



An
Coimisiún
Pleanála

Inspector's Report ACP-323500-25

Development	Retention of rear single storey extension consisting of bedroom, kitchen, dining room accommodation and all associated site works.
Location	No 6, St Edmunds Park, Ballydowd, Lucan, Co. Dublin, K78 ED89
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD25B/0030W
Applicant(s)	Namrah Siddique
Type of Application	Retention Permission
Planning Authority Decision	Refuse x 2
Type of Appeal	First Party
Appellant(s)	Namrah Siddique
Observer(s)	Aleks Bozhinov
Date of Site Inspection	25 th October 2025
Inspector	Mary Crowley

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1.0 Site Location and Description

- 1.1. The appeal site with a stated area of 0.053 ha is an end of terrace two storey dwelling located on the western side of Saint Edmunds Park in the Dublin suburb of Lucan. Saint Edmunds is a new residential development comprising apartments and front door dwellings units. I refer to the photos and photomontages available to view throughout the file. Together with a set of photographs of the site and its environs taken during the course of my site inspection serve to describe the site and location in further detail.

2.0 Proposed Development

2.1. Planning Application

- 2.2. Retention permission was sought on the 30th January 2025 for rear single storey, flat roof extension (25.5 sqm) consisting of bedroom, kitchen, dining room accommodation and associated site works. The stated area of the existing parent dwelling is 58sqm.

2.3. Further Information (FI) Response

- 2.4. FI was submitted on the 14th of July 2025 and may be summarised as follows:

1. **Rear Open Space** (25 sqm required) – Submitted that the remaining area is deemed to be a functional amenity space that has been divided into 3 No parts as follows. When combined the remaining area is equal to 20m².
 - Main amenity space is equal to 14.7 sqm
 - The second & third areas are utilized for gardening tool storage (1.3 sqm) & laundry drying & wall planters (4.1 sqm)

There is also an area (side entrance) at the northern side of the property utilized for bicycle storage which is equal to 10.3m². The overall amenity space which is utilised by the applicant & their family is approximately 30.3m². The purpose of the applicant's retention application was not to apply for exempted development under Class 1 (5) but to apply for retention of what is not exempt under Class 1 (5) like any other planning/retention application. The overall amenity space which is in fact utilized by the applicant & their family is approximately 30.3m².

2. **Impact on No 5 Saint Edmunds Park** (south) - The extension is single story which marginally exceeds the 3m rule and is 485mm away from the boundary. The extension complies with the spirit of SDCC House Extension Design Guide.
3. **Bedroom Minimum Size** - The area of the bedroom has been increased to 8.2 sqm to comply with the Best Practice Guidelines with regards to a single bedroom.
4. **Family Flat** - The applicant commissioned the construction of the extension for their father who has a serious health condition. To comply with the criteria for Family Flats under the SDCC Development Plan 2022-2028 the following is noted. The need for the unit has been justified with documentation including the applicant's father's medical history & correspondence from their father's GP.
 - The unit forms an integrated part of the main house and is directly linked to the main house
 - The unit does not exceed 49% of the floor area of the main dwelling and does not have more than 1 bedroom
 - The unit will not be sold or let (including short-term letting) as an independent living unit and the existing private amenity space will not be subdivided.
 - The structure is capable of being functionally re-integrated into the main house when its usefulness as an independent living unit has ceased.

The FI was accompanied by the following:

- Revised drawings including the south/south-eastern elevational and revised drawings and floor areas
- Public Notices indicating that significant further information/ revised plans has / have been furnished to the Planning Authority
- Details of the proposed occupant and their relationship to the householder
- Detailed medical information pertaining to the applicant's father which has been noted and is available to view on the digital file.
- Applicants Cover Letter

3.0 Planning Authority Decision

3.1. Decision

3.1.1. South Dublin County Council (SDCC) issued notification of decision to refuse permission for the following 2 no reasons:

- 1) *The development proposed for retention is located in an area for which the zoning objective is 'to provide for residential development and protect and improve residential amenity', as set out in the South Dublin County Development Plan 2022-2028, whereby it is the policy of the planning authority to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity. Having regard to the scale and design of the proposed rear single storey extension for retention, which results in poorly configured and insufficient usable private amenity space and adverse overbearing impacts on the adjoining residential property to the south, it is considered that the retention of this extension as constructed, if permitted, would represent overdevelopment of a restricted site, would seriously injure the amenity of residents of the existing house and of the neighbouring property, and would contravene the zoning objective for the area set out in the County Development Plan.*
- 2) *The retention of this extension as constructed, if permitted, would set an undesirable precedent for development of similar scale which in themselves and cumulatively would be harmful to the residential amenities of the area, and thus contrary to the 'RES' zoning objective of the area, which seeks 'to protect and/or improve residential amenity'.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The **Case Planner** in their first report requested the following further information (FI) as summarised. SDCC sought FI on the 26th of March 2025.

