

BY HAND

An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

AN COIMISIÚN PLEANÁLA

LDG- FEE-PAY-004828

ACP- _____

09 OCT 2026

Fee: € 220 Type: CHA

Time: 13:02 By: Hand

09 October 2026

RE: Permission for 1) Single storey flat roof extension to the rear with 1 no. rooflight, 2) Demolition of existing shed to the rear abutting neighbouring structure, 3) External wall insulation to front of existing dwelling with acrylic render finish, 4) Alterations to front side and rear elevations, 5) Widening of existing vehicular entrance to 3.6m and all associated site works at 8 Woodlands Drive, Glenageary, Co. Dublin.

REF No. [DLRCC Reg. Ref. D26A/0555/WEB]

THIRD PARTY PLANNING APPEAL

Dear Sir/Madam,

We act for Brian Roche and Marie-Claire Long, 7 Woodlands Drive, Glenageary, Co. Dublin A96 E2K1.

This is an appeal by Brian Roche and Marie-Claire Long against the decision of Dún Laoghaire Rathdown County Council (DLR) to grant permission for the above proposed development.

Please find attached a copy of the Council's decision, a copy of the acknowledgement letter dated 21 August 2026 confirming receipt of a submission and a cheque for € 220.00 being the statutory appeal fee.

Our clients' grounds of objection are fully set out in their submission dated 21 August 2026 to the planning authority, copy attached.

Our clients are disappointed with the decision especially the Council's assessment of their reasonable concerns regarding the adverse impact of the proposed development on their home at No. 7 Woodlands Drive. They identified serious overlooking between the proposed rear extension at No. 8 and the extension at No. 7. This issue was missed by the applicants' design team and was not adequately assessed in the Planning Officer's Report, copy attached, or in the decision. Our clients have no option therefore but to appeal this decision to the Commission.

1. GROUNDS OF APPEAL

- 1.1 You are referred to the attached submission dated 21 August 2026 setting out our clients' concerns regarding the proposed development. To minimise repetition, this submission is to be read in its entirety as an integral part of the appeal.
- 1.2 In our view, the injurious overlooking arising from the proposed development is capable of being addressed by way of requesting further information or attaching a suitably worded planning condition. One obvious solution is to increase the height of the boundary wall between the properties sufficiently to prevent overlooking between them.
- 1.3 Our clients expected that the planning authority would exercise its powers to invite the applicants to deal with this by requesting Further Information from the applicants. Alternatively, DLR could have attached a planning condition to its decision directing the developer to submit and agree proposals prior to commencement of development, such as an increase in the height of the boundary wall.
- 1.4 Mr. Roche and Ms. Long favoured the former because the mitigation proposals would then have formed part of the application documents prior to the Council making its decision. In any event, DLR did neither. Instead, the Council decided to grant permission without any reference to this material planning issue.
- 1.5 Overlooking is examined at pages 4 and 5 of the Planning Officer's Report. We respectfully submit that the planning assessment fails to properly engage with the substantive issue and the specific circumstances in this case. Ordinarily, overlooking does not arise between windows in ground floor extensions, but it arises here. I estimate the distance between the side elevation of the proposed extension and the opposing ground floor window in the side extension at No. 7 is approx. 12m. No consideration of this inadequate separation distance (which is materially less than the 16m requirement between opposing windows above ground floor level which are typically bedrooms) is provided in the assessment.
- 1.6 It is proposed to replace a conservatory off a dining room with an open plan kitchen / living / dining area at the rear of No. 8. In terms of occupation and use of the ground floor, the proposed arrangement is therefore materially different from the existing condition at No. 8. The west elevation of the extension consists of floor to ceiling glazed sliding doors leading to the external patio and directly faces the rear extension at No. 7 which is extensively used by our clients' family. The boundary wall is simply too low to prevent overlooking. The DLR analysis is overly focused on the general case and does not adequately assess the specific relationship in this case arising from the applicants' proposals, which gives rise to serious injurious overlooking.

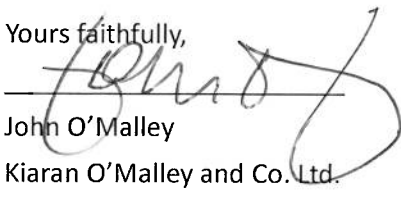
- 1.7 As noted in our clients' submission to DLR, the drawings upon which this assessment is made appear to be based upon an OS Urban Place Map, an arbitrary datum and do not include a survey or levels at our clients' property.
- 1.8 It is not stated whether the Planning Officer visited the site. Our clients would welcome a visit by the ACP Inspector to No. 7 Woodlands Drive to fully inform his/her assessment of the proposed development. A visit can be facilitated through this office.
- 1.9 Finally, we invite the Commission to exercise its powers to request the applicants to address this issue by submitting revised plans pursuant to Section 132 of the Planning and Development Act, 2000 if it deemed it appropriate to so do. These plans could include raising the height of the boundary wall between Nos. 7 & 8 to prevent overlooking. An increase of perhaps 50cm or more is probably required. Our clients will facilitate the carrying out of a survey to establish the appropriate increase in the wall height to avoid overlooking.
- 1.10 It is not considered that the raising of the boundary wall is the only remedy. However, it is an obvious solution and would enable the applicants to complete the rear extension as proposed (if permitted, of course). In the absence of any proposed modifications by the applicants in response to this appeal, or by way of revised plans under Section 132, our clients respectfully invite the Commission to attach a planning condition to give effect to an appropriate design modification to avoid overlooking. For example, the height of glazing in the west elevation could be reduced to prevent direct overlooking into our clients' home, or this glazing would consist of obscured glass.

