



An
Coimisiún
Pleanála

Inspector's Report ACP-323595-25

Development

Demolition of bungalow and construction of three storey office building and ancillaries comprising site development works, landscaping, cycle, and car parking areas with EV charging points.

Location

The Laurels, Ballydowd, Lucan, K78
A5D7

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD25A/0147W

Applicant(s)

Lucan District Credit Union Limited

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party v decision

Appellant(s)

Lucan District Credit Union Limited

Observer(s)

1. Andrew Murphy
2. Bernard and Yvonne O'Sullivan
3. Eamonn Brennan

4. Ruth and Ronan French
5. Hughes Planning on behalf of
Yvonne and Bernard O' Sullivan,
John and Catherine Handibode,
Billy Mulligan, Irene Mulligan, and
Eileen Griffin
6. John and Catherine Handibode
7. Karen Handibode
8. Garvan and Caroline Ware
9. Dermot and Julie Keogh
10. Thomas and Mary Nolan

Date of Site Inspection

16/1/26

Inspector

Ronan Murphy

1.0 Site Location and Description

- 1.1. The appeal site which has a stated area of 0.176ha and is located c. 860m to the east of the centre of Lucan Village. While the surrounding area is predominantly residential in character, there are non-residential uses to the east of the site (at a distance of c.61m) including a veterinarian clinic, hair salon, and car sales.
- 1.2. The appeal site currently comprises of an existing single storey dwelling and back garden area to the rear.
- 1.3. The appeal site is primarily bounded to the north by Lucan Road, a single storey dwelling to the known as Aras Rosoige to the west, the back gardens of No's 30-32 Roselawn to the south-west, a two-storey dwelling known as Kinclare to the east and the back garden of No.45 and 46 Roselawn to the south.

2.0 Proposed Development

- 2.1. The proposed development comprises of the demolition of an existing bungalow and its replacement with a three-storey office building and ancillary site works including soft landscaping, car parking, and bicycle parking.
- 2.2. The bungalow which is proposed to be demolished comprises of a rubble stone cottage with a slate roof which includes a rear extension. The cottage has a floor area of c.97m².
- 2.3. The proposed office building would have a floor area of c. 630m and would comprise of a banking hall (including office space and private interview rooms) at ground floor level, offices at first floor level and a boardroom / kitchenette and bathrooms at second floor.
- 2.4. The proposed office building would have a maximum height of 12.4m and would be finished in a mixture of translucent glazing, rainscreen cladding, louvers and aluminium channel eaves, fascia, and verges.
- 2.5. In addition to this the proposal would include a total of 11 car parking spaces (including 3 EV spaces and 2 mobility impaired space) and 13 bicycle parking spaces.

3.0 Planning Authority Decision

3.1. Decision

3.1.1 By order dated 13/8/25 the planning authority decided to refuse planning permission for three reasons as set out below:

Residential Amenity

1. *The proposed development by reason of its scale, height, siting, massing and proximity to site boundaries, would fail to integrate well into the area, would detract from its existing residential character, and would injure the residential amenity of adjoining properties by reason of visual obtrusion and overbearing visual impact. It is considered that a 3-storey building could be accommodated on this site but not with the combination of factors listed above that afflict the present design. The proposed development would therefore be contrary to the 'RES' zoning objective and the proper planning and sustainable development of the area.*
2. *The proposed development would be contrary to Policy NCBH24 and its relevant objectives to encourage the reuse and adaptation of older vacant and derelict buildings as a key component of promoting sustainable development.*
3. *The applicant has failed to provide appropriate plans and particulars in relation to:*
 - (a) public realm / landscaping and trees*
 - (b) green infrastructure proposals and calculations*
 - (c) access, transport, and parking.*

3.2 Planning Authority Reports

3.2.1 Planning Reports

3.2.2 There is one planning report on file dated 13/8/24. In their report, the area planner highlights concern with respect to the height, depth, profile, and massing of the proposed development which would adversely impact on the amenities of existing adjacent properties by way of overbearing appearance, overlooking, or increased levels of overshadowing. The area planner states that the proposed development does not align with the Zoning objective and therefore refusal is recommended on this basis.

3.2.3 In addition to this, the area planners report recommends refusal on the basis that the proposed development would be contrary to Policy NCBH24 and its relevant objectives to encourage the reuse and adaptation of older vacant and derelict buildings.

3.2.4 Finally, the area planner states that both the Roads Department and the Parks and Public realm departments recommended that additional information be requested, however, as refusal is being recommended, these issues can be listed as reasons for refusal due to lack of appropriate particulars.

3.1.1. Other Technical Reports

- **Environmental Health:** Report dated 10/7/25 outlining no objection, subject to conditions.
- **Roads Department:** Report dated 22/7/25 requesting Further Information with respect to the need for updated plans to show pedestrian routes, footpath widths, the exact location and number of car parking spaces and bicycle spaces, a swept path analysis, a plan showing visibility splays and the location of bin storage.
- **Parks and Public Realm Department:** Report dated 6/8/25 requesting Further Information relating to the need for a SUDS plan, a green infrastructure plan, a landscape plan, and a tree survey.

