

An  
Coimisiún  
Pleanála

## Inspector's Report

**ACP-323151-25**

### Development

Retention permission is being sought for part of the development comprising the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance from the street, as well as the repaving of the front driveway.

Planning permission is being sought for the construction of a first floor extension of area 25 sq. at the south-west side of the house comprising a bedroom and bathroom.

### Location

32 Castleknock Elms, Laurel Lodge, Dublin 15 D15 EC99.

### Planning Authority

Fingal County Council.

### Planning Authority Reg. Ref.

FW25A/0208E.

### Applicant(s)

Richard Day.

### Type of Application

Retention Permission and Permission

<b>Planning Authority Decision</b>	Grant Retention Permission and Permission.
<b>Type of Appeal</b>	First Party and Third Party.
<b>Appellant(s)</b>	Richard Day. Attracta Desmond. .
<b>Observer(s)</b>	None.
<b>Date of Site Inspection</b>	10 <sup>th</sup> October, 2025.
<b>Inspector</b>	Aiden O'Neill.

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## **1.0 Site Location and Description**

- 1.1 The proposed development site, 0.078ha in area, is located in the established residential estate of Castleknock Elms. It comprises a two-storey 4-bed detached dwelling, with a pitched roof c. 6.8m in height to ridge level, front gable, and a more recently constructed side and rear single-storey ground floor flat-roofed extension. The dwelling is c. 158m<sup>2</sup> in area overall. There is a wooden shed, c. 20m<sup>2</sup>, in the rear garden area.
- 1.2 The dwelling is set back from the estate road at the end of a bend in the road, with paved wide driveway, and is bounded to the north by a low boundary wall with front capped pier and hedge, and to the south by a small pier and hedge. To the north and south are 34 and 30 Castleknock Elms respectively. The M50 and associated landscaped buffer is located further south. Further north is Laurel Lodge Green, Castleknock train station and the Royal Canal.

## **2.0 Proposed Development**

- 2.1 The proposed development consists of the retention of the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance, and repaving of the driveway. There is space to accommodate 2no. car parking spaces.
- 2.2 Permission is also sought for development which will consist of the construction of a first-floor extension to the side and rear, with pitched roof, at the south-west side of the house comprising a rear bedroom and front bathroom, and front and rear fenestration to match existing, with the front window to be in frosted glass. The gable wall will have no fenestration. The extension will be finished in off white render to also match the existing first floor elevational treatment. The proposed side extension will be 0.4m lower at ridge level than the existing roof, while the rear extension will be 0.9m lower at ridge level. 2no. rooflights will be installed. The total floorspace of the proposed works is 25m<sup>2</sup>. The existing flat roof to the side extension will be demolished to facilitate the first-floor extension.

## **3.0 Planning Authority Decision**

### **3.1 Decision**

The Planning Authority granted permission on 1<sup>st</sup> July, 2025, subject to 7no. conditions.

#### **3.1.1. Conditions**

Of the 7no. conditions, the following is of note:

Condition 3: Within 3 months of the final grant of permission the applicant/developer shall submit, for the written agreement of the Planning Authority, an amended proposal for the site entrance which shows a width of 4.0m between piers. The works shall be completed within 12 months of the date of the final grant of planning permission.

Reason: In the interest of clarity and to ensure proper planning and sustainable development and in the interest of public safety.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

The report of the Senior Executive Planner dated 1<sup>st</sup> July, 2025 notes the following:

- Residential extensions are considered acceptable in principle in RS zoned lands subject to compliance with the relevant policies and objectives of the Plan.
- The widening of the vehicular entrance from c. 3.4m to c. 5.8m. The changes to the surfaces are considered acceptable, however a vehicular entrance wider than 4m can increase pedestrian vehicular conflicts.
- The extension measures 25sqm, with a width of c. 1.8m along the front elevation and up to 4.14m along the rear elevation, retaining the existing side access of 0.9m wide.
- The proposed windows will have sufficient separation distance and are unlikely to result in any undue overlooking.

