



## Inspector's Report

**PL-500010-SD**

**Development**

Retention permission for extension of treatment room / home office building by 52.5 sqm (permitted under ABP-305380-19), pergola, garden room, Barna shed and all associated works.

**Location**

Gleann Na Coille, Killakee Road, Rathfarnham, D16RW26

**Planning Authority**

South Dublin County Council

**Planning Authority Reg. Ref.**

SD25B/0470W

**Applicant(s)**

Tom and Chanelle Moynagh

**Type of Application**

Retention Permission

**Planning Authority Decision**

Split Decision

**Type of Appeal**

First Party

**Appellant(s)**

Tom and Chanelle Moynagh

**Observer(s)**

None

**Date of Site Inspection**

6<sup>th</sup> January 2026

**Inspector**

John Duffy

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## Appendix 1 – Form 1: EIA Pre-Screening

## 1.0 Site Location and Description

- 1.1. The subject property is located on the eastern side of the Killakee Road (R115) in the upland area of South Dublin County, approximately 0.7km south of the entrance to the car park associated with the Hell Fire Club.
- 1.2. The overall site, measuring approximately 3.6 ha accommodates a large, detached 1½ storey dwelling, set back approximately 50m from the vehicular entrance to the site and below the level of the public road. Ground levels throughout the site slope downwards in a west to east direction. Dense areas of mature tree coverage are located immediately north, east and south of the overall site
- 1.3. Approximately 30m south-east of the dwelling there is a single storey pitched roof building, set at a lower level and indicated to be a treatment room / home office with attached pergola. Further south of this structure is a garden room with a pitched roof and a Barna shed.

## 2.0 Proposed Development

- 2.1. Retention permission is sought for the following:
  - Extension of detached single storey treatment room / home office building, permitted under Ref. ABP-305380-19, by 52.5sqm. The total floor area of this building is stated as 115.5sqm, with floor area of 63sqm permitted under the parent permission. The height of the building is approximately 5.3m and its depth is approximately 15.5m.
  - Retention of garden pergola (18sqm), attached to the treatment room / home office building.
  - Single storey garden room (23sqm), 5.7m in height and Barna shed (2sqm), approximately 3m in height.

## 3.0 Planning Authority Decision

### 3.1. Decision

On 4<sup>th</sup> September 2025, the planning authority issued a split decision in relation to the proposal, as follows:

Retention permission was granted for the single storey garden room and Barna shed subject to two conditions.

- Condition 1 is standard and requires the development to be retained in accordance with plans, particulars and specifications lodged with the application.
- Condition 2(a) requires that the garden room and Barna shed are for use ancillary to the enjoyment of the main / original dwelling house and shall not be sub-divided or used for any commercial purposes, and the outbuilding shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit. Use of same as a home office is acceptable however no toilet shall be installed to the detached garden structure permitted.
- Condition 2(b) relates to drainage and also requires that any changes to parking and hardstanding areas to be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (permeable paving).

Retention permission was refused for the extension of the detached single storey treatment room / home office building permitted under ABP-305380-19 and the garden pergola for the following reason:

1. *The extended treatment room/home office structure with attendant pergola element, as constructed, by reason of scale, floor area relative to that of the main dwelling on site, and internal layout including sanitary facilities, does not accord with the provisions of BFP6 of the 2025 SDCC House Extension Design Guide. In addition, the subject extended structure, located on a visible hillside, would by reason of scale detract from the visual amenities and character of the area, and interfere with a view of special amenity value and would thus not accord with the provisions of H23 Objective 1 relating to rural extensions. Furthermore, the*

*granting of permission for retention of this structure as constructed would set an undesirable precedent for other similar future developments which would, in themselves and cumulatively, be harmful to the visual impact, character and visual setting of the surrounding rural landscape and would be contrary to the proper planning and sustainable development of the area.*

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

#### **3.2.1. Planning Report**

The Planning Report forms the basis for planning authority's decision to issue a split decision, as detailed above. The report includes the following comments which are summarised:

- Submitted details do not appear to include a floor plan layout of the extended structure.
- By reason of scale, floor area relative to that of main dwelling on site, and internal layout including sanitary facilities does not accord with provisions of BFP6 of the 2025 SDCC House Extension Design Guide and cannot be considered favourably.
- The extended structure and attendant pergola element located on a visible hillside on lands zoned 'High Amenity Dublin Mountains' would by reason of scale detract from the visual amenities and character of the area, and interfere with a view of special amenity value, and therefore would not accord with provisions of H23 Objective 1 relating to rural extensions.
- The extended structure as constructed by reason of scale, layout and sanitary facility provision could facilitate the use of the structure as an independent dwelling unit.
- The scale, internal layout and siting of the garden room and Barna shed would accord with provisions of BFP6 and would not significantly detract from the landscape setting context of the site and would generally accord with H23 Objective 1.