4.0 Planning History

Appeal Site

4.1 There is no planning history pertaining to the appeal site.

Site to the east

Reg. Ref. SD03A/0023. Application for the demolition of existing dwelling and construction of a new two storey dwelling. Permission granted, subject to conditions.

Site further to the west

Reg. Ref. SD22A/0324 (ABP-314994-22). Application for demolition of an existing house; Ancillary outbuildings and the construction of 1 two to four storey building accommodating 19 apartments comprised of 6 one bedroom apartments and 13 two

bedroom apartments; Vehicular access to the proposed development will be via Lucan Road with traffic calming measures onto Lucan Road; 11 car parking spaces and 20 bicycle parking spaces and ancillary services including a detached water storage tank and bin store housing all on a site of 0.1925 hectares. Permission refused by the planning authority due to traffic and road safety issues. This decision was the subject of a first party appeal to An Bord Pleanála against the decision of the planning authority where the decision was overturned. This site is c. 400m to the west of the appeal site.

5.0 Policy Context

5.1. Development Plan

5.1.1 The *South Dublin County Development Plan 2022-2028* is the operative plan for the area. The appeal site is within the Existing Residential 'Res' zone which has the objective '*to protect and / or improve residential amenity.*'

The following policies and objectives are pertinent:

Policy NCBH24: which seeks (inter alia) to support and encourage the reuse and adaptation of historic, traditional, and older vacant and derelict buildings.

Policy NCBH24 (objective 1) which seeks to encourage the repurposing and reuse of older vacant and derelict structures, particularly within towns, villages, and Architectural Conservation Areas.

Policy NCBH24 (objective 2) which seeks to prohibit demolition or full replacement, where there are re-use options for historic buildings in order to promote a reduction in carbon footprint.

Policy EDE4 which seeks to support urban growth and regeneration through the promotion of good placemaking.

Policy EDE4 (Objective 1): which seeks to ensure that economic and employment development is located to optimise existing infrastructure and to support development and investment in the County's urban centres supporting orderly growth and placemaking.

Policy QDP1: which seeks to support the development of successful and sustainable neighbourhoods.

Policy QDP1 (Objective 2): which seeks to ensure that residential, mixed use and employment development provides an integrated and balanced approach to movement, placemaking and streetscape design.

Policy QDP2: which seeks to promote the creation of successful and sustainable neighbourhoods through the application of the eight key design principles to ensure the delivery of attractive, connected, and well-functioning places to live, work, visit, socialise and invest in throughout the County.

Policy QDP3: which seeks to support and facilitate proposals which contribute in a positive manner to the character and setting of an area.

Policy QDP2 (Objective 1) which seeks to ensure new development contributes in a positive manner to the character and setting of the immediate area in which a proposed development is located.

Policy QDP7: which seeks to Promote and facilitate development which incorporates exemplary standards of high-quality, sustainable, and inclusive urban design, urban form, and architecture.

Policy QDP8: which seeks to adhere to the requirements set out in the Urban Development and Building Height Guidelines (2018).

Policy QDP11: which seeks to promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy QDP11 (Objective 1) which requires the use of high quality and durable materials and finishes that make a positive contribution to placemaking.

Policy E3: which seeks to support high levels of energy conservation, energy efficiency, and the use of renewable energy sources in new and existing buildings.

Policy IE3: which seeks to Manage surface water and protect and enhance ground and surface water quality to meet the requirements of the EU Water Framework Directive.

Policy IE3 (Objective 7): which seeks to protect surface water quality by continuing to assess the impact of domestic and industrial misconnections to the drainage network in the County.

The following sections of the *South Dublin County Development Plan 2022-2028* are pertinent:

- 12.3.1 Appropriate Assessment
- 12.3.2 Ecological Protection
- 12.3.3 Environmental Impact Assessment
- 12.4.2 Green Infrastructure and Development Management
- 12.5.1 Universal Design
- 12.5.2 Design Considerations and Statements
- 12.5.3 Density and Building Heights
- 12.5.7 Signage – Advertising, Corporate and Public Information
- 12.7 Sustainable Movement
 - 12.7.1 Bicycle Parking / Storage Standards
 - 12.7.4 Car Parking Standards
 - 12.7.5 Car Parking / Charging for Electric Vehicles (EVs)
- 12.9 Economic Development and Employment
- 12.10 Energy
 - 12.11.1 Water Management
 - 12.11.3 Waste Management
 - 12.11.4 Environmental Hazard Management

5.2. Natural Heritage Designations

- 5.2.1. The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). The Rye Water Valley/Carton SAC (Site Code: 001398) is located c. 3.8km to the west of the site. In addition to this, the Liffey Valley pNHA (Site Code: 000128) is located c. 405m to the west of the site.
- 5.2.2 A screening exercise for Appropriate Assessment will be undertaken in Section 8 below.

5.3. EIA Screening

5.3.1 See completed Form 2 attached by way of appendix to this report. Having regard to the nature, size, and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

5.4 Water Framework Directive

5.4.1 The purpose of the EU Water Framework Directive is an initiative aimed at improving water quality throughout the European Union. The Directive was adopted in 2000 and requires governments to take a new approach to managing all their waters; rivers, canals, lakes, reservoirs, groundwater, protected areas (including wetlands and other water dependent ecosystems), estuaries (transitional) and coastal waters.