- The extension set back of c.1.3m from the front elevation and c. 2.08m from the existing first floor rear façade. Any overshadowing impacts will be minor and limited to early morning sun. It is of a scale that is to be expected of a suburban site.
- Having regard to its location, the proposed development is unlikely to result in any undue overshadowing or result in overlooking.
- The proposed development will not impact existing setbacks or quantum of private open space.
- The Transportation Planning Section's request for Further Information can be addressed by condition.
- The Senior Executive Planner's report is the basis for the Planning Authority's decision to grant permission, including condition 3.

### 3.2.2. Other Technical Reports

The report of Water Services dated 9<sup>th</sup> June, 2025 states no objection subject to conditions.

The Transportation Planning report dated 23<sup>rd</sup> June, 2025 states that the Transportation Planning Section seeks to limit the conflict between pedestrians and vehicles and in general access widths for vehicles are normally a maximum of 4.0m between piers. The optimum width of entrances for pedestrian vehicular intervisibility is considered 4m. The Transportation Planning Section would not support the removal of the front boundary. An amended proposal requested by way of further information detailing a proposed site entrance which has a width of 4.0m between piers.

### 3.3. Prescribed Bodies

None.

### 3.4. Third Party Observations

1no. Third Party observation was received, citing the following issues:

- Significant overdevelopment, negatively impacting adjoining properties.
- The remaining reduced garden is concentrated along the boundary.

- The proposed bathroom and bedroom sizes are excessive.
- The projection of over 2m from the rear wall results is intrusive and negatively impacts the amenities of adjoining properties.
- Roof heights are unrealistically low and barge and eaves are likely to have much greater overhang.
- Permission was previously refused for a two-storey extension.
- The constructed extension provides little of a buffer.
- Screen planting along the southern boundary was a specific condition of the previous permission FW22B/0070.

## 4.0 Planning History

### 4.1 The following planning history applies:

- FW22B/0070 Permission granted on 23<sup>rd</sup> August, 2022 for the demolition of an existing detached garage and conservatory and the construction of a single-storey extension at the south-western side comprising a tool store and children's playroom; a second single-storey extension to the rear; front porch to entrance and store entrance.
- PL06F.237216 (FW10B/0049): Permission refused on 18<sup>th</sup> November, 2020 by An Coimisiún Pleanála on appeal after a notification to grant planning permission for the demolition of a garage and the construction of a two-storey extension linked into the side of the house for 1no. reason as follows:

*It is considered that the proposed two-storey extension to the side of 32 Castleknock Elms, by reason of its design and layout directly adjacent to and flush with the southwestern boundary with 30 Castleknock Elms, when taken in conjunction with the existing development to the north of the site, would result in a visually incongruous pattern of development at variance with the established residential estate, characterised by detached and semi-detached dwellings with visual relief between blocks. The proposed development*

*would seriously injure the residential amenity of the area, would set an undesirable precedent for similar development in the vicinity and would, therefore, be contrary to the proper planning and sustainable development of the area.*

## **5.0 Policy Context**

### **5.1 Development Plan**

#### **Fingal County Development Plan 2023-2029**

- The proposed development site is zoned RS - Residential, the objective of which is to provide for residential development and protect and improve residential amenity. The vision is to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity.
- Section 3.5.13.1 sets out the relevant policies with respect to residential extensions, including:
  - Policy SPQHP41: support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.
  - Objective SPQH045: encourage sensitively designed extensions to existing dwellings which do not negatively impact on the environment or on adjoining properties or area.
- Section 14.10.2 of the Plan sets out the policy objectives for residential extensions. It is stated that the need for housing to be adaptable to changing family circumstances is recognised and acknowledged and the Council will support applications to amend existing dwelling units to reconfigure and extend as the needs of the household change, subject to specific safeguards.
- Section 14.10.2.2 of the Plan specifically deals with side extension. It is stated that such extensions will be evaluated against proximity to boundaries, size and visual harmony with existing (especially front elevation) and impacts on residential amenity. First floor side extensions built over existing structures and matching existing dwelling design and height will generally be



acceptable. In certain cases, a set-back of the extension's front facade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape and avoid a 'terracing' effect. External finishes shall generally match the existing.

