

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB2098/26
PROPOSAL	Retention of as built single storey kitchen(12m2) & conversion of garage shed to habitable space (32m2) extension to the rear of existing two storey end of terrace dwelling
LOCATION	12 Windmill Road, Crumlin, Dublin 12, D12FC04
APPLICANT	CEL Property Investment Company Limited, CEL Property Investment Company Limited
DATE LODGED	06-May-2026
ZONING	
APPLICATION TYPE	Retention Permission

Site Notice Inspection: Site notice in position 02/06/26 (checked by AS)

Description of Site and Surroundings:

Number 12 Windmill Road is a two-storey end of terrace house attached to number 14 Windmill Road. There is a lane that runs to the side of the house, between numbers 10 and 12 Windmill Road, which runs to the rear of properties along Crumlin Road and Raphoe Road. The house has an existing two storey- and part single storey rear extension and a garage to the rear.

3.0 Proposed Development

The proposed development consists of retention of as-built single storey kitchen(12m2) & conversion of garage shed to habitable space (32m2) extension to the rear of existing two storey end of terrace dwelling.

4.0 Zoning

Zoning: The subject site is zoned Z1 in the Dublin City Development Plan 2022 – 2028 with the zoning objective 'To protect, provide and improve residential amenities'. 'Residential' is a permissible use within the Z1 zoning.

5.0 Pre-Planning Consultation

No pre-planning indicated on planning application form.

6.0 Relevant Planning History

WEB1196/26: Planning permission refused at number 12 Windmill Road for retention of as built single storey kitchen(12m2) & conversion of garage shed to habitable space (32m2) extension to the rear of existing two storey end of terrace dwelling.

Reason: Having regard to the Z1 zoning objective, which seeks to protect, provide and improve residential amenities, it is considered that the development to be retained, when assessed alongside the existing multi occupancy use, the substandard internal layout, undersized and windowless rooms, and the inadequate private amenity space, would further diminish the limited residential amenity on the site. The proposal would result in substandard accommodation, contribute to the overdevelopment of a constrained site, and seriously injure the amenities of both existing occupants and adjoining properties. The development would set an undesirable precedent, would be contrary to the standards of Appendix 18 of the Dublin City Development Plan 2022-2028, and would therefore be contrary to the proper planning and sustainable development of the area.

7.0 Relevant Enforcement History

E0491/22: House being let into multiple occupancy at number 12 Windmill Road.

8.0 Consultations

Internal Consultees:

- Drainage: No objections subject to conditions.

No further Reports.

Prescribed Bodies

No reports

9.0 Submissions/Observations /Representations

Last date for observations was the 9th of June 2026.

No observations submitted.

10.0 Relevant Policies, Objectives and Standards Dublin City Development Plan 2022 – 2028

Appendix 18: Section 1.1:General Design Principles

Appendix 18: Section 1.2:Extensions to Rear

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.

11.0 Planning Assessment

Number 12 Windmill Road is a two-storey end of terrace house. There is a laneway that runs to the side of the house, between numbers 10 and 12 Windmill Road, and also a laneway that runs to the rear of the property, with access to the side of number 1 Raphoe Road. The house has an existing two-storey rear and side extension. The house also has an extension built onto the rear of the two-storey rear return, which is the subject to this retention application. It is not clear when the two- storey rear and side extension were built onto this property. No recent planning history can be found for these extensions. This should be clarified if permission was to be forthcoming.

The application seeks retention permission for an as-built single storey kitchen(12m²) & conversion of garage shed to habitable space (32m²) extension to the rear of existing two storey end of terrace dwelling.

These works form part of a wider pattern of development on the site, which includes previous extensions and alterations. It is noted, however, that the applicant is not seeking retention for the conversion of the main dwelling to multi-occupancy use, nor for the internal modifications that facilitate that use.

There was a recent refusal on this site for a similar development under Reg. WEB1196/26 for development comprising retention of as-built single storey kitchen(12m²) & conversion of garage shed to habitable space (32m²) extension to the rear of existing two storey end of terrace dwelling.

There is an active enforcement file (Ref. E0491/22) relating to the unauthorised use of the property as multi-occupancy accommodation.

The current application notes in their covering letter that amendments and improvements have been made to the layout which includes the removal of bedroom spaces identified in the inspection by the EHO. In this regard it is noted that the applicant now refers to the two rooms in the converted garage space as store rooms.

As part of the previous application, a report was received from the Environmental Health Officer (EHO). The report confirmed that the dwelling is currently in use as rented accommodation and has functioned as a 13-bedroom shared house for the past three years. An inspection carried out in May 2025 identified that the internal layout at both ground-floor and first-floor levels differs materially from the drawings submitted as part of the current application. The plans submitted are of poor quality and do not identify room uses, but the EHO report confirms the presence of at least 13 bedrooms.

At the time of writing my report, no report has been received from Environmental Health, however the previous report still stands.