5.4.2 An Coimisiún Pleanála and other statutory authorities cannot grant development consent where a proposed development would give rise to a reduction in water quality.

5.4.3 The LIFFEY_180 (i IE_EA_09L012100) is c.605m to the north-west of the appeal site. This waterbody is classified as poor ecological status. This is illustrated on the EPA mapping (<https://gis.epa.ie/EPAMaps/>).

5.4.4 I have assessed the proposal 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.

5.4.5 The reason for this conclusion is as follows:

- The scale of the proposed development, and
- The fact that the site will be connected to the public foul sewer and stormwater infrastructure.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 A first party appeal against the decision of South Dublin County Council to refuse planning permission has been received from Gaia Ecotecture on behalf of the applicants. I make the Coimisiún aware that the appeal material includes the following:

- Sunlight Daylight Assessment.
- Arborists Report.
- 3D rendered perspectives from the N/E and N/W from Lucan Road.
- Practice profile.
- Copies of e-mails between the applicant's agents and SDCC Planning Department from 25/7/25 and 28/7/25.
- Schedule of observations / representations.

6.1.2 The first-party appeal is substantial and can be summarised as follows:

- Eight of the submitted documents were not made available by South Dublin County Council and were inaccessible during the consultation period. This has sewn confusion widely.
- The proposed development is not commercial-Lucan and District Credit Union is not-for-profit. The proposal is a bespoke architecturally designed facility to create a socially, economically, and environmentally sustainable, member-owned facility.
- The height of the building has been reduced twice.
- The existing dwelling is at the north of the site fronting the main thoroughfare and the proposal replicates this footprint so as to least interfere with neighbouring houses and would not cause any overshadowing or overlooking and would reuse materials of the existing dwelling (rubble stone as well as slate).

- South Dublin County Council erred in not making all submitted documents available for public consultation on their website. Internal reports were prepared during the period that documents were not available.
- There is no evidence that the planning department circulated the application to the County Architect for comment. Under EU Law the competence of the assessor must match that of the applicant in the relevant discipline. There are virtually no discussions about architectural considerations.
- The height dimensions are taken from the proposed ground level, half a metre below Lucan Road. The proposal is two and three storeys high to a maximum height of 12.4m, the planning officer overstates the height at 12.7m, this is unfortunate when this is such a sensitive issue locally.
- The proposed volume is 78% of that proposed at pre-panning stage. The proposal is compact in form, divided by structural bays with individual hipped roofs of domestic scale. The roofs descend in a cadence from addressing Lucan Road at the northern boundary of the land to the garden side.
- The public façade facing north relates to the open landscape over the road boundary wall of St. Edmundsbury.
- The proportions of the building derive from timber construction codified by Andrea Palladio. The basis for Gaia Ecotecture's design on the appeal site is in the abstract a simple cubic volume of 15m side, tripartite on each façade. This approach succeeded in designing the Credit Union office building for St. Mary's (Navan) Credit Union Ltd which was awarded The Best Eco-friendly Building by Local Authorities Members' Association.
- The building heights have been reduced because of pre-planning consultation, the floor area has been reduced by 7% as a result of a meeting with the next-door neighbour on the western boundary. The building footprint has diminished by 16%.
- The set back from 8.41m from the eastern boundary of the land, not 8.4m as stated by the planning officer. This adjoins the front carparking area of the two-storey detached house 'Kinclare.' The eastern boundary is shared with the gable which features a side door and apparent bathroom window.

- The western boundary is shared with the blank gable of a 1.5 storey detached house 'Aras Rosoige,' which is dimensioned at 1.35m on the plans.
- The applicants have engaged with the owners of 'Aras Rosoige,' and the designs have been altered to address concerns. The proposed building is further away from the shared boundary.
- There is no fenestration to the west and non-habitable rooms to the east.
- The planners report reasoning and conclusion rely on inaccuracies and therefore cannot be regarded as sound.
- It is welcomed that SDCC consider it possible to accommodate a three-storey building on the site or a building of equal floor area to that proposed. It is noted that the site is three times larger than the average locally. The proposed plot ratio is 36%. The site coverage is 15%.
- The height of the proposed development is within the height of a mature tree line and aims to respect the neighbourhood streetscape, retaining human scale.
- The whole process of the application appears to have been conducted in a manner which is grossly unfair.

Demolition

- The Council's Heritage Officer has not been involved or consulted at any stage. An Taisce made no submission.
- 'The Laurels' is not a Protected Structure,' neither is the site in a conservation area.
- To maintain the existing fabric is suitable for a 21st century workplace would be faux and limit a major thoroughfare to single storey, futile tokensim. To inhibit any development at Ballydowd in such a way would surely underutilise expensive infrastructure.
- The building energy rating is G being the least efficient. The building is in poor condition; conservation works would be prohibitively expensive. A complete rebuild would be required rather than reuse by refitting.