- Section 14.10.2.4 of the Plan specifically deals with first floor extensions roof. This states that first floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:
  - Overshadowing, overbearing, and overlooking – along with proximity, height, and length along mutual boundaries.
  - Remaining rear private open space, its orientation and usability.
  - Degree of set-back from mutual side boundaries.
  - External finishes and design, which shall generally be in harmony with existing.

## **5.2. Relevant National or Regional Policy / Ministerial Guidelines**

### **Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024**

Section 4.4 of the Guidelines in relation to Key Indicators of Quality Design and Placemaking states that in all urban areas, planning authorities should actively promote and support opportunities for intensification. This could include initiatives that support the more intensive use of existing buildings (including adaption and extension).

### **Quality Housing for Sustainable Communities, Guidelines for Planning Authorities, 2007**

Section 5.2 of the Guidelines state that in so far as practicable, the design should provide for flexibility in use, accessibility and adaptability. The aim should be to ensure that dwellings can meet the changing needs of occupants over their

lifetimes. Section 5.9 of the Guidelines also set out recommendations for the provision of storage.

### **5.3. Natural Heritage Designations**

The proposed development site is c. 9.62km to the west of the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), and c.12.68km the west of the North Bull SPA (Site Code: 004006).

The proposed development site is also c. 0.575km to the south of the Royal Canal pNHA (Site Code: 002103), and c. 1.041km to the north of the Liffey Valley pNHA (Site Code: 000128).

## **6.0 EIA Screening**

The proposed development does come within the definition of a 'project' for the purposes of EIA, as it involves the execution of construction works. However, it does not fall within a class set out in Schedule 5, Part 1 or 2 of the Planning and Development Act, 2000, as amended. Therefore, EIA is not required. Refer to Form 1 in Appendix 1 of this report.

## **7.0 The Appeal**

### **7.1 Grounds of Appeal**

#### **First Party**

A First Party appeal against condition 3 makes the following points:

- during groundworks, the front driveway wall was removed without realising such works require planning permission, changing the driveway from 2.5m to 5.58m between piers. While the front wall can be rebuilt, it is requested to maintain the functionality and convenience of the wider entrance.
- The road width of the estate permits only slow driving.

- The applicant is a tradesman/builder which requires the use of sizeable tools. It is important to have a straightforward access to the tool shed in his transit van, and to park same securely.
- The family needs independent access and egress for two vehicles.
- The widened access provides better parking and better visibility in both directions for moving vehicles and pedestrians.
- There is no reference to requirements for pedestrian vehicular intervisibility in the Plan, nor in RSA documentation.
- The applicant fails to see how a restriction on maximum entrance width improves visibility.
- There are several houses in Castleknock Elms with driveway entrances greater than 4m. 9no. such properties are listed. Specific attention is drawn to 56 and 58 Castleknock Elms which are the closest to the proposed development site, and which have front driveway widths of c. 6.5m.
- 32 Castleknock Elms is located on the outside of a curved bend, meaning that manoeuvring into a driveway is more difficult, and also meaning that the site is narrower at its front boundary edge.
- To introduce a 4m wide driveway would not allow for sufficient access and egress by two vehicles as illustrated by autotrack in Appendix 3 to the appeal
- 2no. alternative proposals are suggested in Appendix 4 of the appeal for consideration:
  - 1: A reduction in height of the hedge between no. 32 and 34 from c. 2.4m to 1.1m to match the height of the hedge with no. 30.
  - 2: Installation of a steel gate
- There is no assessment of the visual impact of the extended driveway in the Planner's Report. It is suggested that the visual impact would be limited.