#### **3.2.2. Other Technical Reports**

Environmental Health Officer (EHO): Proposal acceptable to the EHO.

Roads Department: No objection.

Water Services:

- Surface Water: Further Information (FI) recommended regarding surface water drainage.
- Flood Risk: No objection. Complete separation of foul and surface water drainage required. All works to comply with Greater Dublin Regional Code of Practice for Drainage Works.

### 3.3. **Prescribed Bodies**

Uisce Éireann (UÉ): No objection subject to standard conditions.

### 3.4. **Third Party Observations**

None received.

## 4.0 **Planning History**

Subject site

An Bord Pleanála Ref. ABP-305380-19 / Planning Authority Reg. Ref. SD19B/0248 refers to a December 2019 decision to grant permission for a detached single storey non-habitable treatment room / home office (63sqm), wastewater treatment system, landscaping and associated works. Floor plans show a treatment room, home office, store room and WC / Shower room. Relevant conditions set out as follows:

*2. (a) The proposed home treatment room/home office structure shall be used solely for those purposes. The structure shall not be used as habitable accommodation or as an independent self-contained living unit.*

*(b) The subject structure shall not be sold, let or otherwise transferred or conveyed, save as part of the house.*

*Reason: In the interests of clarity, compliance with the rural housing policy of the South Dublin County Development Plan 2016-2022 and the proper planning and sustainable development of the area.*

5. *The applicant or developer shall enter into a water and/or wastewater connection agreement(s) with Irish Water, prior to commencement of development.*

*Reason: In the interest of public health.*

Planning Authority Reg. Ref. SD18A/0258 refers to a September 2018 decision to refuse permission for a single storey dwelling, wastewater treatment system, shared vehicular entrance. Permission was refused for nine reasons which included insufficient justification for the proposed house and non-compliance with the rural housing policy; hinder the achievement of the policies and objectives of the National Planning Framework to consolidate existing urban settlements; represent the proliferation of further one-off housing in the designated strategic Green Belt and Rural Hinterland of the Metropolitan Area under the Regional Planning Guidelines 2010-2022; adversely affect significant and protected views within a landscape area of High Amenity; no provision of independent road frontage; undesirable ribbon/backland development; materially contravene policies of the County Development Plan 2016-2022 to avoid the use of intrusive engineered solutions and insufficient detail submitted in relation to the proposed soakaway.

#### Enforcement History

Ref. S9578: Enforcement file, opened in February 2025 in relation to structures to the rear built without benefit of planning permission: Pergola, shed/dog house and Barna shed.

Ref. S8900: Enforcement file, opened in June 2022 in relation to alleged construction of a habitable structure without planning permission and non-compliance of condition 2 of planning permission ABP-305380-19.

## 5.0 Policy Context

### 5.1. Development Plan

The operative Plan is the South Dublin County Development Plan 2022-2028 in which the subject site and adjoining lands are zoned 'HA-DM' (High Amenity Dublin Mountains) with the objective 'To protect and enhance the outstanding natural character of the Dublin Mountains Area.'

The County Development Plan interactive map indicates the following layers applicable to the appeal site:

- Aviation Safeguarding
  - Bird Hazards – Casement
  - Outer Horizontal Surface – Casement
- The eastern periphery of the overall site is within Flood Zone B.
- Notification Zone: Sites and Monuments Record (SMR) within 50m – R149260. This relates to DU025-022---: Megalithic tomb – wedge tomb, Killakee.
- Objective along part of lands, proximate to the Killakee Road, to 'Protect and Preserve Significant Views.'

There are a number of policies and objectives in the County Development Plan set out in the Planning Officer's report and / or reason for refusal including the following:

#### Section 6.7.4 Internal Residential Accommodation

*Dwellings should be of sufficient size and sufficiently adaptable to enable people to live comfortably through different stages of their lives and changing household needs.*

#### Policy H10: Internal Residential Accommodation

*Ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.*

#### Section 6.8.2 Residential Extensions

*Domestic extensions allow for the sustainable adaptation of the County's existing housing stock. The South Dublin County Council House Extension Design Guide (2010) supplements the policies and guidance of the Development Plan.*

#### 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).*

### Section 6.9 Rural Housing Strategy

#### Section 6.9.7 Rural Housing and Extension Design

*The design of all new dwellings and extensions (including family flat extensions) in rural areas should respond appropriately and sensitively to its surrounding rural, mountain and / or river valley context. Dwellings should be designed to be inconspicuous and compact in design particularly in areas of high visual amenity and with a steep topography. In designing individual proposals within a rural area, regard should also be had in relation to the combined and accumulated visual impact of a proposed development when taken together with existing nearby structures.*

Further to the policy and objectives set out below, standards in relation to the design and siting of residential development are detailed under Chapter 12: Implementation and Monitoring.