In conclusion, our clients reiterate that they do not object to the applicants' proposals in principle. They are solely focused upon the protection of amenity and privacy at their home and to prevent overlooking between the properties. They are extremely disappointed at the Council's assessment of their concerns and the decision to grant which does not address overlooking.

We urge the Commission to carefully consider this appeal and look forward to notification of your decision in due course.

Please acknowledge safe receipt and direct all correspondence to this office.

Yours faithfully,


John O'Malley

Kieran O'Malley and Co. Ltd.

Encls

ENCLOSURES

1. Cheque for €220.00 payable to An Coimisiún Pleanála
2. DLR decision of grant permission dated 14 September 2026 (Reg. Ref. D26A/0555/WEB)
3. Submission dated 21 August 2026 prepared by Kiaran O'Malley and Company Limited.
4. DLR acknowledgement letter dated 21 August 2026 confirming receipt of a submission.
5. DLR Planning Officer's Report dated 14 September 2026 (Reg. Ref. D26A/0555/WEB)

21 August 2026

Planning Department
Dún Laoghaire Rathdown County Council
County Hall
Marine Road
Dun Laoghaire
Co. Dublin

RE: Permission for 1) Single storey flat roof extension to the rear with 1 no. rooflight, 2) Demolition of existing shed to the rear abutting neighbouring structure, 3) External wall insulation to front of existing dwelling with acrylic render finish, 4) Alterations to front side and rear elevations, 5) Widening of existing vehicular entrance to 3.6m and all associated site works at 8 Woodlands Drive, Glenageary, Co. Dublin.

Reg. Ref.: D26A/0555/WEB

THIRD PARTY PLANNING SUBMISSION

Dear Sir/Madam,

We act for Brian Roche and Marie-Claire Long, 7 Woodlands Drive, Glenageary, Co. Dublin A96 E2K1.

This is a submission by Brian Roche and Marie-Claire Long in relation to the proposed development. Please find attached €20 being the appropriate statutory fee.

Our clients' home is at the west of the application site. Our clients carefully reviewed the proposals set out in the plans and particulars lodged and wish to highlight a few points for the attention of the planning authority in its assessment of the proposed development.

Neither the existing site plan nor the proposed site plan indicate the extension and porch at the rear of our clients' home, 7 Woodlands Drive. A site inspection, or a quick check on Google Maps would have confirmed the extension and porch at the rear of our clients' home. The omission of such key building features does not instil confidence in the accuracy of the information in the application.

Clear and accurate levels information is necessary to understand the relationship between the two residential properties. It is not clear whether a topographical survey was carried out. The drawings appear to be based upon the OS urban place map, which are at a small scale of 1:1000. The existing ground floor level is set as an arbitrary datum of 0.00 and the ceilings, first floor and ridge levels of the applicants' house are tied to this datum. A few spot levels are indicated on the drawings all of them within the application site. No levels are shown at our clients' property or any other property. The levels information is therefore inadequate to properly assess this application.

Figure 1 shows the rear elevation at 7 Woodlands Drive. The rear extension is at the left side of this photograph. Our clients use the rear extension all the time and Marie-Claire often feeds their new infant, Senan, here, so it is vital to their enjoyment of their home to safeguard privacy in this part of the house. The floor level of the rear extension maintains the ground floor level of the house and is approx. 0.60m above the garden level as seen in Figure 1. Steps from the extension and the porch lead down to the garden level at 7 Woodlands Drive.



Figure 1 Rear Elevation 7 Woodlands Drive



Figure 2 View towards 8 Woodlands Drive

Figure 2 was taken from the doorway in the extension at 7 Woodlands Drive looking southeast towards 8 Woodlands Drive. The modest conservatory at the rear of 8 Woodlands Drive is shaded orange on Figure 2 and is visible above the boundary wall. The existing boundary wall measures c. 2m on our clients' side and is not high enough to prevent overlooking between the rear extensions.

A comparison between the existing and proposed site plans shows the considerable increase in the footprint of the proposed rear extension relative to the existing conservatory at 8 Woodlands Drive. The existing conservatory measures 3325mm by 3470mm in plan, and the proposed kitchen/dining area measures 4575mm by 6500mm.

Of even greater significance from our clients' perspective is the proposed increases in the height and size of the glazing in the nearest elevation to 7 Woodlands Drive and the reduced separation of this elevation from their home. Figure 3 is an extract from DRWG. No. PL-10 showing the proposed northwest side elevation facing 7 Woodlands Drive.