Access and Parking

- There is no pedestrian crossings provided within this half acre site. There is a pavement of at least 6m wide pavement outside the street boundary the perimeter paths are 2m wide as required.
- The Coimisiún are requested to dismiss the Road recommendation entirely as the Roads Department were assessing a drawing which was part of the preplanning consultation and was superseded by the planning application material.
- The proposed bicycle parking spaces would be constructed in accordance with National Cycle Manual standards which do not require all to be covered.
- Fire tenders and large refuse vehicles can access / egress in accordance with the County Development Plan. There should never be a need for a large HGV to access into the car parking area.
- The proposed visibility splay is shown as 45m in both directions from the entrance, this is the location of the existing vehicular access to the subject site and has the best possible visibility in both directions.
- Concerns relating to the proposed location of bin storage on the eastern boundary and refuse trucks collecting same could have been resolved by further information.

Stormwater

- The applicants did submit 'The Plan Approach; compliance report Part E Public Realm with Civil Engineer's reports and two drawings showing details of the proposed foul water, water supply, and surface water drainage. Crucial documents were unavailable during the entirety of the public consultation period.
- The applicants did submit 'The Plan Approach; compliance report Part B Site context (character-natural and Green Infrastructure) and Part C Healthy placemaking. This document was unavailable during the entirety of the public consultation period.
- It is a normal condition that a landscape plan is required.

Tree Survey

- The applicant submitted a street survey plan; a condition of permission could require future consultation with the local authority.

Uisce Eireann

- The applicant has been in contact with Uisce Eireann, and a suite of engineer plans were submitted.

Appropriate Assessment

- The applicants did an Appropriate Assessment Screening.

6.2. Planning Authority Response

6.2.1 A response dated 11/9/25 was received from South Dublin County Council. The response states that the applicant was correct to state that some files lodged with the application, did not appear immediately on the South Dublin County Council planning portal. However, once this error was brought to the attention of the Planning Authority it was rectified. The Planning Authority also state that the applicant is incorrect to suggest that the Planning Authority's own report or decisions did not take account of these documents.

6.2.2 The files were erroneously classed as private in the Planning Authority's internal document management system-a classification that exists to protect personal details from being published, all files within this classification are available to officers undertaking the assessment both with the planning department and in other internal departments. In this instance all submitted documents were visible to the officers who undertook the assessment. The recommendations and final decision to refuse permission were made with the benefit of having reviewed the application in its entirety.

6.3. Observations

6.3.1 Third Party observations have been received from the following:

1. Andrew Murphy
2. Bernard and Yvonne O'Sullivan
3. Eamonn Brennan

4. Ruth and Ronan French
5. Hughes Planning on behalf of Yvonne and Bernard O' Sullivan, John and Catherine Handibode, Billy Mulligan, Irene Mulligan, and Eileen Griffin
6. John and Catherine Handibode
7. Karen Handibode
8. Garvan and Caroline Ware
9. Dermot and Julie Keogh
10. Thomas and Mary Nolan

6.3.2 The observations are detailed and can be summarised as follows:

Contravention of the South Dublin Development Plan 2022-2028

- The proposal contravenes the objective of the RES Zone as the proposed would lead to an overdevelopment of the site and would be contrary to the zoning objective which seeks to protect existing residential amenity.
- The proposed development contravenes the following objectives and policies: NCBH24 Objective 2, E3 Objective 2, QDP12 Objective 4, H2 Objective 3, Policy IE 8, and Policy NCBH24.

Demolition

- The dwelling on site is not derelict. The dwelling on site is suitable for reuse or adaption; the proposal is contrary to Policy NCBH24 of the *South Dublin County Council Development Plan 2022-2028*.
- While the dwelling is not a protected structure it would be a shame if the proposed build could not try to preserve the aesthetics of the history of the area in some way.
- The applicant has used simple commercial terms for the requirement to demolish the existing bungalow and has made no realistic attempt to re-use or adapt older vacant and derelict buildings and there is no attempt to adhere to NCBH24.

Removal of trees

- The applicant removed all the trees on site prior to lodging the application. The site was maintained by a groundskeeper up to the time the applicant bought the property who let it become overgrown.

Design

- Unacceptable design. Little or no local participation in / for this project.
- The proposal is not in keeping with the character of the surrounding residential neighbourhood and would alter the existing vits, ambiance and overall feel of the area.
- Excessive scale, massing design, and proximity to site boundaries would mean that the proposal would not integrate well into the area. The proposal would represent overdevelopment of the site by way of design, layout, and massing on a restricted site.
- The surrounding buildings comprise 1-2 storey residential buildings. The proposed development is not consistent with the design and scale of the area.
- The architects desire to erect a 'massive building' on the Lucan Road is worrying.
- Abject design failure, unattractive character, and poor-quality public space contribute to damaging residential amenity.
- The applicants fail to see that there are planning issues which have not been dealt with the significant failings of their building. The design does not comply with the 'Urban Design Manual-a best practice guide.'
- The use of plot ratios and site coverage are metric which overlook the core concern raised by objectors (i.e. excessive scale and visual impact which would be visually dominant and overbearing).
- The applicant uses treelines as a justification for scale. There are no mature tree lines adjacent to the proposed development which reflects its height. Trees on the opposite side of the road is not a reasonable justification. The building does not retain a human scale.
- The EIR building referenced by the applicant was built before surrounding residential development.