### **Third Party**

A Third Party appeal from the next-door neighbour (no. 30 Castleknock Elms) makes the following points, similar to the submission made to Fingal County Council:

- The proposal represents overdevelopment of the site.
- The house has already been greatly extended to the side and rear under FW22B/0070, almost doubling in size, increasing in floor area from 88m<sup>2</sup> to 170m<sup>2</sup>.
- The rear and side extension has greatly reduced the area of private amenity space to serve the proposed number of bedspaces.
- The living areas have been reorientated to face southwards across the remaining reduced area of garden towards the shared boundary. Fully glazed openings of the new playroom and extended kitchen directly address the shared boundary.
- The original mature trees along the shared boundary were removed by the applicant and a flimsy timber fence erected in its place over a reinstatement of the original low block party wall. Condition 2b specifically required a scheme of planting along the southern boundary, but any planting has yet to mature, and none of the potted interim measures have been attempted.
- The planning conditions restricting the hours of work were ignored.
- The current proposal would add a stated 25m<sup>2</sup> at first floor level including a 14m<sup>2</sup> bedroom and a 11m<sup>2</sup> bathroom. These room sizes are excessive and could be reconfigured to provide two bedrooms and a bathroom. There are already 3 large double bedrooms.
- The extension would result in a combined area of extensions of 107m<sup>2</sup>, with the house growing to 221% of its original size. The occupancy level would be disproportionate to existing occupancy patterns.
- The projection of the rear first floor extension over 2m beyond the building line would be unduly intrusive and impact negatively on the residential amenity of the appellant.

- The proposed gable treatment and roof profile are unrealistically low, and the bargeboard and eaves are likely to have much greater overhang.
- The first floor extension would impact the outlook from the applicant's principal bedroom and restrict sunlight to this room and the dining room below.
- A two-storey extension was previously refused at this site on grounds that it would be visually incongruous.

## **7.2. Applicant Response**

The First Party response to the Third Party appeal dated 25<sup>th</sup> August, 2025 makes the following points:

- There is no increase in the footprint of the building. The application proposes to build at first floor level on the existing permitted building footprint in an area of the site which will have minimal impact on the adjoining owner.
- There are other properties in the neighbourhood that are of a similar or larger size, and that have extended beyond the property line.
- It is normal for a certain amount of overlooking to occur.
- The areas cited in the appeal are incorrect. The previous application included the demolition of existing structures to the rear. The property would increase by 69% if the current application is permitted.
- The ratio of building footprint to external garden space is typical for the area. The remaining garden/driveway is c. 280m<sup>2</sup>.
- The appeal principally relates to the previous approved permission.
- The 1m side passage on the applicant's side of the shared boundary is maintained in the current application.
- The boundary treatment at the time of acquiring 32 Castleknock Elms was a temporary builder's fence overgrown with ivy and brambles, which was left intact during the construction of the permitted ground floor extensions, and

then removed and planted with a Portuguese laurel which continues to grow.

- The boundary fence sits atop a block wall.
- There is no screen planting on the appellant's side of the boundary.
- Fingal County Council's case office confirmed that their inspections revealed no persons were working out of hours.
- There is no intention to subdivide the proposed first floor extension.
- The roof pitch of the proposed first floor bedroom is 16 degrees, exceeding the minimum recommended pitch.
- The impact on the outlook of no. 30 is consistent with the impact from no. 28. In fact the impact of the first floor extension at no. 32 is significantly less than the impact of no. 28, arising from the detached nature of no. 32 and the angle of the proposed extension.
- No. 32 (and no. 30) has the benefit of a larger garden than other properties in Castleknock Elms.
- The proposed extension is not intrusive, and there is precedent for two-storey extensions in the area.
- No. 30 is located to the south of no. 32, therefore the proposed development is unlikely to have an impact on sunlight into no. 30.
- The previous refusal was proposed on the boundary line and extended by 4m beyond the rear wall.

### **7.3. Planning Authority Response**

The Planning Authority's detailed response dated 19<sup>th</sup> August, 2025 states that in relation to the

#### Third Party Appeal

The proposed development was assessed against the policies and objectives of the Fingal County Development Plan 2023 and existing government policy and guidelines and had regard to the impact on adjoining amenities and character of the area. The Commission is requested to uphold the decision.

### First Party Appeal

The examples of entrances at 11, 65, 56 and 58 Castleknock Elms are unauthorised. The condition is attached to prevent conflict between pedestrian and road user. If permission is to be granted, the Planning Authority recommends the attachment of the following condition:

- The dividing/boundary hedgerow or fence/wall between the driveways shall not exceed a height of 0.9m over the last 3 metres adjacent to the public footpath.