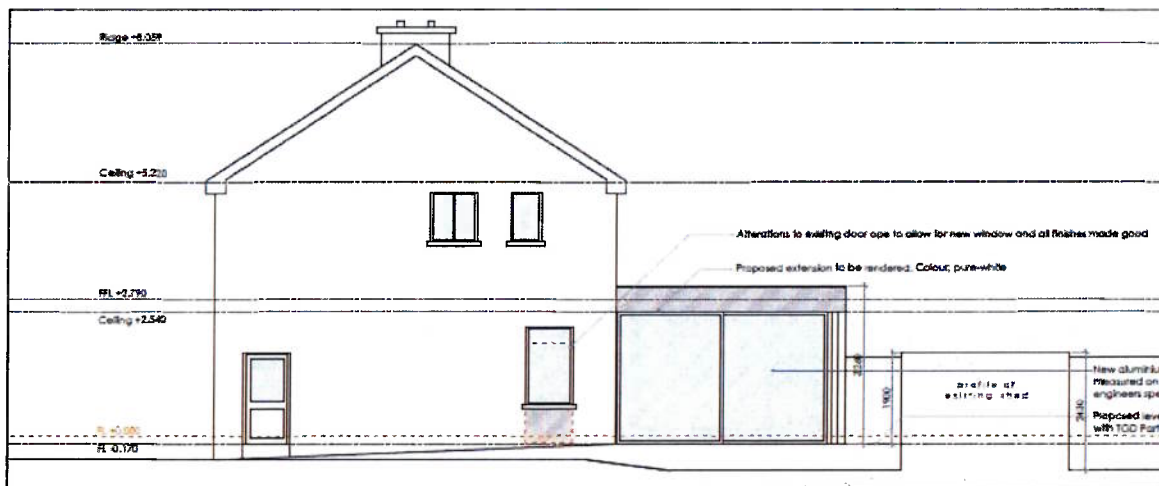


Figure 3 Proposed Side (NW) Elevation (extract DRWG. No. PL-10)

The proposed NW elevation consists of floor to ceiling glass facing 7 Woodlands Drive (Figure 3). Persons standing in the proposed kitchen/dining area or walking out to the patio through the sliding door in this elevation would look directly into our clients' rear garden and their extension. Scaling from the proposed site plan, which does not indicate the separation distance, this side elevation is c. 4.4m from the boundary at our clients' property and almost 12m from the opposing window in the rear extension at 7 Woodlands Drive (which is less than the 16m separation ordinarily required between windows above ground floor level to avoid overlooking). There is no equivalent ground floor separation distance because overlooking is generally prevented by the intervening boundary wall. Figure 2 above shows that existing boundary wall is too low to prevent overlooking, which is corroborated on DRWG. No. PL-09, which shows the proposed rear elevation. Our clients are disappointed that this issue is not identified and addressed in the planning application.

The Existing Section A-A on DRWG. No. PL-06 shows the height of the existing conservatory at 2985mm above ground level. The Proposed Section A-A on DRWG. No. PL-10 shows the equivalent height of the proposed extension at 3800mm. Taken together with the increased depth of the rear extension proposed, the proposed elevation is significantly increased in height and width relative to the existing modest conservatory.

Having regard to the extent of the proposed floor to ceiling glazing facing 7 Woodlands Drive, its proximity to the shared boundary between these properties (c. 4m), the relative levels between the two houses and the existing level of the top of the wall, the proposed development would seriously injure the amenity and privacy enjoyed at our clients' home. A section through the rear extensions at both houses (accurately surveyed and drawn) would reveal the serious injurious overlooking due to the development proposed.

Our clients' therefore object to these proposals in their current form because the proposed design does not have adequate regard to the protection of amenity and privacy at adjoining residential property, specifically 7 Woodlands Drive.

Brian Roche and Marie-Claire Long are primarily concerned with the adverse impact of the proposed extension upon their home. This is the focus of this submission, and they respectfully request the planning authority to subject this proposal to a robust planning assessment. They also asked me to inform the Council that they would welcome a visit to their home by the Case Planning Officer to see the situation "on the ground" and to appreciate their real concern to avoid overlooking and to protect amenity at both properties.

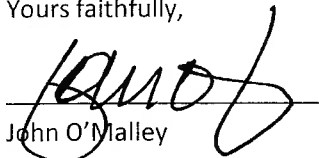
However, they are also concerned with other aspects of the works at 7 Woodlands Drive on the planning drawings. For example, there are windows at ground and first floor levels in the existing side (NW) elevation of the house on DRWG. No. PL-06. All existing windows including the windows in doors at ground floor level consist of obscure glazing. Although the proposed development entails amendments to the NW side elevation, it is not stated on the drawings on in the application that the windows will remain obscure glazed. In the interest of clarity, our clients would welcome confirmation that the windows in the proposed side (NW) elevation are obscure glazed, and invite a planning condition to this effect, if the Council deem it necessary.