- 1) (a) The development should be revised so that its length along the southern side boundary is reduced to increase the amount of amenity space to a

minimum of 25sq.m and to reduce the overbearing impact on the adjoining property at no. 5 St Edmunds Park.

(b) The proposed bedroom should meet the minimum floor area requirement (7.1 sq.m) as set out in the Quality Housing for Sustainable Communities: Best Practice Guidelines (2007).

(c) A south/south-eastern elevational drawing to be submitted

(d) A full set of revised drawings and floor areas to be submitted

- 2) (a) If the extension, after the re-design as noted above, is to be used for a family flat the Applicant should address the criteria for family flats under Section 12.6.8 of the South Dublin County Development Plan 2022-2028, including demonstrating that there is a genuine need for the family flat in accordance with Policy H15, H15 Objective 1 and Section 12.6.8.

(b) If the Applicant is not applying for a family flat the extension should be re-designed accordingly and omit the second kitchen.

3.2.2. Other Technical Reports

- None

3.3. Prescribed Bodies

3.4. None

3.5. Third Party Observations

3.5.1. None

4.0 Planning History

4.1.1. No planning history has been made available with the appeal file and there is no evidence of any previous appeal at this location.

4.1.2. The following enforced history is noted from the Case Planners report:

- S9446 – 6, St Edmunds Park, Lucan, Co Dublin - Structure to the rear that may require planning permission. Being dealt with under file ref S9365. Live File.

- S9365 – 6, St Edmunds Park, Lucan, Co Dublin - Erection of an extension which may not be considered exempt. Live File.

5.0 Policy Context

5.1. Section 28 Ministerial Guidelines

5.1.1. The following national policy, statutory guidelines, guidance and circulars are also relevant:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, Department of the Housing, Local Government and Heritage (2024).
- Urban Design Manual: A Best Practice Guide, A Companion Document to the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, Department of the Environment, Heritage, and Local Government, (2008).
- Quality Housing for Sustainable Communities: Best Practice Guidelines, Department of the Environment, Heritage, and Local Government, (2007).

5.2. Development Plan

5.2.1. The operative plan for the area is the **South Dublin County Development Plan 2022-2028**. The site is subject to the zoning objective '**RES**' - '*To protect and/or improve residential amenity*'. The following policy and objectives are relevant:

- **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).
- **H15 Objective 1** - To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation

for an immediate family member or members subject to the criteria outlined in Chapter 12: Implementation and Monitoring.

5.2.2. 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.

Family Flats

A family flat is to provide semi-independent accommodation for an immediate family member (dependent of the main occupants of an existing dwelling). A family flat is not considered to represent an independent dwelling unit and as such open space and car parking standards are not independently assessed. Proposals for family flat extensions should meet the following criteria:

- The applicant shall be required to demonstrate that there is a genuine need for the family flat;
- The overall area of a family flat should not generally exceed 50% of the floor area of the existing dwelling house;
- The main entrance to the existing house shall be retained and the family flat shall be directly accessible from the front door of the main dwelling via an internal access door, and the design criteria for dwelling extensions will be applied;
- Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house;
- Conditions may be attached to any grant of permission that the family flat cannot be sold, conveyed, or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

5.2.3. SDCC House Extension Design Guide 2025

Section 3.1.7 Built Form Principle (BFP) 1 – All Extensions and Alternations to Houses

- *Respects the appearance and character of the house and subject streetscape/local area. - Does not read as overly dominate relative to existing structure by reason of scale or position.*
- *Provide comfortable internal space and useful outside space. - Incorporate energy efficient measures where possible.*
- *Does not adversely impact on adjacent properties by way of significant overbearing visual appearance.*
- *Does not result in significantly increased levels of overshadowing of adjacent properties.*
- *Does not directly overlook/result in significantly increased levels of overlooking of adjacent properties. Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions such as repositioning the window or use of a high-level window (cill level 1.7 metres or high above internal floor level), angled window or obscure glazing.*
- *Consideration of external finishes, such as use of light-coloured materials on elevations adjacent to neighbouring properties.*
- *Consideration of remaining private amenity space.*

