



An
Coimisiún
Pleanála

Inspector's Report ABP-322726-25

Development	Retention of an existing garden studio in rear garden.
Location	86 Hunters Walk, Ballycullen, Dublin 24, D24P7W3
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD25B/0154W
Applicant(s)	Justin Prendiville
Type of Application	Retention Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party Vs Refusal
Appellant(s)	Justin Prendiville
Observer(s)	None
Date of Site Inspection	12/09/2025
Inspector	David Freeland

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1.0 Site Location and Description

The appeal site is located within an established residential estate accessed off the Ballycullen Road to the east (c.1.2km from junction 12 on the M50). The estate is noted by a mix of housing types comprising 2-3 storey dwellings and apartment development.

The subject site contains a three-storey semi-detached dwelling noted by an articulated front elevation, part brick and part render and a pitched roof. The dwelling has an existing single storey sunroom extension to the rear. The rear garden contains a single storey structure (part pitched, part flat roof) positioned adjoining the side (south) and rear (west) boundary and a small shed adjoining the rear and northern boundaries. The rear garden has a separate pedestrian access to the side passage of the dwelling. The property is served by on-street car parking.

2.0 Proposed Development

The application is for retention permission of 3sq.m of an existing single storey detached structure (stated as a garden room studio) located within the rear garden of no. 86 Hunter's Walk. The development description indicates that the area proposed to be retained relates to a portion of the garden room structure which is 'over exempted development sizing'.

The development to be retained forms part of a single storey detached structure comprising a hipped roof structure and flat roof structure. The appeal documentation states that the original detached structure (stated area of 12sq.m) in the rear garden encompassing the section with a hipped roof was constructed in 2003. It is stated that this structure was extended in 2020 by 8sq.m which comprises the section of the development with a flat roof. This resulted in the development having an internal floor area of 20sq.m and external footprint of 26.87sq.m.

The submitted floor plans indicate that the original structure (with hipped roof) is laid out as an office/studio with a WC while the new structure (with flat roof) has a kitchenette. The site visit generally confirmed this layout. The external of the structure has been finished with a white render. The rear garden retains c. 73 sq.m of private open space.

3.0 Planning Authority Decision

3.1. Decision

On the 13th May 2025 the planning authority decided to refuse permission for the following two reasons:

- 1. The detached structure resembles a semi-independent/self-contained structure as it contains a kitchenette and toilet and it is further noted the proposals are not described as a family flat, nor do they meet CDP criteria for same. In the interests of orderly development and residential amenities more generally, the development hereby proposed is contrary to Built Form Principle 6 Detached Garden Rooms and Sheds of the House Extension Guide 2025 and related Section 12.6.8 and Policy H14 of the County Development Plan 2022-2028 and therefore contrary to the proper planning and sustainable development of the area.*
- 2. The proposed development would set an undesirable precedent for other similar developments, which would in themselves and cumulatively, be harmful to the residential amenities of the area and would be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

- Procedural Note: Relating to the development description which refers to exceedance of exempted development maxims, the planning authority indicates that the planning assessment of the application examines criteria pursuant to the adopted County Development Plan and not exempted development provisions under the Section 5 application procedures. The planning authority refer to a previous declaration (not exempt) under Reg. Ref. ED25/0010 relating to a Section 5 application for an 8sq.m extension to an existing garden room. The planning authority note that the 3sq.m subject of the application forms part of a wider garden room structure (26.87sq.m) as indicated on submitted plans and will assess it as such.
- Zoning: it is indicated that a garden room structure ancillary to an existing dwelling is permitted in principle under the “RES’ zoning objective subject to

the criteria under Built Form Principles set out within SDCC House Extension Design Guide (2025).

- Visual and Residential Amenities: Having regard to the built form, location and single storey nature of the outbuilding, it is considered that the structure does not adversely impact on the amenities of the subject site or adjacent properties by way of overbearing appearance, overlooking or significant overshadowing, is ancillary to the main dwelling and does not detract from the visual amenities of the area.
- Garden Room Policy: The provision of a bathroom/toilet and kitchenette is considered an unacceptable inclusion within the development, and the structure presents as an independent habitable structure, contrary to BFP1 and BFP6 of the SDCC House Extension Design Guide. It is recommended that retention permission be refused.
- Access and Car Parking: proposal acceptable.
- Infrastructure and Environmental Considerations: it is recommended that conditions be applied regarding SuDS provision. Additional information requested relating to Uisce Eireann requirements for adequate setback from water and foul infrastructure.
- Green Infrastructure. Site is not located within any GI Corridor, Link or Core Area. Location and scale/nature of development, development will not have undue impacts on any grassland or permeable surfaces.
- EIA/AA: The assessment within the planning report indicates that there is no requirement for appropriate assessment or environmental impact assessment.