Finally, the application documents do not include any details regarding the carrying out of the works. You will appreciate our clients are concerned that they will be living next to a building site for the duration of the works phase. As a minimum, the applicants should provide some form of hoarding or protective screening at the boundary to prevent air-borne dust, dirt and debris coming onto their garden, patio and home. Without prejudice to their concerns with the present proposal, if planning permission is granted, our clients would welcome a condition that the developers are required to submit and agree a construction environmental management plan with the planning authority prior to the commencement of development.

Our clients object to a grant of planning permission for the development as currently proposed. While it is a matter for the planning authority, without prejudice to our clients' concerns, may we suggest the applicants be invited to modify their plans to address the serious negative impact upon the privacy and amenity enjoyed at 7 Woodlands Drive.

Kindly acknowledge safe receipt and direct all correspondence to this office.

Yours faithfully,



John O'Malley
Kieran O'Malley and Co. Ltd.

ENCLOSURE

1. Submission Fee €20

Kiaran O Malley and Co Ltd on behalf of Brian Roche and Marie-Claire Long
Kiaran O Malley and Co Ltd
2, Priory Office Park
Stillorgan Road
Blackrock
Co Dublin
A94 P281

Receipt for Submission

Date: 21-Aug-2026

Register Ref: D26A/0555/WEB **Date Recd:** 22-Jul-2026
Development: 1) Single storey flat roof extension to the rear with 1no. rooflight, 2) Demolition of existing shed to the rear abutting neighbouring structure, 3) External wall insulation to front of existing dwelling with acrylic render finish, 4) Alterations to front side and rear elevations, 5) Widening of existing vehicular entrance to 3.6m and all associated site works.
Location: 8, Woodlands Drive, Glenageary, Co Dublin, A96Y8N1
Applicant: Martin Niland and Lee Dalton
App. Type: Permission

Dear Sir/Madam

I wish to acknowledge receipt of your submission/observation in relation to the above planning application.

All documents are available to view on-line.

You will be notified of the Council's decision in due course.

Please note that, in accordance with Section 251 of the Planning and Development Act, 2000, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24th Day of December and the first day of January, both days inclusive, shall be disregarded**".

Please note, in accordance with Article 35 of the Planning and Development Regulations 2001 – 2012, persons who made a submission or observation on a planning application will only be notified of the receipt of Further Information(FI) or Clarification of Further Information (CFI), where that FI or CFI is considered significant and requires new public notices.

PLEASE RETAIN THE ATTACHED ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION. A PERSON MAKING AN APPEAL TO AN COIMISIUN PLEANALA MUST INCLUDE IN THEIR APPEAL THIS ACKNOWLEDGEMENT BY THE PLANNING AUTHORITY OF RECEIPT OF THE SUBMISSION/OBSERVATION.

Yours faithfully

Mary Quinlan

for SENIOR EXECUTIVE OFFICER

(email: planning@dlrcoco.ie telephone: 01-2054863)

**ACKNOWLEDGEMENT OF RECEIPT OF SUBMISSION OR OBSERVATION
ON A PLANNING APPLICATION**

THIS IS AN IMPORTANT DOCUMENT

Keep this document safely. You will be required to produce this acknowledgement to An Coimisiún Pleanála if you wish to appeal the decision of the Planning Authority. It is the only form of evidence which will be accepted by An Coimisiún Pleanála that a Submission or Observation has been made to the Planning Authority on the Planning Application.

DÚN LAOGHAIRE RATHDOWN COUNTY COUNCIL

Planning Application Reference Number: D26A/0555/WEB

A Submission/Observation in writing has been received from:

Kieran O Malley and Co Ltd on behalf of Brian Roche and Marie-Claire Long
Kieran O Malley and Co Ltd
2, Priory Office Park
Stillorgan Road
Blackrock
Co Dublin
A94 P281

On: 21/08/2026 in relation to the above planning application.

The appropriate fee of €20 has been paid. (fee not applicable to prescribed bodies / Local Authority Elected Members).

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Regulations 2001, (as amended) and will be taken into account by the Planning Authority in its determination of the planning application.

Date 21/08/2026

Mary Quinlan

For Senior Executive Officer

Planning Authority Stamp

21/08/2026
 Comhairle Contae County Council

Kiaran O Malley and Co Ltd
on behalf of Brian Roche and Marie-Claire Long
2, Priory Office Park
Stillorgan Road
Blackrock
Co Dublin
A94 P281

Date: 14-Sep-2026

Register Ref:	D26A/0555/WEB	Date Recd: 22-Jul-2026
Development:	1) Single storey flat roof extension to the rear with 1no. rooflight, 2) Demolition of existing shed to the rear abutting neighbouring structure, 3) External wall insulation to front of existing dwelling with acrylic render finish, 4) Alterations to front side and rear elevations, 5) Widening of existing vehicular entrance to 3.6m and all associated site works.	
Location:	8, Woodlands Drive, Glenageary, Co Dublin, A96Y8N1	
Applicant:	Martin Niland and Lee Dalton	
App. Type:	Permission	

Dear Sir/Madam

I wish to inform you that by Order dated **14-Sep-2026** it was decided to **GRANT PERMISSION** for the above proposal.