The applicant indicates that the property provides only 21 sq.m of private amenity space, and access to this space is only via the rear extension that is the subject of this retention application. These circumstances directly affect the configuration and amenity provision of the dwelling.

The applicant has sought retention only for the rear kitchen extension and the conversion of rear garden structures to habitable rooms. No retention is sought for the conversion of the main dwelling to multi-occupancy use, despite the evidence that such a change has occurred. While Section 4(1)(h) of the Planning and Development Act provides for certain internal works to be exempt where they do not materially affect the external appearance of the structure, this exemption does not apply to changes of use. The use of the property as multi-occupancy accommodation constitutes a material change of use and cannot be exempted. Although the unauthorised use is not directly within the scope of this application, it directly informs the planning impacts arising from the development for which retention is being sought. The works for which retention is sought must therefore be assessed in the context of the established layout and use of the dwelling.

It is noted from the submitted drawings that a number of the rooms on the ground floor layout, presumably in use as bedrooms, fall below the minimum floor areas for bedrooms, as set out in the Design Manual for Quality Housing. For a single bedroom, the minimum standard would be 7.1sqm for a single bedroom and 11.4sqm for a double bedroom. For example, the three rooms at ground floor level in the existing two storey rear return measure off at 5.8sqm, 5.6sqm and 5.6sqm respectively. These rooms would face onto the private amenity space. These are all substandard in size if they are being used as bedrooms. The applicant has not stated the use of the rooms on the drawings, but it is taken from the previous report from the EHO, which refers to 13 bedrooms in the house, that they are being used as bedrooms. The applicant has noted on the current application drawings that the two rooms which do not have external windows to the rear converted garage are to be used for storage purposes. While this is noted, the house appears to have little or no living space other than the rooms shown within the extension as kitchen and living room, which would be inadequate for a 13-bedroom house. Any attempt to designate further rooms within the house as living or dining space, thus reducing the number of bedrooms, could be difficult to monitor or enforce in the future.

The extension as part of this retention application has a kitchen and a living area. The applicant has indicated the two rooms in the converted garage as store-rooms. These rooms do not have external windows. Again, at first floor level some of the rooms would not comply with the minimum standards for single bedrooms, and one of the rooms again does not have an external window. While the applicant has not applied to regularise the multi-occupancy use, the structures now proposed for retention clearly enable or intensify the existing unauthorised residential configuration. It is noted from the drawings that there is an external access door from the living area to the converted garage which would lead out onto the laneway.

Having regard to the above concerns, the development, when viewed within the context of the existing use and internal layout, represents overdevelopment of a constrained site and contributes to substandard residential amenity for occupants and adjoining residents. The limited private amenity space, the provision of windowless and undersized rooms, apparent lack of living space, and the erosion of residential character arising from the development collectively result in undue negative impacts on residential amenity. The proposal is therefore considered to be contrary to the Z1 zoning objective, which seeks *'to protect, provide and improve residential amenities'*, and contrary to the standards set out in Appendix 18 of the Dublin City Development Plan 2022–2028. The development would therefore be contrary to the proper planning and sustainable development of the area.

It is considered that the applicant has not overcome the previous reasons for refusal on this site. The concerns arising from the use of the property in multiple occupancy has not been addressed, and also the inadequate provision of usable private amenity space to cater for a house of this size. The proposed development represents overdevelopment of this site, and sets an undesirable precedent for similar developments, and therefore planning permission should be refused for retention.

There are no third-party observations on file.

It is recommended that planning permission be refused for retention.

11.0 Services and Drainage

The site is located within Flood Zone C (See Map G Vol.7 Dublin City Development Plan 2022-2028). The Drainage Division in their report have no objections to the proposal subject to conditions which is noted.

12.0 Screening for Appropriate Assessment

Having regard to the nature and scale of the proposed development, and the distance to the nearest European site, it is considered that significant effects are not likely to arise, either alone or in combination with other plans and projects that will result in significant effects to any Natura 2000 area. A full Appropriate Assessment of this project is therefore not required.

13.0 Environmental Impact Assessment

Having regard to the nature and scale of the proposed development and the distance of the site from nearby sensitive receptors, 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 a screening determination is not required.

14.0 Recommendation

Refuse Permission for Retention

It is recommended that planning permission be refused for retention for the following reason:

1. Having regard to the Z1 zoning objective, which seeks to protect, provide and improve residential amenities, it is considered that the development to be retained, when assessed alongside the existing multi occupancy use, the substandard internal layout, undersized and windowless rooms, and the inadequate private amenity space, would further diminish the limited residential amenity on the site. The proposal would contribute to substandard accommodation and to the overdevelopment of a constrained site, and would seriously injure the amenities of both existing and future occupants and adjoining properties. The proposed development, in itself and in the precedent it would set, would be contrary to the standards of Appendix 18 of the Dublin City Development Plan (2022-2028), and would therefore be contrary to the proper planning and sustainable development of the area.