Amenity Impacts

- The proposal would be overbearing and result in overlooking and overshadowing. Architectural devices can't make up for the inappropriate mass and scale of the proposed development which result in overlooking and loss of privacy to neighbouring dwellings.
- The dwelling to the west is a one storey building, not a one-and-a-half storey building. The applicant understates the scale disparity between the proposed development and the dwelling to the west.
- The western elevation of the proposed office building overlooks the rear private open spaces of the dwelling to the west of appeal site. The proposal is located on the shared boundary of the property to the west and given the height of the building would have a negative impact on the visual amenity of this property and would appear overbearing.
- The applicant proposals staff to enter the building along the western boundary wall which is only 1.8m in height, this would result in people walking directly next to the house to the west, being able to fully see into the garden and home at all hours. The bike racks and accessible parking would look into the sitting room of the house to the west.
- The proposed development would look directly into the second-floor bedroom windows of the dwelling to the south and the second-floor bathroom of the dwelling to the east.
- The proposed development would increase noise from an increase in vehicular movements; bins being taken out and significant footfall.

Overshadowing

- Loss of natural light and increased overshadowing. The conclusions of the Daylight and Sunlight Assessment submitted by the applicant are strongly contested. There is no early morning shadow analysis for different times of the year. This omission is material as sun rising in the east is a key source of light. The proposed structures scale, height and proximity will inevitably block this light.

Nature of the development

- The Credit Union is a commercial building. The credit union offers financial services to the public or its members and generates significant footfall.
- The proposed parking provisions are inadequate this would lead to overflow parking into the surrounding area and safety concerns with respect to the traffic levels.

Traffic and parking

- The proposal would increase traffic congestion onto Lucan Road, an already overly busy street and would set an undesirable precedent for other relevant developments and have an adverse effect on traffic use of Lucan Road.
- The local road network, particularly around Roselawn Road is already under considerable strain. There are genuine safety concerns from the current and insufficient parking infrastructure. The proposal would amplify these risks.
- The plans do not appear to provide sufficient on-site parking and therefore would lead to overflow parking on surrounding streets.
- The moving of the ESB pole to the west would impact on the entrance to the house to the west.
- Property devaluation is a valid concern.

Procedural matters

- The applicants refer to procedural matters allegedly applied by SDCC during the planning process. Objection based on the substantive information provided during the planning process and appeal stages.
- Personal references made to some observers in an indifferent tone in the first party appeal are not acceptable. People in the Lucan area have a right to express their views as part of the planning process.
- The application material does not include a demolition justification report.

6.4. Further Responses

6.4.1 There are no further responses on file.

7.0 Assessment

7.1. Having examined the appeal details and all other documentation on file, including the reports of the local authority and inspected the site. I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development
- Demolition
- Design
- Amenity impacts
- Traffic / Parking
- Flood Risk Management
- Other matters
- Appropriate Assessment

7.2 Principle of Development

7.2.1 The appeal site within the RES zone which has the objective '*To protect and / or improve residential amenity.*'

7.2.2 'Offices 100 sq m-1,000 sq m' are open for consideration in the RES zone. The proposed development comprises of an office development with a floor area of 630m² and therefore I am satisfied that the proposed development is in accordance with the sites zoning objective and that the proposed development is acceptable in principle, subject to a full assessment.

7.3 Demolition

7.3.1 The proposed development includes the demolition of an existing single storey bungalow.

7.3.2 The bungalow is described as a rubble stone cottage with a slate roof which includes a rear extension. The cottage has a floor area of c.97m².

7.3.3 The first party appeal states that the building is not a Protected Structure', neither is the site in a conservation area and that the building is in poor condition, with an energy rating of G, conservation works would be prohibitively expensive, and the building

would not be suitable for a 21st century workplace. In addition to this, it is states that a complete rebuild would be required rather than reuse by refitting.

- 7.3.4 The third-party observers state that the dwelling on site is not derelict and is suitable for reuse or adaption and that there has been no realistic attempt to re-use or adapt older vacant and derelict buildings and there is no attempt to adhere to Policy NCBH24 of the *South Dublin County Council Development Plan 2022-2028*.
- 7.3.5 Reason for refusal No.2 states that the proposed development would be contrary to Policy NCBH24 and its relevant objectives to encourage the reuse and adaptation of older vacant and derelict buildings as a key component of promoting sustainable development.
- 7.3.6 I note that the existing bungalow on site is an older building and as a result I have consulted Map 1 of the *South Dublin Development Plan 2022-2028*, and I am satisfied that the bungalow on site is not a Protected Structure and the appeal site is not within an Architectural Conservation Area.
- 7.3.7 Notwithstanding this, I note Policy NCBH24 of the *South Dublin Development Plan 2022-2028* which broadly seeks to support and encourage the reuse and adaptation of historic, traditional, and older vacant and derelict buildings as a key component of promoting sustainable development. In addition to this, I refer the Coimisiún to Section 12.3.9 of the *South Dublin County Development Plan 2022-2028* which relates to development proposals to demolish a dwelling / building that is not a Protected Structure or in an ACA and states that in such cases, a strong justification for the demolition of the dwelling / building will be required, addressing the potential impact on the historic character and visual setting of the area.
- 7.3.8 The application material includes a Building Life Cycle Costing Report which outlines that the existing building requires disproportionate capital investment in every possible upgrade of all elements of building fabric, beyond gutting. A rebuild is required to provide moisture and Radon-proof ground floor and external walls.
- 7.3.9 Having considered the submitted Building Life Cycle Costing Report I am satisfied that the reuse / adaption of the bungalow on site would not be feasible in this case given the large cost required to upgrade the bungalow to modern standards. I am therefore satisfied that the proposal to demolish the bungalow on site would not be contrary to Policy NCBH24 and therefore reason No.2 for refusal is not warranted.