For the avoidance of doubt the reasons and recommendations set out in the planners report were generally adopted as set out in the Executive Order, this can be viewed at the Council Offices or the Council website.

First Schedule Reasons And Considerations

Having regard to the 'Objective A' zoning of the site as set out in the Dún Laoghaire-Rathdown County Development Plan, 2022-2028, it is considered that the proposed development will not detract from the amenities of the area and is consistent with the provisions of the current development plan. The proposed development is considered to be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA) Screening

The proposed development has been screened for AA (report on file) and it has been determined that the proposed development would not significantly impact upon a Natura 2000 Site.

Environmental Impact Assessment (EIA) Screening

Having regard to the nature and scale of the proposed development, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and as such a screening determination is not required.

Second Schedule Conditions

1. The development shall be completed and carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. The width of the vehicular entrance herein permitted shall be no more than 3.5 metres in accordance with Section 12.4.8.1 General Specifications of the current DLRCC County Development Plan 2022-2028.

REASON: In order to accord with the County Development Plan 2022-2028.

3. The surface water runoff generated by the extension shall not be discharged to the public sewer but shall be infiltrated locally to a soakaway, as detailed in the application, in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems (SuDS) of the County Development Plan 2022-2028. The soakaway shall be designed to BRE Digest 365 and shall not have an overflow. The offset distance for infiltration from adjacent buildings or structures will be at the professional judgement of a suitably qualified engineer and shall ensure the proposed system has no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a report signed by a Chartered Engineer showing an infiltration test (with results, photos, etc) and shall propose an alternative SuDS measure.

REASON: In the interest of public health.

4. Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3

Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required.

Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

REASON: In the interest of public health.

NOTE 1: It appears that the applicant's land is crossed by a private drain. The applicant is responsible for acquiring any rights or permissions necessary to connect to, or to increase the discharge into, or to build over, or divert, or to ensure the adequate capacity is not exceeded, or otherwise alter any private drains not in their exclusive ownership or control, and for ensuring their adequacy.

NOTE 2: The attention of the applicant is drawn to Section 34(13) of the Planning and Development Act 2000, which relates as follows- 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

NOTE 3: This permission does not imply any consent or approval for the structural stability and/or habitability of the works carried out and does not imply that the structure complies with the Building Regulations.

NOTE 4: Any alterations to the drainage systems within the site are a matter for compliance with the Building Regulation.

NOTE 5: The development shall accord with requirements of Uisce Éireann.

NOTE 6: The issue of encroachment or oversailing is a civil matter the applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

In deciding this planning application, the Planning Authority, in accordance with Section 34 (3) of the Planning & Development Act, as amended, has had regard to any submissions / observations received in accordance with the Planning & Development Regulations, 2001 – 2012 pertaining to this application.

If a decision has been made to Grant or Refuse the application, you may appeal to An Coimisiún Pleanála against the Council's decision within 4 weeks beginning on the date of the decision. An appeal made to An Coimisiún Pleanála by a third party will be invalid unless it is fully complete and accompanied by the correct fee and the Receipt of Acknowledgement issued by the Planning Authority in respect of your Submission/observation on the planning application.

All correspondence in relation to appeals should be addressed to:
The Secretary, An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1.

Please note that, in accordance with Section 251 of the Planning and Development Act, 2000, "where calculating any appropriate period or other time limit referred to in this Act or in any regulations made under this Act, **the period between the 24th Day of December and the first day of January, both days inclusive, shall be disregarded**".

Yours faithfully

Bernie Gilsenan

for Senior Executive Officer

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

Reg. Ref.: D26A/0555/WEB

Date Received: 22-Jul-2026

Add. Info

Req'd:

Name & Address: Jack Murphy, Joe Fallon Design,
Ryland Street, Bunclody, Wexford,
Y21F3C7

Development: 1) Single storey flat roof extension to the rear with 1no. rooflight, 2) Demolition of existing shed to the rear abutting neighbouring structure, 3) External wall insulation to front of existing dwelling with acrylic render finish, 4) Alterations to front side and rear elevations, 5) Widening of existing vehicular entrance to 3.6m and all associated site works.

Location: 8, Woodlands Drive, Glenageary, Co
Dublin, A96Y8N1

Applicant: Martin Niland and Lee Dalton

App. Type: Permission

Level of Decision: Senior Planner East

Report
(Sam Bewley)

Signed: _____
Case Planner

Dated: _____

Planners Report

Planning Ref: D26A/0555

Case Officer: SB

Site Location: 8, Woodlands Drive, Glenageary, Co Dublin, A96Y8N1

SITE DESCRIPTION

The subject site is located on the south side of Woodlands Drive located in a mature residential area surrounded by dwellings of similar size and architectural form characterised by semi-detached two storey dwellings.

On site is a two storey semi-detached dwelling with a pitched roof profile. The dwelling is setback from the public roadway and is served by off-street parking within the front curtilage of the property and private amenity space to the rear.