5.2.4. Under BFP4 – Rear Extensions of the SDCC House Extension Design Guide, it is stated that such development:

- *Should be designed with consideration to relationship with any adjoining properties, in particular the depth and height of ground floor level extensions.*
- *Should provide for setback from shared site boundaries at first floor level unless depth and orientation of site negate adverse impacts on adjacent properties.*
- *Should provide for adequate separation distance between opposing first floor level windows serving habitable rooms.*
- *Ridge height of first floor/two storey rear extension should respect the ridge height of the main house.*
- *Extensions to bungalow/dormer bungalow should be modest in depth at first floor level and be set back from shared boundaries with adjoining properties.*
- *Should ensure adequate rear amenity space is retained.*

5.3. Natural Heritage Designations

- 5.3.1. The site is not located within a designated Natura 2000 site.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. The first party appeal against the notification of decision to refuse permission has been prepared and submitted on behalf of applicant by JPO Architectural. Much of the appeal refers to the applicant's response to the FI request issued by SDCC and Section 2.0 of this report above should be read in conjunction with this appeal summary section. Additional comments are set out as follows:
- 6.1.2. In early 2021 the applicant put plans in motion to bring their father from Pakistan to Ireland in order to look after him medically as travelling over and back to Pakistan (9,500km) was no longer feasible. Prior to completion of the extension SDCC Enforcement carried out an inspection that was followed by the issuing of a Warning Letter in June 2024 with a further Warning Letter issued in September 2024. An application for retention planning permission was submitted to SDCC in January 2025 with a further Enforcement Notice issued in April 2025. The refusal of the application has caused enormous stress to the applicant.
- 6.1.3. The overall amenity space which is utilised by the applicant & their family is approximately 30.3m². It is noted that SDCC originally granted permission for this development with very little rear amenity space to begin with. Applications have been granted in the past where rear amenity areas were less than 25sqm. An example of this would be Paragraph 7.2.3 of ABP 311869-21 (extract below). Essentially the site at No 6 is a brownfield site with dimensional constraints. (**Note** - ABP-311869-21 relates to the construction of 2 no. two-storey, two-bedroom dwelling houses and 3 no. single-storey, one bedroom dwelling houses to rear of site at Main Street, Ballylanders, Co. Limerick.)

Generally, it is difficult to achieve all the development management standards within a proposal on an infill / brownfield site at a village centre location. In this regard, flexibility is provided for within Section 10.5.5 of the Development Plan in relation to the development of infill sites where it outlines that site density,

coverage and open space requirements will be considered on a site-specific basis to permit a development to integrate with the existing adjoining development. The development management standards set out for new residential developments may be relaxed in the case of infill development. However, even though the subject site is such an infill / brownfield site, there is only one of the proposed houses with slightly less provision of private open space i.e., 20m² is provided for one of the semi-detached houses instead of 25m² for the remainder of the houses.

- 6.1.4. In relation to a possible overbearing impact on No 5 residential amenity, Section 4 of the SDCC House extension design guide states that: extensions '*particularly if higher than one storey*' should be located away from neighbouring property boundaries. The extension in question is a single story which marginally exceeds the 3m rule & is 485mm away from the boundary
- 6.1.5. Regarding overbearing / overlooking impact, the following planning applications were granted by SDCC where these could be viewed as these designs causing an overbearing / overlooking impact.
- **SD21B/0186** – Single storey extension to rear and side of existing dwelling at 1 Liffey Wood, Liffey Valley Park, Lucan
 - **SD22B/0168** – Ground floor extension to side and rear of existing house and new dormer windows in roof to the back of the house at No 32 Liffey Park, Liffey Valley Park, Lucan
 - **SD23B/0493** – Retention of (1) conversion of existing attic space to home office / storage use, (2) dormer windows to the site hip and (3) 3 no rooflights to the rear roof plane and all associated site works at No 27 Liffey Crescent, Liffey Valley Park, Lucan
 - **SD22B/0252** – Permission (1) to remove hipped roof over existing single storey extension, (2) move out the wall to the side of the extension by 1m, (3) increase the size of the existing utility room and bedroom with en suite on the ground floor and (4) erect first floor extension and extend main hipped roof at the side of the house bordering Liffey Crescent a No 69 Liffey Terrace, Lucan
 - **SD21B/0033** – Roof alterations for the conversion of the attic space to comprise of the alterations to the gable wall with a new side window; 2 roof

windows to front elevation with a roof dormer to the rear elevation al at second floor level and all associated site works at No 33 Earlsfort Meadows, Lucan