A financial contribution should also be attached.

The Commission is requested to uphold the decision.

#### **7.4. Observations**

None.

#### **7.5. Further Responses**

None.

### **8.0 Assessment**

8.1. At the outset, I note that the First Party appeal is against condition 3 only. However, as there is also a Third Party appeal, I am satisfied that consideration of the proposal on a de novo basis, (that is as if the application had been made to the Commission in the first instance), is warranted.

8.2 Having examined all the application and appeal documentation on file, and having regard to relevant policy, I consider that the main issues which require consideration in this appeal are those raised in the grounds of appeal, the substantive issue of a further temporary permission requires consideration.

8.3 The main appeal issues are as follows:

- Access driveway
- Impact on residential amenity

8.4 Access driveway

- 8.4.1 The Planning Authority attached condition no. 3 to the notification to grant planning permission requiring an amended proposal for the site entrance showing a width of 4.0m between piers in the interests of clarity and public safety. It is stated that a wider driveway access than 4m would increase pedestrian vehicular conflicts.
- 8.4.2 The applicant has responded to state that there are numerous examples of widened driveways in Castleknock Elms and that these do not cause a conflict.
- 8.4.3 It is noted that the location of no. 32 Castleknock Elms at the end of a bend on the public road would, having regard to the particular needs of the applicant as set out in the appeal, make it difficult to access the property if a front boundary wall was in place. In combination with on street parking, it is argued that this would have a greater negative impact on pedestrian/vehicular safety than the widened driveway. The widened driveway also provides better visibility in both directions.
- 8.4.4 I note that the Planning Authority has indicated that the examples of widened driveways cited by the applicant do not have the benefit of planning permission. However, the applicant has applied for permission, albeit for retention permission, for a widened driveway in this instance.
- 8.4.5 I concur with the applicant that there does not appear to be any specific policies in the Fingal County Development Plan 2023 that set out the requirements of the Planning Authority with respect to driveways.
- 8.4.6 In the absence of any policy basis for the attachment of condition no. 3, and having regard to the particular site characteristics, being at the end of a bend in the public road, I would be inclined to agree with the applicant that there is no compelling reason to restrict the width of the driveway at this location, and that such a restriction may give rise to more negative consequences for public safety.
- 8.4.7 I note that both the applicant and the Planning Authority have offered alternative options for the Commission's consideration. The fact that the Planning Authority is prepared to consider an alternative option that involves reducing the height of part of the boundary hedging on both sides would indicate that there is no difficulty with the principle of the widened driveway.
- 8.4.8 I would not support the applicant's proposal for a steel gate, as I consider such a proposal to be out of character with the area, and would have potential negative



consequences for public safety in the same way that the 4m wide driveway required by condition no. 3 would. Both the applicant and the Planning Authority have also proposed a reduction in boundary hedging, which I consider to be appropriate in this instance. However, it is not clear which driveways are referred to in the amended condition proposed by the Planning Authority. I do note that the hedge between nos. 32 and 34 Castleknock Elms is higher than that between nos. 30 and 32 Castleknock Elms. In this context, I would tend to favour the applicant's proposal to reduce the height of the northern boundary hedge that I understand they have control over or appear to be able to implement. Given the lower height of the existing southern boundary hedge, I do not consider that a further reduction in height of this hedge is required. In the event that the Commission is minded to grant permission, I recommend an amendment to the wording of the proposed condition offered by the Planning Authority, to state that the dividing/boundary hedgerow or fence/wall between the driveways to nos. 32 and 34 Castleknock Elms shall not exceed a height of 0.9m over the last 3 metres adjacent to the public footpath.