The subject site is bounded by no. 9 Woodlands Drive to the east, no. 7 Woodlands Drive to the west and no. 13 Granville Road to the south/ rear.

The subject site has a stated area of 0.038ha.

DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development, as stated and as indicated on the plans submitted, comprises the following:

- 1) Single storey flat roof extension to the rear (15sqm in area) with 1no. rooflight,

No.

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

- 2) Demolition of existing shed to the rear abutting neighbouring structure,
- 3) External wall insulation to front of existing dwelling with acrylic render finish,
- 4) Alterations to front side and rear elevations,
- 5) Widening of existing vehicular entrance to 3.6m and all associated site works.

Site Notice

Site notice was in place and legible on 25/08/2026.

SUBMISSIONS / OBSERVATIONS

- 1 no. submission/ observation was received which is summarised as follows:
- Drawings do not reflect neighbours extension,
 - Questions the levels of the site on the drawings and accuracy of same,
 - Overlooking from proposed sliding door due to low boundary wall

PLANNING HISTORY

Subject site

None on file.

Section 5 Referrals

None on file.

Adjacent sites

None on file.

Relevant Development in the vicinity

While there is no recent planning permission in the immediate vicinity it is noted that various dwellings in the locality have constructed rear single storey extensions.

PLANNING ENFORCEMENT

No enforcement files found.

PRE-PLANNING CONSULTATION

No pre-planning recorded.

Departmental Reports

Drainage

Dated: 24/08/2026.

No objection to the proposal subject to conditions report as follows:

NO OBJECTION on the following condition:

1. The surface water runoff generated by the extension shall not be discharged to the public sewer but shall be infiltrated locally to a soakaway, as detailed in the application, in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems (SuDS) of the County Development Plan 2022-2028. The soakaway shall be designed to BRE Digest 365 and shall not have an overflow. The

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

offset distance for infiltration from adjacent buildings or structures will be at the professional judgement of a suitably qualified engineer and shall ensure the proposed system has no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a report signed by a Chartered Engineer showing an infiltration test (with results, photos, etc) and shall propose an alternative SuDS measure.

2. *Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.*

NOTE:

It appears that the applicant's land is crossed by a private drain. The applicant is responsible for acquiring any rights or permissions necessary to connect to, or to increase the discharge into, or to build over, or divert, or to ensure the adequate capacity is not exceeded, or otherwise alter any private drains not in their exclusive ownership or control, and for ensuring their adequacy.

PRESCRIBED BODIES

No referrals made.

RELEVANT POLICY IN DÚN LAOGHAIRE-RATHDOWN COUNTY DEVELOPMENT PLAN 2022-2028

Under the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the site is subject to zoning objective 'A', which seeks 'to provide residential development and improve residential amenity while protecting the existing residential amenities.'

The following policy is relevant to development of this type:

Chapter 3 - Climate Action

- Policy Objective CA5: Energy Performance in Buildings
- Policy Objective CA7: Construction Materials

Chapter 4 – Neighbourhood – People, Homes, and Place

- Section 4.2.1 Sustainable Communities and Neighbourhood Infrastructure
- Policy Objective PHP19: Existing Housing Stock Adaptation

It is a policy objective to:

- Conserve and improve existing housing stock through supporting improvements and adaption of homes consistent with NPO 34 of the NPF.

Dún Laoghaire-Rathdown County Council

LOCAL GOVERNMENT ACTS 1925 - 2014

RECORD OF EXECUTIVE BUSINESS CHIEF EXECUTIVE'S ORDERS

Chapter 12 – Development Management

- Section 12.3 Neighbourhood – People, Homes and Place
- Section 12.3.1 Quality Design
- Section 12.3.7 Additional Accommodation in Built-up Areas, including;
- Section 12.3.7.1 Extension to Dwellings

(ii) Extensions to the Rear

Chapter 13 – Land Use Zoning Objectives

- Section 13.1 Land Use Zoning Objectives

ASSESSMENT

The site is subject to zoning objective A, which seeks 'To provide residential development and improve residential amenity while protecting the existing residential amenities. Residential development is permitted in principle under the zoning objective of the site; the main issues for consideration, therefore, are compliance with policy, visual impact, residential amenity, access and parking, and drainage.

Principle of Development

As noted above, under the Dún Laoghaire-Rathdown County Development Plan 2022-2028, the site is subject to zoning objective 'A', which seeks 'To provide residential development and improve residential amenity while protecting the existing residential amenities, under which residential development is permitted in principle. As such, residential extensions may be permitted where the Planning Authority is satisfied that the development would be compatible with the overall policies and objectives for the zone, would otherwise be consistent with the proper planning and sustainable development of the area.