- **SD15B/0012** – Erection of new two-story bedroom and bathroom extension to rear of house together with internal alterations to existing layout and al associated site and drainage works at No 14 Ballyowen View, Lucan
- **SD08B/0153** – Additional first floor extension to front and side over existing garage to be converted to sitting room with additional bedroom with bathroom to rear of garage conversion, two additional bedrooms with new main bathroom to first floor and single storey to rear consisting of new sunroom and all associated site works at No 1 Liffey Valley Glen, Liffey Valley Park, Lucan

6.1.6. Regarding overdevelopment, scale and profile and impact on the amenities of local properties by way of overbearing appearance, the following planning applications were granted by SDCC where these could be viewed as this designs causing an overdevelopment.

- **SD25A/0080W** – The development will consist of demolition of existing garage and utility room and provision of a two storey three-bedroom end of terrace house. Proposed finishes to match and align with existing semi-detached house, inclusive of all associated site works on adjoining site at 36 Mount Andrew Dale, Lucan, co Dublin.
- **SD02A/0370** – Two storey 2 bed end of terrace house and associated site works on adjoining site, site adjacent to 38 Mount Andrew Dale, Liffey Valley Park, Lucan, Co Dublin.

6.1.7. The proposed bedroom has been increased to be 8.2sqm, exceeding the requirements for a single bedroom under the Quality Housing for Sustainable Communities: Best Practice Guidelines (2007).

6.1.8. Confirmation that demolition of the extension is required to be complete by 10th October 2025 has been extremely distressing for the applicant. The applicant is not a native of Ireland and was completely unaware of the planning regulations.

6.1.9. They cannot accommodate their father in the existing three-bedroom house, and their father cannot climb the stairs.

6.1.10. The applicant has a growing family (Maternity Hospital letter provided) and will require the extension for her family when no longer required to facilitate her father.

6.1.11. The applicant invested their life saving in the building and due to working part time and taking maternity leave will not have the financial means to carry out any further alterations to the granny flat.

6.1.12. The proposal aligns with the SDCC Development Plan including:

- Policy H13 (Objective 2) – to support family accommodation and flexible housing arrangements such as granny flats
- Section 12.6.7 – which allows for the retention of modest extension or outbuilding provided residential amenity is protected

6.1.13. The appeal was accompanied by the following:

- Detail of the proposed occupant and their relationship to the householder
- Medical reports relating to the applicant and their father
- Correspondence between the applicant and SDCC re Enforcement
- SDCC Case Planners Report
- Notification of Decision to Refuse permission

6.2. Planning Authority Response

6.2.1. The Planning Authority confirms its decision. It is submitted that the issues raised in the appeal have been covered in the Chief Executive Orders.

6.3. Observations

6.3.1. There is one observation recorded on the appeal file from Aleks Bozhinov, No 4 St Edmunds Park (south of the appeal site). The issues raised relate to unusable rear open space at the appeal site, overbearing and oppressive effect on neighbouring properties, over development of the appeal site, present, use of the extension and that the retention should be refused. If the Commission is minded to grant permission requested that conditions be attached (1) restricting the use to a family unit for immediate family members, (2) prohibit independent occupation, sale or letting and (3) that the unit is reintegrated into the main house when no longer in use.

6.4. Further Responses

6.4.1. None

7.0 Assessment

7.1. Having regard to the information presented by the parties to the appeal and in the course of the planning application and my inspection of the appeal site, I consider the key planning issues relating to the assessment of the appeal can be considered under the following general headings.

- Principle
- Refusal Reason No 1 – Overdevelopment
- Refusal Reason No 2 - Precedent
- Other Issues

7.2. Principle

7.2.1. The appeal site is wholly contained within an area zoned 'RES' where the objective is *to protect and/or improve residential amenity* and where residential extensions and alterations to an existing dwelling for residential purposes is considered an acceptable development in principle.