7.4 Design

- 7.4.1 The proposed development comprises of an office building with a floor area of c. 630m which would comprise of a banking hall (including office space and private interview rooms) at ground floor level, offices at first floor level and a boardroom / kitchenette and bathrooms.
- 7.4.2 The proposed office building would have a depth and width of 15.3m with a maximum height of c.12.4m and would be finished in a mixture of translucent glazing, rainscreen cladding, louvers and aluminium channel eaves, fascia, and verges.
- 7.4.3 The first party states that the proposal is a bespoke architecturally designed facility to create a socially, economically, and environmentally sustainable, member-owned facility.
- 7.4.4 A number of observers state that the proposal is not in keeping with the character of the surrounding residential neighbourhood and would alter the existing ambiance and overall feel of the area. In addition to this it is stated that the proposal would be excessive in scale and massing and its proximity to site boundaries would mean that the proposal would not integrate well into the area.
- 7.4.5 Reason No.1 for refusal states (inter alia) that as result of the scale, height, siting, massing, and proximity to site boundaries that the proposed development would fail to integrate well into the area.
- 7.4.6 In the first instance I make the Coimisiún aware that I have been unable to find a detailed, dedicated site layout plan in file, Therefore, I am required to rely on other drawings to obtain setbacks of the proposed development from boundaries.
- 7.4.7 I refer the Coimisiún to drawing No. S04 b '*Site Lighting and 'AutoTrack Swept Path'*' which shows that the proposed development would be set back c. 8m from the eastern boundary of the land, 1.3 m from the western boundary of the land and c.33m from the southern boundary of the land.
- 7.4.8 In broad terms, while I am satisfied that that the overall design of the proposed development is high quality, and that the materials proposed are modern and sustainable. Notwithstanding this, having considered the plans and elevations submitted with the application, I do have concerns relating to the proximity of the proposed office building to the western and eastern boundaries of the land.

- 7.4.9 These concerns relate to how the building with a maximum height of 12.4m integrates with the surrounding streetscape which is residential in character with predominantly single storey dwellings to the west and two storey dwellings to the east.
- 7.4.10 Having considered the plans and CGI images submitted with the initial application and with the first party appeal, in my opinion, the proposed development would be overly prominent in views from the surrounding area and especially from the existing dwellings (including rear gardens) to the east and west of the site.
- 7.4.11 While I would accept that simply being able to see a structure from a particular viewpoint or property is not in itself is not a sufficient reason to find a visual impact unacceptable, the appeal site is within the RES zone and the protection of residential amenity and character of the area is a central consideration in matters such as this.
- 7.4.12 The proposed office building would be highly visible from residential properties in the area, including the private open space of the dwellings to the west of the site. The introduction of a 12.4m high office development at such close setbacks to residential properties would represent an intrusive feature and would comprise of an incongruous object within this residential context.
- 7.4.13 Arguments put forward by the first party that the design of the proposed development comprises of a deft architectural insertion of a compact volume with minimal effect on contiguous dwellings do not, in my opinion, have merit and as such I do not believe that the proposed office building would be easily assimilated into the streetscape at its proposed location.
- 7.4.14 The drawings and CGI images submitted by the applicant (including with the first party appeal) only confirm that the proposed office building as depicted is highly visible in the streetscape at this location. In this regard, I draw the attention of the Coimisiún to Drawing No. skO8g '*Contiguous Elevations*' which show the contrast of the proposed development in the context of the abutting dwellings to the east and west.
- 7.4.15 On balance, while I note that the design of the proposed office building is of a high quality and I note that need for the proposed office as expressed in both the initial application and the first party appeal, I am of the opinion that the proposed office building would be excessive in height and scale and would have an undue impact on the residential amenity of abutting residential properties to the east and west and fails

to achieve compliance with the objective of the RES zone which seeks to protect and / or improve residential amenity.

7.4.16 It maybe that the location of the proposal is broadly acceptable for a development such as that proposed, however, the issues identified above are at a level whereby they could not be addressed by way of condition and therefore refusal is recommended on this basis.

7.5 Amenity Impacts

7.5.1 The appeal site is within the RES zone and therefore the protection of residential amenity is a paramount concern when assessing any proposed development.

7.5.2 The first party states that proposed development would replicate the footprint of the existing dwelling on site to ensure the least interfere with neighbouring houses and would not cause any overshadowing or overlooking and would reuse materials of the existing dwelling (rubble stone as well as slate).

7.5.3 Third party observers state that the proposal would be overbearing and result in overlooking and overshadowing.

Overlooking

7.5.4 Having considered that plans and particulars submitted with the application, given the setback of the proposed office from the boundaries of the land, I consider that the key properties are to the east and west of the site.

7.5.5 I refer the Coimisiún to Drawing No. sk07h '*Elevations*' and Drawing No. sk01g '*Floor Plans*'.

Western Elevation

7.5.6 This drawing shows that there is one window within the western elevation at first floor level. This window would serve a non-habitable area of the building (stair well). I am satisfied that there would be no undue overlooking from the western elevation of the proposed development.