3.2.2. Other Technical Reports

None.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None.

4.0 Planning History

Section 5 Applications

P.A. Ref. ED25/0010: Section 5 Application for a Single Storey Extension of 8sqm (Constructed in 2020) – Declared not Exempt

The Planning Authority considered that the structure was not exempted development under the provisions of Schedule 2, Part 1, Class 3 of the planning regulations on the basis of the following:

- The planning authority interprets '*total area*' under condition/limitation 2 to include the external and not the internal dimensions of a proposed structure and differentiated a Class 3 development from other classes which refer to floor area (internal rather than footprint).
- The planning authority considered the structure complied with all other conditions/limitations for a Class 3 development.

Section 34 Applications

There are no specific planning applications relating to the subject dwelling following its construction (86 Hunter's Walk). The following relate to the original permission and subsequent amendment applications for the residential development accessed off Ballycullen Road.

P.A. Ref. SD02A/0620: Permission Granted for modifications to house type E permitted under Reg Ref. S00A/0920.

P.A. Ref. SD02A/0535: Permission Granted for change of house types to comply with condition No. 6 of Reg. Ref. S00A/0920.

P.A. Ref. SD02A/0463: Permission Granted for modifications to Block F1 in accordance with condition No. 10 at Reg Ref. S00A/09 requiring additional childcare facilities.

P.A. Ref. S02A/0151: Permission Granted for a change of house types in accordance with Condition No. 5 of Reg. Ref. S00A/0920.

P.A. Ref. S02A/0055: Permission Granted for a change of house types and boundary modifications.

ABP ref. 06S.125497 (P.A. Ref. S00A/0920): Permission Granted for 655 residential units, 1181 car parking spaces, landscaping and site development works and construction of distribution road.

Enforcement

Ref. S9335: Live Case relating to the Garden Room in rear garden.

5.0 Policy Context

5.1. National Guidance and Legislation

Planning and Development regulations 2001, as amended

Schedule 2, Part 1, Class 3 of the Regulations provide for the following:

Column 1 Description of Development	Column 2 Conditions and Limitations
<i>Development within the curtilage of a house</i> CLASS 3 The construction, erection or placing within the curtilage of a house of any tent, awning, shade or other object, greenhouse, garage, store, shed or other similar structure	<ol style="list-style-type: none">1. No such structure shall be constructed, erected or placed forward of the front wall of a house.2. The total area of such structures constructed, erected or placed within the curtilage of a house shall not, taken together with any other such structures previously constructed, erected or placed within the said curtilage, exceed 25 square metres.3. The construction, erection or placing within the curtilage of a house of any such structure shall not reduce the amount of private open space reserved

	<p>exclusively for the use of the occupants of the house to the rear or to the side of the house to less than 25 square metres.</p> <p>4. The external finishes of any garage or other structure constructed, erected or placed to the side of a house, and the roof covering where any such structure has a tiled or slated roof, shall conform with those of the house.</p> <p>5. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres.</p> <p>6. The structure shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses, or for any other purpose other than a purpose incidental to the enjoyment of the house as such.</p>
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Public Consultation for Review of Exempted Development (July 2025)

The Department of Housing, Local Government and Heritage has recently undertaken public consultation (closed on 26th August 2025) as part of the review of exempted development regulations and has identified specific areas that need updating including domestic exemptions. Of relevance to the subject appeal, the review includes draft proposal for detached habitable accommodation in rear gardens as follows:

- *Size – the maximum size of the detached unit needs to be considered but could be up to 45m².*
- *The unit must comply with building regulations.*

- *Access – how will the unit be accessed.*
- *Garden size – the size of the residual private garden space that should be retained and set back distances from boundary walls. Under current exemptions for extensions to dwellings, 25m² of private garden space must be retained in the interests of residential amenity.*
- *Where there are individual waste water treatment systems ensuring adequate capacity.*

5.2. Development Plan

South Dublin Development Plan 2022 – 2028

Land Use Zoning:

The proposed development site is zoned as 'RES' with the stated land use zoning objective 'To protect and / or improve residential amenity'.

Relevant Sections/Policies

Section 6.8 Residential Consolidation in Urban Areas

Section 6.8.2 Residential Extensions

- Policy H14: Residential Extensions Support the extension of existing dwellings subject to the protection of residential and visual amenities.
- H14 Objective 1: To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).
- H14 Objective 2: To review and update the South Dublin County Council House Extension Design Guide, 2010 during the lifetime of this Development Plan, to include a review of design options for mid terrace type extensions with a view to facilitating these extensions in Local Authority housing where appropriate.