Residential Amenity & Visual Impact

Demolition

As per the plans submitted the Applicant is seeking to demolish the existing shed and the conservatory to the rear abutting neighbouring structure in order to facilitate the proposed development. Having regard to the nature, extent and location of the proposed demolition works and internal alterations, such works are considered acceptable, subject to the remainder of the development being in accordance with relevant policy and objectives of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

Extension to the Rear

As per the documents submitted the Applicant is seeking permission for a single storey flat roof extension to the rear to provide an additional 15sqm for an open plan kitchen, living and dining area. The extension will project out from the rear building line by c. 4.7m and is c.6m in width. There is glazing proposed on the rear and side/ west facing elevation.

It is considered that the single storey rear extension is sufficiently set back from the neighbouring properties, and being single storey with a flat roof, it is not considered that its bulk and mass will be overbearing to surrounding properties. Furthermore, it is not considered that it will result in any undue overshadowing impacts to same.

Concerns have been raised regarding potential overlooking of neighbouring dwellings, particularly the private amenity space of No. 7 Woodlands Drive. It is noted that No. 7 Woodlands Drive also includes a rear extension similar in size and location to the subject

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proposal with glazing on the side elevation facing towards the subject site. While not entirely applicable here it is noted that the *Sustainable Residential Development and Compact Settlements Guidelines* set out recommended separation distances between opposing windows, generally requiring a minimum distance of 16m between directly opposing habitable room windows at first floor level in order to mitigate overlooking and protect residential amenity.

In this instance, the proposal comprises a single-storey extension of modest size and scale, set back from the shared boundary with No. 7 Woodlands Drive. Given the single storey nature, limited height and scale, any overlooking of the neighbouring property would be indirect rather than direct views. Furthermore, the proposed development does not introduce elevated vantage points or directly opposing windows serving habitable rooms that would give rise to significant overlooking. Having regard to the scale, design and siting of the extension, it is considered that the proposal would not result in an unacceptable loss of privacy or residential amenity for adjoining properties.

Concerns have also been raised in relation overlooking from the north-western side elevation. While it is not stated whether the existing first-floor windows are obscure-glazed or clear-glazed, it is noted that they serve a landing area and a bathroom rather than habitable rooms. Given their function, they would not normally give rise to overlooking concerns.

Private amenity

It is noted that the private amenity space will be reduced to the rear as a result of the proposed development. However, the remaining area of private open space to the rear of the dwelling benefits from a favourable orientation and will be usable and capable of providing a high level of amenity for future occupants, and is therefore considered to be of a high quality and is acceptable to the Planning Authority.

The alterations to the front, side and rear elevations consisting of replacement of windows and removal of garage door and replacement with window area noted and the Planning Authority has no objection to same.

Given the single-storey nature of the proposal, it is considered that the proposed fenestration at ground floor level would not result in any overlooking concerns, nor would it reduce the level of privacy and amenity currently afforded to the adjoining properties. Furthermore it is not considered that the proposed development would have any overbearing, overshadowing or overlooking impact on neighbouring dwellings. The proposed development would, therefore, accord with section 12.3.7.1 of the Dun Laoghaire-Rathdown County Development Plan 2022-2028, subject to conditions:

External Insulation

The Applicant is proposing external wall insulation with an off white colour to the front of the dwelling. It is considered that the materials proposed will harmonise well with the rest of the dwelling, maintains the dwellings existing character and form and it is considered that the materials and finishes do not result in any adverse impacts on the visual amenities of the area or on the general streetscape and does not negatively impact on the character of the house and therefore the Planning Authority has no objection to same.

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Drainage

DLR Drainage Planning have reviewed the proposal and raised no objection, subject to the inclusion of their recommended conditions relating to surface water drainage and hardstanding areas.

The Planning Authority has considered the assessment of DLR Drainage Planning and concurs that the recommended condition should be attached in the event of a grant of planning permission.

Access, Parking and Transport

The Applicant has proposed a vehicular entrance of 3.6m. It is noted that of the dimension indicated would contravene Section 12.4.8.1 General Specifications relating to Vehicular Entrances which requires a maximum vehicular entrance width of 3.5m for a single dwelling. Therefore, the Planning Authority should attach a condition if permission were to be granted requiring the vehicular entrance to be a maximum of 3.5m to accord with the requirements of the County Development Plan.

Third Party Submissions/ Observations

All the third-party submissions/ observations have been reviewed with all planning matters taken into consideration.

APPROPRIATE ASSESSMENT (AA) SCREENING

The proposed development has been screened for AA (report on file) and it has been determined that the proposed development would not significantly impact upon a Natura 2000 Site.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCREENING

Having regard to the nature and scale of the proposed development, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and as such a screening determination is not required.

DEVELOPMENT CONTRIBUTIONS

Residential:		
m ² Proposed New Floor Area		Proposal comprising 15m ² floorspace, as stated under Q. 12 of the submitted Application Form.
m ² Proposed Demolition		Demolition of 6m ² as stated under Q. 12 of the submitted Application Form.

CONCLUSION

Having regard to the Objective A zoning of the subject site, massing, scale and form of the proposed extension elements to the existing dwelling, it is considered that the proposed development would not adversely impact on the residential amenity of adjacent properties by reason of overshadowing, overlooking or overbearing appearance. In addition, it is considered that the proposed development would not detract from the character of the surrounding area, or streetscape, and would be in accordance with relevant policy and the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028. The proposed development would, therefore, be in accordance with the proper planning and

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sustainable development of the area.

