessed. No measurements, diagrams or detailed analysis were provided to justify the conclusion that overbearing impacts would not occur.

The no. 21 property also sits lower than no. 20. The boundary wall and fence measure about 2.3m high when viewed from No. 21. The proposed extension may appear significantly higher from their side than shown on the submitted drawings. The planner failed to assess the visual impact from the perspective of the lower neighbouring property.

The appeal also disputes the statement that it would not be significantly taller than the existing shed to be removed. The appeal arguing that the existing shed is inaccurately represented on the plans. The shed is constructed directly on the party wall.

(2) Conflict with Development Plan Objectives

The appellants argue the proposal conflicts with County Development Plan objectives that seek to protect residential amenity and ensure good design. They contend that the proposal results in an unusually long side extension with a continuous development along the boundary with little or no separation from the adjoining property. This extension would be out of place and the pattern differs from the prevailing character of Tudor Lawns, where extensions are generally concentrated to the rear and separated from boundaries.

(3) Insufficient Technical Information

The appeal also argues that insufficient supporting information was available to properly assess impacts, including details on drainage, roof construction, rainwater disposal and structural/future maintenance plans. The appeal states that even if permission was granted, the Council should have imposed conditions dealing with the uncertainty surrounding the boundary. The appellants note the absence of conditions requiring a defined setback and boundary protection measures.

7.2. Applicant Response

The applicant provided a response and this is summarised below:

- The proposal has taken into consideration the visual impact from no. 21 and has been designed to appear cleaner and neater and more uniform (using a sand-cement render finish) than the current timber shed arrangement
- The timber fencing affixed to the boundary wall will be replaced with matching fencing.
- No boundary wall will need to be removed and the extension will not overlap with the party wall – it will be entirely within the curtilage.
- The additional height above the boundary wall is very slight and enhances privacy for both parties.
- No rainwater will be allowed flow into no. 21 – A soakpit will accompany the extension and will be located in the centre of the rear garden.
- The application was made in response to medical need (Letters from 3 no. health professionals submitted in support)

7.3 Planning Authority Response

The Commission is referred to the planner's report. It is considered the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development

7.4. Observations

None

8.0 Assessment

8.2 The subject of the appeal is the proposal for a single storey extension to the side and rear of the dwelling to provide ancillary family accommodation. The proposed extension comprises a bedroom and en-suite with external access from front and rear. The relevant Development Plan policy objectives for this proposal have been set out in Section 5.0 of this report. Under the Dun Laoghaire-Rathdown County Development Plan 2022-2028, the site is subject to the Land Use Zoning 'Objective A', which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities. The proposed development of an extension to an existing dwelling to provide ancillary accommodation is permitted in principle under this zoning objective subject to compliance with all other policies.

8.3 Following a review of the file, assessment of the relevant planning policies and inspection of the site, I conclude that the primary concerns in this appeal are (1) Design Matters and (2) Neighbouring Residential Amenity.

(1) Design Matters

8.4 Section 12.3.7.1 of the Development Plan sets out the design criteria for single-storey side and rear extensions. I note the appeal has raised several design-related issues and I have assessed these individually throughout this assessment.

8.5 The appeal states that the proposed design would be out of place with the surrounding estate and therefore conflicts with the Development Plan in terms of

design for domestic extensions. According to Section 12.3.7.1, such 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 also match or complement the main house and provide visual harmony (especially front elevation).

- 8.6 In terms of the quantum of usable rear private open space, I note that well over 50% of the rear garden remains and the footprint of the proposal is small relative to the plot size.
- 8.7 In terms of dimensions and scale, the existing side/rear shed extends to roughly the same depth as the single-storey rear extension at the neighbouring boundary. The proposal, in replacing the shed, extends 3.8 metres beyond the extent of the single-storey extension and would be built up to the boundary.
- 8.8 While the existing shed slopes downwards into the garden, affording some protection of neighbouring amenity, the proposal would be a flat roof structure in line with the existing rear extension. The top of the proposed extension would measure 2.9 metres in height c. 0.5 metres above the existing boundary and this would clearly extend further into the garden along the boundary. Taken with the existing single-storey extension, the resulting development would effectively be a full width extension up to the boundary wall.
- 8.9 Whilst there would clearly be a new visual impact from the rear garden of no. 21, it would be within reason and not cause significant visual harm. Both the existing shed and single-storey extension are already visible from the rear garden and windows of no. 21. The size of the extension is modest relative to the size of the plot and dwelling. I note extensions of this depth along the boundary are common in this estate with numbers 17, 29 and 37 also extending to the rear in a similar depth along the boundary wall and visible from the rear of the adjacent properties in each case. The scale and height of the proposed extension is therefore in keeping with the scale and character of the host dwelling and the adjacent dwellings.