#### 8.5 Impact on residential amenity

- 8.5.1 The Third Party raises concerns about the impact of the proposed development on residential amenity.
- 8.5.2 The substantial points raised by the Third Party relate to the already permitted and constructed ground floor extension, which do not form part of the current proposal. Therefore, I do not intend to address in this report.
- 8.5.3 The points raised in relation to the negative impact of the first floor side and rear extension on the amenities of the adjoining property are noted.
- 8.5.4 In particular, reference is made to the previous refusal of permission by the Commission on appeal (PL06F.237216 (FW10B/0049)).
- 8.5.5 However, as noted by the applicant, the proposed development is distinctly different to the previously refused proposal, in that the proposed extension is to provide a first floor over the footprint of the ground floor extension, maintaining the current 1m separation distance between the proposed extension and shared boundary established in the permission for the ground floor extension

(FW22B/0070). The proposed extension to the rear also has a reduced projection beyond the rear boundary wall. I also note that the gable wall facing the adjoining property will have no fenestration.

8.5.6 I would agree with the applicant that in an urban context, there is going to be some degree of overlooking, and in this instance, any overlooking would not be significant.

8.5.7 I also agree with the applicant that the outlook from the appellant's property will be no greater than the current outlook from the adjacent dwelling to the south, having regard to the detached nature of no. 32 Castleknock Elms and the angle of the proposed first floor extension.

8.5.8 I do not consider that there will be any significant impact on daylight, sunlight or overshadowing, and note in this regard the lower roof profile of the first floor extension relative to the existing dwelling.

8.5.9 The residual private open space is also sufficient to serve the extended dwelling.

8.5.10 I note both the planner's report and the response to the appeal provided by the Planning Authority stating that the proposed development was assessed against the policies and objectives of the Plan and existing government policy and guidelines and had regard to the impact on adjoining amenities and character of the area.

8.5.11 I would concur with the opinion of the Planning Authority in this respect. I have had regard to the nature and extent of the proposed development which proposes no increase in footprint to the existing dwelling, and the subordinate nature of the side and rear first floor extension to the existing dwelling, and conclude that the proposed development is aligned with the applicable RS zoning objective, policy SPQHP41, objective SPQH045, and sections 14.10.2.2 and 14.10.2.4 of the Fingal County Development Plan 2023-2029.

8.5.12 I note the concerns raised about the treatment of the shared boundary, however, the shared boundary treatment is subject to compliance with the conditions attached to the permission for the ground floor extension (FW22B/0070).

8.5.13 I also note the concerns raised in relation to construction hours, and, in this respect, recommend the attachment of a condition in relation to construction hours, as was applied by the Planning Authority.

8.5.14 The Planning Authority has requested the attachment of a condition requiring a development contribution, and I recommend same, in the event that the Commission is minded to grant planning permission.

## **9.0 AA Screening**

9.1. I have considered the Retention permission for part of the development comprising the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance from the street, as well as the repaving of the front driveway. Planning permission is being sought for the construction of a first floor extension of area 25 sq. at the south-west side of the house comprising a bedroom and bathroom, at 32 Castleknock Elms, Laurel Lodge, Dublin 15 D15 EC99 in light of the requirements S177U of the Planning and Development Act 2000 as amended.

9.2 The proposed development site is c. 9.62km to the west of the South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), and c.12.68km the west of the North Bull SPA (Site Code: 004006).

9.3 The proposed development comprises Retention permission for part of the development comprising the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance from the street, as well as the repaving of the front driveway. Planning permission is being sought for the construction of a first floor extension of area 25 sq. at the south-west side of the house comprising a bedroom and bathroom, at 34 Castleknock Elms, Laurel Lodge, Dublin 15 D15 EC99.

9.4 No nature conservation concerns were raised in the planning appeal.

9.5 In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on the South

Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), and the North Bull SPA (Site Code: 004006) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The modest scale of the works and the nature of the development
- Location - distance from nearest European site and lack of connections

9.6 Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

9.7 I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

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

## **10.0 Water Framework Directive**

10.1 The subject site is located in a suburban area of Castleknock, Dublin 15. The nearest relevant water body is the Liffey, code IE\_EA\_09L012350 c. 0.287km to the south-west, the status of which is 'At Risk'.