7.2.2. Having regard to Section 12.6.8 Residential Consolidation (Family Flats) of the current Development Plan (full wording is set out in Section 5.2 of this report above) I am satisfied that:

- The family flat to be retained provides semi-independent accommodation for an immediate family member (dependent of the main occupants of the existing dwelling)
- Having regard to the detailed information provided with the appeal that the applicant has demonstrated a genuine need for the family flat;
- The overall area of the family flat does not exceed 50% of the floor area of the existing dwelling house;

- It is not a separate detached dwelling unit and the main entrance to the existing house has been retained and the family flat is directly accessible from the front door of the main dwelling via an internal access door;
- There is no evidence of any permanent subdivision of the rear garden and the external doors that provide access to the rear garden and escape from fire are located to the rear and side of the existing house and family flat

7.2.3. In line with Section 12.6.8 of the Development Plan it is recommended that should the Coimisiun be minded to grant permission that a condition be attached stating that the family flat cannot be sold, conveyed, or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.

7.3. Refusal Reason No 1 – Overdevelopment

7.3.1. The central issue in the consideration of this case is the resultant impact of the scheme on the usable private amenity space available to serve the overall development site having regard to the sale, design and layout of the family flat as constructed.

7.3.2. In line with H14 Objective 2 of the 2022-2028 CDP, which states an objective *"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"*, the SDCC House Extension Design Guide 2010 has been reviewed and updated as of February 2025. In line with the assessment of the scheme by SDCC the development now before the Coimisiun under appeal will be assessed with regard to the provisions of the 2025 Guide accordingly.

7.3.3. As stated in Section 3.1.6 of the SDCC House Extension Design Guide (2025), extensions to existing dwellings are generally acceptable to the Planning Authority, subject to accordance with Built Form Principles (BFP) detailed in the Guide. In line with the provisions of *BFP1 – All Extensions and Alterations to Houses* (full wording set out in Section 5.2 of this report above) I am satisfied that the family unit to be retained:

- The scale, form and design of the family flat does not overwhelm or dominate the original form or appearance of the parent house and will not have a significant

negative impact on the established character or visual amenities of the area or the overall streetscape

- Having regard to the FI amended plans and particulars demonstrating that the area of the bedroom has been increased to 8.2 sqm to comply with the Best Practice Guidelines with regards to a single bedroom I am satisfied that the scheme provides a comfortable internal space.
- Having visited the site and adjoining back garden and taken together with the plans and particulars on the appeal file I am also satisfied that the proposed development will not result in any significant increase or unreasonable loss of natural light to neighbouring properties. In this regard I therefore consider that the reference to the scheme having an adverse overbearing impact on the adjoining residential properties to the south in the first reason for refusal to be without merit in this instance
- The extension has a light-coloured finish, however the southern elevation facing No 5 is coloured dark grey. It is submitted that this was carried out by others i.e. not the applicant. Taken together with my site inspection I am satisfied that no issues arise with regard to external finishes

7.3.4. With regard to the following two considerations as set out in *BFP1 – All Extensions and Alterations to Houses*:

- *Provide useful outside space.*
- *Consideration of remaining private amenity space*

I am concerned that the development as constructed has resulted in a poorly configured and insufficient usable private amenity space and this is where the primary difficulty arises in this case.

7.3.5. Table 12.20 Minimum Standards for Housing of the South Dublin County Development Plan 2022-2028 requires at least 70sq.m for 4 or more bed dwellings of private open space. Under the Sustainable Residential Development and Compact Settlements (2024), SPPR 2 – Minimum Private Open Space Standards for Houses states that a 4 bed + house requires a minimum of 50sq.m of private open space or a max 25 sq.m semi-private (in lieu) where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space.