- 8.10 In terms of the visual impact at street level, the proposed new extension would be an improvement on the existing timber shed, which has a temporary appearance. From the elevation drawings, I can see that, as a flat roof structure with a render-finish and an entrance of similar proportion to the main front door, it would appear neat and symmetrical located between the two properties. The extension itself has a relatively discreet location set back from the street and appears subservient. I note the applicant's response that the existing timber fencing which is affixed to the boundary wall will be replaced with new matching fencing to the same height and style. I also note the replacement of the boundary fence and this would also contribute to the residential character of the area.
- 8.11 I have reviewed concerns in the appeal regarding an overlapping boundary but I am satisfied that the extension will be constructed entirely within the curtilage of the applicant's garden area, and the existing wall will not be affected. I also note the proposed soakpit would alleviate any environmental or flooding concerns. I would have no other structural concerns with the proposal in so far as what is proposed on the drawings. All works are subject to building regulations.
- 8.12 Overall, I consider the proposal to comply with Section 12.7.3.1 of the Development Plan and I have no concerns with regard to impacts on visual amenity or residential character.

(2) Neighbouring Residential Amenity

- 8.13 In relation to impacts on neighbouring amenity, I am satisfied that there would be no daylight/sunlight effects due to its modest single-storey height relative to the height of the boundary wall and the south-facing orientation of these rear gardens. There would also be no overlooking issues as no windows directly face any other property.
- 8.14 The appeal raises concerns about a possible overbearing effect on no. 21 from the proposed extension and the general loss of outlook. Taken with the existing single-storey extension, the resulting development would effectively be a full width extension up to the boundary wall. As is the case with many full width rear extensions, the structure will be slightly higher than the boundary wall. The

question arises as to whether this is an unacceptable impact that severely harms the enjoyment of the property.

- 8.15 The proposed extension would measure 2.9 metres in height c. 0.5 metres above the existing boundary and this would clearly extend further along the boundary. There is no concern with the c. 10.7 metre length of the extension (3.8 metres beyond existing). The structure runs from the mid-way point of the side of the property into the garden. This is considered reasonable, is proportionate to the dwelling size and is in line with extensions of surrounding properties.
- 8.16 With an extension up to the boundary, there would clearly be a new visual impact from the rear windows and rear garden of no. 21. Both the existing shed and single-storey extension are already visible from the rear garden and windows of no. 21. The extension up to the boundary would not cause a substantial new impact on outlook as there would be no sense of enclosure from such a structure. The rear gardens are generously proportioned and I note extensions of this depth along the boundary are common in this estate with numbers 17, 29 and 37 also extending to the rear in a similar depth along the boundary wall and visible from the rear of the adjacent properties in each case.
- 8.17 The proposed design has sufficiently demonstrated that, in its context, the extension is to scale and would not impact on the visual or residential amenities of directly adjoining dwellings.
- 8.18 Overall, the proposed extension is relatively modest in relation to the size of the host dwelling and surrounding dwellings, is visually in keeping with the residential character of Tudor Lawns and would not cause any harmful visual impact from the street. There would be no harmful impact on neighbouring residential amenity as a result of the proposal thus complying with Policy Objective PHP20 and Section 12.3.7.1 (Extensions) of the Development Plan. The proposed development would, therefore, be in accordance with 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 S177U of the Planning and Development Act 2000 as amended. The subject site is approximately 3.6km southwest from South Dublin Bay SAC & South Dublin Bay and River Tolka SPA
- 9.2. The proposed development comprises the construction of a single storey extension to the side and rear of house and all associated site works at 20, Tudor Lawns, Foxrock, Dublin 18, D18P9E8. No nature conservation concerns were raised in the planning appeal.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- Nature of works
 - Location in an established residential area
 - Lack of connections to nearest European sites
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. The subject site is located at 20, Tudor Lawns, Foxrock, Dublin 18, D18P9E8 – an established residential area c. 300 metres north of Carrickmines Stream and c. 900 metres west of St. Brides Stream.
- 10.2 The proposed development comprises the construction of a single storey extension to the side and rear of house and all associated site works. No nature

conservation concerns were raised in the planning appeal. No water deterioration concerns were raised in the planning appeal.

10.3 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:

- Nature of works
- Location-distance from nearest water bodies and/or lack of hydrological connections

10.4 I conclude that on the basis of objective information, that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

11.0 Recommendation

11.1. I recommend that planning permission be granted

12.0 Reasons and Considerations

12.1 Having regard to the pattern and character of existing development in the area, the design and scale of the development proposed and the residential zoning of the site, it is considered that the proposed development would be acceptable in accordance with the zoning objective for the site, would not detract from the visual amenity of the area and would not seriously injure the residential amenity of

surrounding properties. The proposed development would, therefore, be in accordance 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, 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. External finishes shall be indicated on the plans submitted unless otherwise agreed in writing with the Planning Authority prior to commencement of the development.

Reason: In the interest of visual amenity

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: To restrict the use of the extension in the interest of residential amenity

4. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interests of public health

5. Site development and building works shall be carried out only between the hours of 0800 to 1900 Monday to Fridays, between 0800 and 1400 hours on Saturday 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: To safeguard the residential amenities of adjoining property in the vicinity

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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Killian Harrington
Planning Inspector

29 August 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-501675-DR-26
Proposed Development Summary	Construction of a single storey extension to the side and rear of house and all associated site works
Development Address	20, Tudor Lawns, Foxrock, Dublin 18, D18P9E8
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. ☐ No, No further action required.
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)?	
☐ 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	
1. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of	

proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ 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. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class/Threshold: Part 2 Class 10 (b) Construction of more than 500 dwelling units. The proposal is for the construction of a 1 no. bedroom 'granny flat'.
2. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: 29 August 2026