RECOMMENDATION

Pursuant to the Planning and Development Acts 2000, (as amended), it is hereby recommended, for the reason set out in the First Schedule hereto, to **GRANT PERMISSION** for the proposed extension in accordance with the plans and particulars, subject to the conditions set out in the Second Schedule.

First Schedule

Reasons And Considerations

Having regard to the 'Objective A' zoning of the site as set out in the Dún Laoghaire-Rathdown County Development Plan, 2022-2028, it is considered that the proposed development will not detract from the amenities of the area and is consistent with the provisions of the current development plan. The proposed development is considered to be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA) Screening

The proposed development has been screened for AA (report on file) and it has been determined that the proposed development would not significantly impact upon a Natura 2000 Site.

Environmental Impact Assessment (EIA) Screening

Having regard to the nature and scale of the proposed development, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and as such a screening determination is not required.

Second Schedule

Conditions

1. The development shall be completed and carried out in its entirety in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.

REASON: To ensure that the development shall be in accordance with the permission and that effective control be maintained.

2. The width of the vehicular entrance herein permitted shall be no more than 3.5 metres in accordance with Section 12.4.8.1 General Specifications of the current DLRCC County Development Plan 2022-2028.

REASON: In order to accord with the County Development Plan 2022-2028.

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3. The surface water runoff generated by the extension shall not be discharged to the public sewer but shall be infiltrated locally to a soakaway, as detailed in the application, in accordance with Section 10.2.2.6 Policy Objective EI6: Sustainable Drainage Systems (SuDS) of the County Development Plan 2022-2028. The soakaway shall be designed to BRE Digest 365 and shall not have an overflow. The offset distance for infiltration from adjacent buildings or structures will be at the professional judgement of a suitably qualified engineer and shall ensure the proposed system has no impact on neighbouring properties. If a soakaway is not a feasible solution then, prior to the commencement of development, the applicant shall submit for the written agreement of the Planning Authority a report signed by a Chartered Engineer showing an infiltration test (with results, photos, etc) and shall propose an alternative SuDS measure.

REASON: In the interest of public health.

4. Any changes to parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SuDS) i.e. permeable surfacing, and in accordance with Section 12.4.8.3 Driveways/Hardstanding Areas of the County Development Plan 2022-2028. Appropriate measures shall be included to prevent runoff from driveways entering onto the public realm as required. Where unbound material is proposed for driveway, parking or hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

REASON: In the interest of public health.

NOTE 1: It appears that the applicant's land is crossed by a private drain. The applicant is responsible for acquiring any rights or permissions necessary to connect to, or to increase the discharge into, or to build over, or divert, or to ensure the adequate capacity is not exceeded, or otherwise alter any private drains not in their exclusive ownership or control, and for ensuring their adequacy.

NOTE 2: The attention of the applicant is drawn to Section 34(13) of the Planning and Development Act 2000, which relates as follows- 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

NOTE 3: This permission does not imply any consent or approval for the structural stability and/or habitability of the works carried out and does not imply that the structure complies with the Building Regulations.

NOTE 4: Any alterations to the drainage systems within the site are a matter for compliance with the Building Regulation.

NOTE 5: The development shall accord with requirements of Uisce Éireann.

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NOTE 6: The issue of encroachment or oversailing is a civil matter the applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

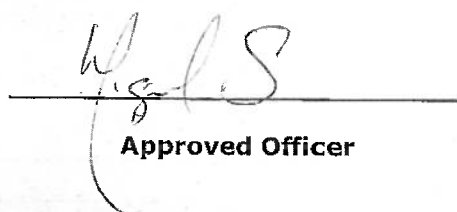

 Senior Executive Planner

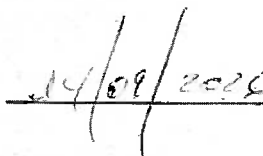
Endorsed: 
 Senior Executive Officer

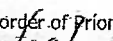
For the avoidance of doubt the above report is adopted generally and the reasons and considerations there in. In particular the recommendation of the Planner and the reasons set out in the first schedule of the report and subject to the conditions set out in the second schedule of the report, and is hereby ordered to grant permission subject to those conditions.

ORDER: A decision, pursuant to Section 34(8) of the Planning & Development Act, 2000, as amended, for Register Reference D26A/0555/WEB, to **GRANT PERMISSION** for the above proposal, subject to the (4) condition(s) as set out above is hereby made.

REG. REF.: D26A/0555/WEB

Signed: 
 Approved Officer

Dated: 

Thereunto empowered by order of  Príomhfhéidhmeannach, Comhairle Contae Dhún Laoghaire-Ráth An Dúin, Order No. 2995, dated 11/06/2014, delegating to me all his powers, functions and duties in relation to the County Council of Dún Laoghaire-Rathdown in respect of this matter.