Section 12.6.8 Residential Consolidation

- Extensions The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

The Development Plan and the House Extension Design Guide, 2010 does not include specific policy or criteria for detached sheds/garden rooms. A subsequent document, the House Extension Design Guide 2025 was published in February/March 2025 in line with the requirements of H14 Objective 2. Relevant extracts of the document relating to garden rooms are outlined below.

SDCC House Extension Design Guide 2025

Section 3.6 Garden Rooms and Section 3.6.2 Built Form Principle (BFP) 6 –sets out specific criteria for detached Garden Rooms and Sheds as follows:

- *Should ensure adequate rear amenity space is retained.*
- *Should be of a scale that is subordinate to the main house.*
- *Should be sited and designed so as not to adversely impact on the amenities of adjacent properties.*
- *Should provide for uses wholly ancillary to the main house.*
- *Should not include toilet and or sanitary facilities.*

5.3. Natural Heritage Designations

The following natural heritage designations are located in the general vicinity of the proposed development site:

- The Dodder Valley Proposed Natural Heritage Area (Site Code: 000991), approximately 1.6km north-west of the site.
- The Glenasmole Valley Proposed Natural Heritage Area (Site Code: 001209), approximately 2.9km south-west of the site.

5.4. EIA Screening

The development to be retained 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.

5.5. Water Framework Directive

The subject site is located in an established residential area within proximity to the River Dodder_040 Waterbody IE_EA_09D010620. The subject site is positioned to the eastern side of the residential estate, adjacent to the Ballycullen Road which immediately adjoins the River Dodder_040 Waterbody, c. 32m from the site.

The application is for retention of an existing garden room and studio within the rear garden of a 3-storey dwelling.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development to be retained 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 significant risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- Nature of works e.g. small scale and nature of the development

Conclusion

I conclude that on the basis of objective information, that the development to be retained does 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.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal of the planning authority's decision to refuse permission has been submitted. The grounds of appeal can be summarised as follows:

- The appellant refers to a recent Section 5 Application to SDCC relating to the subject garden room studio which was deemed not exempt by SDCC as the total footprint of the structure exceeded 25sq.m (footprint area of 27sq.m).

The appellant was not aware that the exempted development regulations for Class 3 development related to footprint as opposed to internal dimension when they constructed an 8sq.m extension in 2020 to a pre-existing single storey garden building (12sq.m – constructed in 2003), resulting in a garden room with a total internal area of 20sq.m.

The appellant notes that the use of the Garden Room is a studio/home office.

The Retention application therefore relates to a development of 3sq.m on the contention that the remainder (24sq.m) constitutes as exempted development.

- The planning authority assessment incorrectly describes the garden room structure as a dwelling.
- The planning authority has assessed the entirety of the structure which includes the area which is exempted development and not only the element which is the subject of the planning application.
- The planning authority have clearly stated that the structure itself does not adversely affect the site or surrounding properties, the visual amenities of the area and is ancillary to the main dwelling. This demonstrates that the structure in itself, is not problematic.

- The appellant contends that the structure is not being used as a habitable residential accommodation but as a non-habitable use ancillary to the main use of the house.
- The subject structure was constructed in 2020, 5 years prior to the SDCC House Extension Design Guide 2025. The appellant suggests that the singular issue is that the building does not conform with the 'Built Form Principle 6' as it contains a toilet, contrary to BFP6. The appellant argues that the 2025 Design Guide is being applied retrospectively and in their view, should not be. The appellant notes that the SDCC House Extension Design Guide 2010 which was in effect when the structure was built does not refer to sanitary facilities in garden rooms.
- Garden rooms are being extensively constructed across the country inclusive of toilets under the exempted development provisions of Class 3 development, of Part 2 Schedule 2 of the Planning and Development Regulations, 2001, as amended which does not prohibit toilets.
- The appellant provides comments to indicate, based on their assessment, how the structure complies with the limitations of a Class 3 development, namely, the structure is not forward of the front wall of the house, the internal area is 20sq.m (footprint of 27sq.m), total private open space retained is 73sq.m, the external finishes conform with those of the house, the height of the structure does not exceed 4m, or, in any other case, 3m and the structure is not being used for human habitation or for the keeping of animals and has a use incidental to the enjoyment of the house.
- While the appellant states that the structure is not in use for human habitation, the appellant refers to potential new legislation that may have taken effect by time appeal is under consideration.

6.2. Planning Authority Response

In a letter dated 09/06/2025, the planning authority confirmed its decision and that the issues raised in the appeal have been covered in the Chief Executive's Order.