Eastern Elevation

7.5.7 There is a window on the eastern elevation at first floor level. This window would serve office floor space.

7.5.8 Given the position of the proposed development, this window would face towards the side elevation and front garden of the property to the east. I note that there is a window within the side elevation of the existing dwelling to the east at first floor level. This window is obscured by opaque glazing and is most likely a bathroom window. In light of this, I am satisfied that there would be no undue overlooking from the window on the eastern elevation.

7.5.9 In addition to this, the window within the eastern elevation of the proposed development faces towards the front garden of the dwelling to the east, however, front gardens are considered to be less sensitive than rear gardens and as such I am satisfied that no undue overlooking would occur from the eastern elevation of the proposed development.

Southern elevation

7.5.10 There are a number of windows on the southern elevation of the proposed development at first floor level. These windows serve offices and face towards the back gardens of properties to the east, west, south-west, and south of the appeal site.

7.5.11 Given the set back of the proposed development from the southern boundary of the land (c.33m), I do not have concerns with respect to potential overlooking of the property to the south of the site. In addition to this, given the location and angle of the windows on the southern elevation, I am satisfied that the proposed development would not cause undue overlooking of the site to the east.

7.5.12 However, given the proximity of the proposed development to the property to the west, I am particularly concerned that the windows within the south-western side of the proposed development would cause undue overlooking of the private amenity space of the residential property to the west of the site.

7.5.13 The Coimisiún may believe this matter could be addressed by way of condition which requires that these windows should be obscured by opaque glazing, however, in my opinion such a condition would have an impact on the amenity of those working in the offices.

Overshadowing

7.5.14 The first party appeal includes a Daylight and Sunlight Assessment prepared by H3D.

In shorth the study finds that the proposed development would not unduly impact on light to windows or on the rear gardens of adjacent properties.

7.5.15 Having considered the report submitted with the first party appeal, I am satisfied that the proposed development would not have an undue impact on the amenity of the dwellings to the east and west by way of overshadowing.

Overbearing

7.5.16 With respect to overbearing development, I note the concerns of third parties relating to the set back of the proposed development from abutting properties to the east and west.

7.5.17 The proposed office building would be set back c. 1.3 m from the western property boundary line. While I note that the Daylight and Sunlight Assessment prepared by H3D demonstrates that the proposed development would not unduly overshadow abutting properties, I have concerns relating to the potential for overbearing development. These concerns relate to the set back of the office building from the western boundary of the land in combination with the small rear gardens of the property to the west. The proposed office building would dominate views from the rear garden of the property to the west.

7.5.18 In addition to this, I note that the cart park to service the proposed development would be located to the rear of the building, with 7 car parking spaces located along the eastern boundary of the land and 5 car parking spaces located on the southern boundary of the land. In this regard, I refer the Coimisiún to Drawing S06 c 'Landscape Plan'.

7.5.19 The objective of the RES zone is to protect and / or improve residential amenity, in my opinion the use of the car park has the potential to have an impact on the residential amenity of surrounding properties by way of noise and light spill (at certain times of the year) from car headlights.

7.5.20 Having considered the above it is my opinion that the proposed development would have an undue impact on the residential amenity of the surrounding properties by way of overbearing development resulting from views of a large commercial building from

the private amenity spaces of abutting properties and the noise and light spill from the use of the rear of the site for the purposes of car parking.

7.5.21 These matters could not be dealt with by way of condition and therefore refusal is recommended.

7.6 Traffic / Parking

7.6.1 The proposed development includes a total of 13 car parking spaces (2 mobility spaces and 11 standard car parking spaces). The standard car parking spaces are located adjacent to the eastern and southern boundaries of the land.

7.6.2 The first party appeal requests that the Coimisiún dismiss the recommendation of the Roads Department of South Dublin County Council entirely as they assessed a drawing which was part of the preplanning consultation and was superseded by the planning application material.

7.6.3 Third party observers have outlined concerns that the plans do not appear to provide sufficient on-site parking and therefore would lead to overflow parking on surrounding streets and that the proposal would increase traffic congestion onto Lucan Road, an already overly busy street and would set an undesirable precedent for other relevant developments

7.6.4 Table 12.25 of the *South Dublin County Development Plan 2022-2028* sets out car parking requirements per land use. In this case office development attracts a ratio of 1 space per 50m². I note these are maximum car parking rates. Therefore, a maximum of 12.6 car parking spaces would be required as part of this development. While I note the concerns of the third-party observers with respect to the number of proposed car parking spaces, I am satisfied that 11 car parking spaces as proposed would be acceptable. I have come to this conclusion having regard to the fact that the ratio's given in Table 12.25 of the South Dublin County Development Plan are maximum and the fact that the appeal site is easily accessible by public transport with a bus stop to the front of the site.

7.6.5 I note the concerns of the third parties with respect to the impact that the proposed development would have on the traffic congestion in the area. However, I am satisfied that that the relatively small number of traffic movements generated by the proposed

development would not have an undue impact on traffic movements within Abbeylax in general and therefore the proposed development is acceptable in this regard.