10.2 The proposed development comprises Retention permission is being sought for part of the development comprising the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance from the street, as well as the repaving of the front driveway. Planning permission is being sought for the construction of a first floor extension of area 25 sq. at the south-west side of the house comprising a bedroom and bathroom, at 32 Castleknock Elms, Laurel Lodge, Dublin 15 D15 EC99

10.3 No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development of the retention permission comprising the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance from the street, as well as the

repaving of the front driveway. Planning permission is being sought for the construction of a first floor extension of area 25 sq. at the south-west side of the house comprising a bedroom and bathroom and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

10.4 The reason for this conclusion is as follows:

- The nature and scale of the development proposed which includes a connection to public services.
- Distance from the nearest relevant water bodies, and the lack of hydrological connections.

10.5 Conclusion

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

## **11.0 Recommendation**

11.1. I recommend the Commission grant permission for the reasons and considerations set out below.

## **12.0 Reasons and Considerations**

Having regard to the applicable RS zoning objective, policy SPQHP41, objective SPQH045, and sections 14.10.2.2 and 14.10.2.4 of the Fingal County Development Plan 2023-2029, it is considered that, subject to compliance with the

conditions below, the retention of the widened driveway will not result in a traffic hazard, is acceptable in terms of traffic safety and convenience and is in the interests of the proper planning and sustainable development of the area.

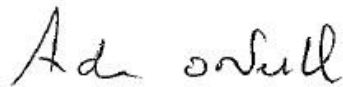
In addition, the proposed side and rear first floor extension by reason of its modest scale, nature and design, and its location with respect to adjoining properties, would not detract from the character of the dwelling and would not seriously injure the amenities of the area or of property in the vicinity, and is in the interests of the proper planning and sustainable development of the area.

### 13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 12<sup>th</sup> May, 2025, 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 and the development shall be retained, carried out and completed in accordance with the agreed particulars</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The dividing/boundary hedgerow or fence/wall between the driveways to nos. 32 and 34 Castleknock Elms shall not exceed a height of 0.9m over the last 3 metres adjacent to the public footpath.</p> <p>Reason: In the interest of clarity and public safety.</p>
3.	<p>The entire dwelling shall be used as a respective single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.</p> <p>Reason: In the interest of clarity.</p>
4.	<p>The attenuation and disposal of surface water shall comply with the requirements of the Planning Authority for such works and services. Prior to the commencement of development, the developer shall submit details for</p>

	<p>the disposal of surface water from the site for the written agreement of the planning authority.</p> <p>Reason: In the interest of public health.</p>
5.	<p>The finish of new work shall be consistent with the details lodged with the application, unless otherwise agreed in writing with the Planning Authority.</p> <p>Reason: In the interests of proper planning and visual amenity.</p>
6.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
7.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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.



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Aiden O'Neill

Planning Inspector

24<sup>th</sup> October, 2025



## Appendix A: Form 1 EIA Pre-Screening

<b>Case Reference</b>	ACP-323178-25
<b>Proposed Development Summary</b>	<p>Retention permission is being sought for part of the development comprising the demolition of a front garden wall and removal of a grass verge, resurfaced in concrete, to form a wider driveway entrance from the street, as well as the repaving of the front driveway.</p> <p>Planning permission is being sought for the construction of a first floor extension of area 25 sq. at the south-west side of the house comprising a bedroom and bathroom.</p>
<b>Development Address</b>	32 Castleknock Elms, Laurel Lodge, Dublin 15 D15 EC99
<b>IN ALL CASES CHECK BOX /OR LEAVE BLANK</b>	
<b>1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?</b>  (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)	<div style="margin-bottom: 10px;"> <input checked="checked" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.         </div> <div> <input type="checkbox"/> No, No further action required.         </div>
<b>2. Is the proposed development of a CLASS specified in <u>Part 1</u>, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in <b>Part 1.</b>	

<p><b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b></p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q 3</p>	
<p><b>3. Is the proposed development of a CLASS specified in <u>Part 2</u>, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?</b></p>	
<p><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.</p> <p><b>No Screening required.</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	
<p><b>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)?</b></p>	
<p><b>Yes</b> <input type="checkbox"/></p>	
<p><b>No</b> <input type="checkbox"/></p>	

*Ad onull*

Inspector: \_\_\_\_\_

Date: 24<sup>th</sup> October, 2025