6.3. Observations

None

6.4. Further Responses

None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- The principle and nature of the proposed development
- Residential and Visual Amenity
- Compliance with Garden Room Criteria
- Drainage

7.2. The principle and nature of the proposed development

7.2.1. The subject site is located within an area zoned 'RES' within the South Dublin County Development Plan 2022-2028 (CDP) with the accompanying objective '*To protect and / or improve residential amenity*'. '*Residential*' development is permitted in principle under the site's zoning. I am satisfied that a 'garden room' structure within the rear garden of a dwelling comes within the scope of residential development being typically ancillary to the main dwelling and therefore is acceptable in principle. Policy H14 Objective 1 and Section 12.6.8 of the Development Plan require extensions to comply and have regard to the South Dublin Council House Extension Guide (2010) or any superseding guidelines. A subsequent document, the House Extension Design Guide 2025 was published in February/March 2025 in line with the requirements of H14 Objective 2 and contains specific criteria for detached garden room structures.

- 7.2.2. The appellant has proposed retention of 3sq.m (2sq.m internal floor space) of part of the flat roofed section of the garden room building constructed in 2020 which contains a kitchenette. The appellant's basis for this proposal is that the remainder of the garden room constitutes as exempted development under Class 3 of Schedule 2, Part 1 of the Planning and Development Regulations, 2001 as amended.
- 7.2.3. While the application is described as relating to 3sq.m, this element is physically and functionally part of the wider single storey garden room structure with an external area (footprint) of 27sq.m. In the context of the subject appeal, I do not consider it appropriate to determine whether the remainder of the garden room structure is or is not exempted development which may only be established by way of a Section 5 application and/or a subsequent referral to the Commission. For the purposes of this appeal, the 3sq.m cannot be considered in isolation and its acceptability depends on the planning merits of the wider structure and its use. I note the planning authority's approach in assessing the entire structure, and I concur that this is the only practical and reasonable method of assessment for the development to be retained.
- 7.2.4. The appellant has indicated that the garden room structure was originally constructed in c. 2003 with the later addition constructed in 2020. A review of ACP GIS mapping and Google satellite imagery would suggest that the above dates are likely correct. I note that the original garden room structure constructed in c. 2003 incorporates a W.C. Given the length of time that the structure has existed, the question of existing use rights arises. It is therefore necessary to distinguish between the longstanding garden room and the more recent 2020 extension which is the subject of the current appeal. While an appeal may not be appropriate to adjudicate on exempted or statute barred development, the presence and use of the original garden room must be recognised in assessing what conditions may be reasonably imposed.

7.3. Residential and Visual Amenity

- 7.3.1. The garden room structure is located adjoining the side (south) boundary shared with no. 88 Hunter's Walk and 2 Hunter's Place and the rear (west) boundary shared with 82 Hunter's Walk. The submitted floor plans indicate that the building has an internal floor area of 20sq.m and an external area (footprint) of 27sq.m. The pitched

roof of the garden building has a height of 3.7m reducing to 2.7m at eaves level while the flat roof section of the development has a height of 2.6m. The property retains 73sq.m of private open space which is adequate to serve the dwelling. The structure is not visible from the public realm. I note the planning authority had no objection to the retention of the structure in terms of residential and visual amenity considerations. Having regard to the location, scale and height of the building and relationship to neighbouring dwellings, I am satisfied that the development does not give rise to undue impacts on the residential and visual amenities of the area. I do not object to the retention of the structure on this basis.

7.4. Compliance with Garden Room Criteria

- 7.4.1. The planning authority refused permission relating to the resemblance of the structure as a semi-independent/self-contained unit by reason of inclusion of a toilet and kitchenette, contrary to Built Form Principle (BFP) 6 of the 2025 House Extension Design Guide.
- 7.4.2. I acknowledge the appellants submission that the structure is used as a home office/studio and not a habitable structure and that the building was constructed prior to the publication of the 2025 House Extension Design Guide. I acknowledge the Council's view that the inclusion of both a W.C. and kitchenette give the building the appearance and the functionality of a self-contained residential unit, particularly considering the potential for an independent access via the side passage. This raises a legitimate concern relating to the potential use for human habitation.
- 7.4.3. With regards to the W.C. in the original (2003) structure, I do not consider it reasonable to now require its removal. The original structure has existed for a prolonged period and in my view, is likely to enjoy the benefit of existing use rights. Therefore, I do not consider it appropriate to condition the removal of the W.C. I do not consider the critical planning issue to be the inclusion of sanitary or kitchen facilities in the garden room, rather the potential use of the building as a separate unit of accommodation.
- 7.4.4. Having regard to the otherwise acceptability of the structure in terms of scale, its limited impact on amenity and marginal total area above the maximum standard of

25sq.m under a Class 3 development, I consider that a refusal of permission is disproportionate and not justified.