- 7.3.6. The applicant submits that the remaining open space area has been divided into 3 No parts as follows. I refer to t DWG No 24-149-03-RFI submitted with the appeal. When combined the remaining area is equal to 20m².
- Main amenity space is equal to 14.7 sqm located to the rear and side of the family flat
 - The second & third areas are utilized for gardening tool storage (1.3 sqm) located to the rear of the family flat & laundry drying & wall planters (4.1 sqm) located to the site of the family flat.
- 7.3.7. It is further submitted that there is also an area (side entrance) at the northern side of the property utilized for bicycle storage which is equal to 10.3m² and therefore the overall amenity space which is utilised by the applicant & their family is approximately 30.3m².
- 7.3.8. Section 12.6.8 of the County Development Plan, states that narrow strips of open space to the side of a dwelling shall not be considered as private amenity space. The Sustainable and Compact Settlements Guidelines for Planning Authorities state that *private open space is an outdoor open area that is exclusively for use by the occupants of a residential unit (and their visitors) and does not include areas used exclusively for access (e.g. side passages) or storage (including car parking).*
- 7.3.9. Accordingly, the second and third amenity areas as identified by the applicant above together with the side entrance cannot be reasonably considered as suitable private open space. The site photos refer. Therefore, the area of useable private open space that remains to serve the development is 14.7 sqm which is substantially insufficient and has limited usability. I agree with the Case Planner that the development as is has resulted in the diminution of private amenity space associated with the existing house and, therefore, has a serious impact upon the residential amenity of the site.
- 7.3.10. While there is no issue with the scale, design and layout of the scheme relative to the parent house and adjoining properties there is significant difficulty with the proportions of the family flat to be retained relative ot the existing plot size and the resultant poorly configured and usable private amenity space serving the development. Without a significant intervention the issues at hand cannot be easily remedied in line with the requirements of the current development plan. Refusal is recommended.

7.4. Refusal Reason No 2 – Precedent

- 7.4.1. I share the concerns raised in the second reason for refusal that if the family flat as constructed was granted permission that it would set an undesirable precedent for development of similar scale relative to a restricted plot size and that would result in a poorly configured and insufficient usable private amenity space which would be unacceptable to the residential amenities of the parent property. Refusal is recommended.

7.5. Other Issues

- 7.5.1. **Development Contributions** – I refer to the SDCC Development Contributions Scheme. It is recommended that should the Board be minded to grant permission that a Section 48 Development Contribution condition is attached.
- 7.5.2. **Conditions** – I note the submission from the Observer on the appeal file and in particular the suggested conditions to be attached to any grant of permission (restricted use, unit not to be sold or let and that the unit is to be reintegrated into the main house when no longer in use). As set out in Section 7.2.3 of my report above it is recommended that should the Commission be minded to grant permission that the Commissions standard condition in this regard be attached.

8.0 Environmental Impact Assessment

- 8.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning 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.

9.0 Appropriate Assessment Screening

- 9.1. I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The proposed development comprises extensions and alterations to an existing dwelling. No nature conservation concerns were raised in the planning appeal.

9.2. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:

- Nature of the works e.g. small scale and nature of the development.
- Distance from nearest European site and lack of connections.
- Taking into account determination of the Planning Authority.

9.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

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

10.2. The reason for this conclusion is as follows:

- Nature of the project, site and receiving environment
- Location-distance from nearest Water bodies and/or lack of hydrological connections.

10.3. 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

Having considered the contents of the application the provision of the Development Plan, the grounds of appeal and the responses thereto, my site inspection and my assessment of the planning issues, I recommend that permission be **REFUSED** for the following reason.

12.0 Reasons and Considerations

- 1) The family flat proposed for retention is located in an area for which the zoning objective is 'to provide for residential development and protect and improve residential amenity', as set out in the South Dublin County Development Plan 2022-2028, whereby it is the policy of the planning authority to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenity. Having regard to the scale, design and layout of the family flat proposed for retention relative to the plot size of the site, which results in poorly configured and substantially insufficient usable private amenity space (14.7 sqm), it is considered that the retention of this family flat as constructed, if permitted, would represent overdevelopment of a restricted site and would seriously injure the amenity of residents of the existing house, and would contravene the zoning objective for the area set out in the County Development Plan.
- 2) The retention of this family flat as constructed, if permitted, would set an undesirable precedent for development of similar scale and proposition relative to the parent dwelling, which in themselves and cumulatively would be harmful to the residential amenities of the parent dwelling and the area, and thus contrary to the 'RES' zoning objective of the area, which seeks 'to protect and/or improve residential amenity'.

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.

Mary Crowley

Senior Planning Inspector

28th October 2025

14.0 Appendix 1 - Form 1 - EIA Pre-Screening

Case Reference	ABP-323500-25
Proposed Development Summary	Retention of rear single storey extension consisting of bedroom, kitchen, dining room accommodation and all associated site works.
Development Address	No 6, St Edmunds Park, Ballydowd, Lucan, Co. Dublin
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input type="checkbox"/> 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.	
<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	
<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)	

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"/>	

Inspector _____ **Date** _____

DP/ADP _____ **Date** _____

(only where Schedule 7A information or EIAR required)