7.7 Flood Risk Management

7.7.1 I have consulted the flood mapping system (www.floodinfo.ie) and I note that the subject land is within Flood Zone 'C'.

7.7.2 I refer the Coimisiún to the Flood Risk Assessment Report prepared by CORA Consulting Engineers submitted with the application. This report notes that the appeal site is located with Flood Zone 'C.' In addition to this, it is noted that that the site is outside the 0.1% AEP, 1.0% AEP and 10% AEP fluvial flood events.

7.7.3 Having considered all the foregoing; I consider the proposed development would not result increase the risk of flood either within the site itself or the surrounding area. The proposal is acceptable from a flood risk perspective.

7.8 Other Matters

Procedural

7.8.1 The first party has outlined concerns that the entire application material was not available to the public and internal departments within the Council when undertaking their assessment of the proposal.

7.8.2 The Planning Authority in a letter dated 11/9/25 the Planning Authority acknowledges that some files lodged with the application were not available as they were erroneously classed as private in the Planning Authority's internal document management system. However, all submitted documents were visible to the officers who undertook the assessment. The recommendations and final decision to refuse permission were made with the benefit of having reviewed the application in its entirety.

7.8.3 Having regard to the response of the Planning Authority, I am satisfied that all relevant files were available to council officers to allow them to fully evaluate the application.

7.8.4 I further note that that while some files were not included on the planning portal for the public, this error was rectified as quickly as possible. This, in my opinion, did not impact on the ability of third parties to assess the application in full.

Reason No.3 for refusal

- 7.8.5 I note the Reason No.3 for refusal states that the applicant has failed to provide appropriate plans / particulars with respect to several items including public realm / landscaping, green infrastructure, access, transportation, and parking.
- 7.8.6 In my opinion, this is a matter which could have been dealt with at either validation stage or, if the planning authority were not satisfied with the level of information provided then further information could have been requested, as outlined in the reports of the various sections of the Local Authority. The question of the validity of a planning application or whether further information should be requested is a matter for the planning authority and does not fall within the remit of An Coimisiún Pleanála and I am satisfied that reason no.3 for refusal is not warranted in this case.

8 AA Screening

- 8.1 I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The application is for the demolition of an existing dwelling and the construction of an office building within a residential area close to Lucan.
- 8.2 The appeal site is not located on or within any designated Natura 2000 site(s) or Natural Heritage Area(s). The Rye Water Valley/Carton SAC (Site Code: 001398) is located c. 3.8km to the west of the site. In addition to this, the Liffey Valley pNHA (Site Code: 000128) is located c. 590mm to the west of the site.
- 8.3 There is no hydrological link between the subject site and the European sites.
- 8.4 Having considered the nature, scale, and location of the proposed development, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site.

9 Recommendation

- 9.1 I recommend that permission be refused.

10 Reasons and Considerations

1. The subject site is located in an area zoned objective RES which seeks to *protect and / or improve residential amenity* in the *South Dublin County Development Plan 2022-2028*. By virtue of the height, scale, and location of the proposed development within a residential area, the proposed development would be visually obtrusive and would seriously injure the visual and residential amenities of the area. In addition to this, given its proximity to the western and eastern boundaries of the land, it is considered that the proposed development would seriously injure the visual and residential amenities of the residential property to the west of the site by way of undue overlooking and undue overbearing development and the property to the east by way of overbearing development. The proposed development would, therefore, by itself and by reason of the undesirable precedent it would set for similar development in the area, be contrary to proper planning and sustainable development of the area.

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.

Ronan Murphy
Planning Inspector

19 January 2026

Form 1 - EIA Pre-Screening

Case Reference	ACP-323595-25
Proposed Development Summary	Demolition of bungalow and construction of three storey office building and ancillaries comprising site development works, landscaping, cycle, and car parking areas with EV charging points.
Development Address	The Laurels, Ballydowd, Lucan, K78 A5D7
	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? (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.	
<input 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 type="checkbox"/> No, the development is not of a Class Specified in Part 2,	

<p>Schedule 5, or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input checked="" type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2)</p> <p>OR</p> <p>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>Part 2 Class 10 Infrastructure Projects Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.</p> <p>The appeal site is 0.176ha</p>

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: _____

Form 2 - EIA Preliminary Examination

Case Reference	ACP-323595-25
Proposed Development Summary	Demolition of bungalow and construction of three storey office building and ancillaries comprising site development works, landscaping, cycle, and car parking areas with EV charging points.
Development Address	The Laurels, Ballydowd, Lucan, K78 A5D7
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development is for the demolition of an existing dwelling and the construction of an office building and associated site works, comes forward as a standalone project, and it does not involve the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas,	The development is situated on a brownfield site and surrounded by existing residential development to east of Lucan Village. There is no direct hydrological links to any European sites. The development is removed from sensitive natural habitats, dense centres of population and designated sites and landscapes of identified significance in the County Development Plan.

landscapes, sites of historic, cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects, and opportunities for mitigation).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. Having regard to the nature of the proposed development, its location removed from sensitive habitats/ features; likely limited magnitude and spatial extent of effects; and absence of in combination effects, there is no potential for significant effects on the environmental factors.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	
There is a real likelihood of significant effects on the environment.	

Inspector: _____ **Date:** _____

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)