- 7.4.5. Having regard to the potential for habitable use of the structure I consider that the planning authorities concerns may be addressed by way of condition requiring that the structure be used only for purposes incidental to the enjoyment of the dwelling, shall not be for habitable purposes. I am satisfied that such conditions will ensure that the structure functions as an ancillary garden room, consistent with the Development Plan policy and guidance and will avoid the potential for a self-contained residential unit.
- 7.4.6. The grounds of appeal requests that the Commission take into account any new planning legislation, specifically relating to habitable units in homeowners gardens. The DoHLGH consultation (July 2025) has proposed making provision for a habitable detached unit with an area up to 45sq.m which complies with building regulations and 25sq.m of private garden space is retained. The draft provisions include considerations relating to provision of set-backs from boundary wall, how the unit will be accessed and potential individual waste water treatment systems to ensure adequate capacity. While the conditions/limitations and timing of any forthcoming legislation is uncertain, it may reflect a policy direction towards greater flexibility of such accommodation although it should not be determinative in the context of the subject appeal.

7.5. Drainage

- 7.5.1. There are no reports on file from the Water Services in SDCC relating to the subject proposal. In the event of a grant of retention permission, the planning authority report indicated that it is appropriate that a condition be attached regarding SuDs provision to accord with Development Plan policy regards surface water management (Policy G14: Sustainable Drainage Systems and Section 12.11.1: Water Management). It was further indicated that not details of feasibility from Uisce Eireann accompanied the application and considered it warranted further information. I consider these issues may be addressed by way of condition.

8.0 AA Screening

The application is for retention permission of a detached single storey structure which forms part of a wider structure with a stated use of garden room located within the rear garden of no. 86 Hunter's Walk.

No nature conservation concerns were raised in the planning appeal.

Having considered the nature, small scale and location of the project, and taking account of the screening determination of the planning authority, I am satisfied that it can be eliminated from further assessment because there is no link to any European Site.

I conclude, on the basis of objective information, that the development to be retained does not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Appropriate Assessment, therefore, is not required.

9.0 Recommendation

I recommend that retention permission be granted for the garden room structure based on the below reasons and considerations and subject to the conditions hereunder.

10.0 Reasons and Considerations

1. Having regard to the residential zoning of the subject site within the South Dublin Development Plan 2022 - 2028, the policies and objectives of the Development Plan includes Policy H14 relating to residential extensions and Section 12.6.8 Residential Consolidation, the provisions of the SDCC House Extension Design Guide 2025, in particular Section 3.6 and Built Form Principles 6 relating to detached garden rooms, the established character and pattern of development in the area, the scale, height and siting of the garden room structure within the rear garden and retention of sufficient private open space, it is considered that, subject to compliance with the conditions set out below, the retention of the development would not seriously injure the residential or visual amenities of the area. The development would therefore

be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be retained 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. The structure shall be used for purposes incidental to the enjoyment of the dwelling on the site and shall not be used as separate, independent residential accommodation or for the carrying on of any trade or business.

Reason: In the interest of orderly development.

3. The disposal of surface water shall comply with the requirements of the planning authority for such works and services. Within three months of the order, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: To prevent flooding and in the interests of sustainable drainage.

4. Within 3 months of the date of the order, the developer shall submit details to the planning authority to demonstrate that the development has adequate separation distances from Uisce Eireann water and foul infrastructure or submit a letter of feasibility from Uisce Eireann for the written agreement of the planning authority. In the event that such infrastructure is identified beneath or adjacent to the structure to be retained, the developer shall liaise with Uisce Eireann and shall comply in full with their requirements.

Reason: in the interests of public health and to ensure protection of existing public water and wastewater infrastructure.

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.

David Freeland
Planning Inspector

16/09/2025

Form 1 - EIA Pre-Screening

Case Reference		
Proposed Development Summary	Retention of an existing garden studio in rear garden	
Development Address	86 Hunters Walk, Ballycullen, Dublin 24, D24P7W3	
		In all cases check box 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)		<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2. <input type="checkbox"/> 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)?		
<input type="checkbox"/> 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
<input checked="" type="checkbox"/> 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?		
<input checked="" type="checkbox"/> 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.		
<input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required		State the Class and state the relevant threshold

<input type="checkbox"/> 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)	State the Class and state the relevant threshold
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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 <input type="checkbox"/>	Screening Determination required (Complete Form 3)
No <input checked="" type="checkbox"/>	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____