#### Policy H23: Rural Housing and Extension Design

*Ensure that any new residential development in rural and high amenity areas, including houses and extensions are designed and sited to minimise visual impact on the character and visual setting of the surrounding landscape.*

#### H23 Objective 1

*Ensure that all new rural housing and extensions within areas designated within Zoning Objectives Rural (RU), Dublin Mountain (HA-DM), Liffey Valley (HA-LV) and Dodder Valley (HA-DV);*

- Is designed and sited to minimise impact on the landscape including views and prospects of natural beauty or interest or on the amenities of places and features of natural beauty or interest including natural and built heritage features; and*
- Will not have a negative impact on the environment including flora, fauna, soil, water (including ground water) and human beings; and*

- Is designed and sited to minimise impact on the site's natural contours and natural drainage features; and à Retains and reinstates (where in exceptional circumstance retention cannot be achieved) traditional roadside and field boundaries; and
- Is designed and sited to circumvent the need for intrusive engineered solutions such as cut and filled platforms, embankments or retaining walls; and
- Would comply with the EPA's Code of Practice for Domestic Wastewater Treatment Systems (Population Equivalent less than 10) 2021 except where planning permission was granted prior to 7th June 2021 in which case the EPAs Code of Practice Wastewater Treatment Systems Serving Single Houses 2009 applies; and
- Would not create or exacerbate ribbon or haphazard forms of development.

#### 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.*

#### SDCC House Extension Design Guide 2025

Section 1.2 Who should use this guide?

*This Guide is aimed at anyone considering building an extension to their house, or any other residential development or alterations, and those who are consulted in the design of such extensions...*

Section 3.6 relates to Garden Rooms.

##### *3.6.1 General Considerations relating to structures within curtilage*

*Detached garden rooms or storage sheds to rear gardens are acceptable in principle to the Planning Authority where the remaining quantum of garden space is of a usable scale, where the use of these structures is clearly ancillary to the enjoyment of the dwelling and where no toilet facilities are included. Ancillary uses to the main house on site include home office, games room, domestic storage, home gym or similar. Considerations in relation to the acceptability of such structure is similar to that of extension elements outlined above, specifically the residential amenity of*

*neighbouring properties and relationship with any adjoining rear gardens by reason of position/siting, window positioning, roof height and form, as well as finishing materials.*

### **3.6.2 Built Form Principle (BFP) 6 – Detached Garden Rooms and Sheds**

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

## **5.2. Natural Heritage Designations**

Wicklow Mountains SAC (Site Code 002122) is located c 1.4km to the south and Wicklow Mountains SPA (Site Code 0004040) is approximately 1.4km to the south east. Glenasmole Valley SAC (Site Code 001209) and pNHA is located approximately 2.5km to the south-west.

## **6.0 EIA Screening**

The development to be retained is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of this report.

## **7.0 The Appeal**

### **7.1. Grounds of Appeal**

This is a first party appeal submitted on behalf of the applicants by AKM Design Group against the part of the planning authority's decision which refused retention permission for the extension to the treatment room / home office building. The grounds of appeal are summarised under relevant headings, as follows:

## Rationale for development

- Medical care for a family member takes place in the treatment room / home office building and it is provided in a quiet and therapeutic space, separate from the family dwelling. This building is also used for home office space and for general storage and no change to the permitted use is proposed. It is confirmed that this building is non-habitable
- Development is located to the rear and lower part of the family garden. Works are domestic in nature and small in scale. Use of the buildings are solely ancillary to the main use of the family dwelling on the site, which is occupied by grandparents, children and grandchildren.

## Stated floor areas

- Floor area of the family home is greater than 500sqm.
- The rear and lower part of the garden are used on a daily basis.
- The combined floor area of works is 158sqm, including the original permitted floor area of 63sqm.
- Total new floor area for retention, excluding the permitted floor area is 95sqm.
- The treatment room / home office building is elongated in length and the front elevation has the same overall appearance in terms of the development originally permitted.
- In the context of the large site, new adjoining family lands comprising woodlands to the south, and the large family home, it is requested that the Commission concur the proposed treatment room / home office and other works are acceptable in this context.
- The floor plan changes (depicted in the appeal submission) include a larger store room, a new wash room, a larger home office, an external courtyard and a canopy overhang to the front.
- The garden pergola (18sqm) is free-standing and a non-permanent structure.
- The Barna shed (2sqm) is used for potting flowers and compost storage.
- The garden room (23sqm) contains an open plan room used for storage.

### Exempted development

- The planning authority incorrectly formed the opinion that some works considered exempted development would require planning permission.
- It is requested that the Commission review works in the context of exempted development rights.

### Visual Impact

- The development area is located at the lower part of the garden, not visible or prominent from any public view.
- Materials used are high quality and durable; they assist in assimilating the building into the landscape.
- Adjoining woodlands to the south acquired by a family member also provide a visual buffer.

### Objective BFP6

- This Objective is more relevant to a suburban site where there are higher development constraints. The subject site is roughly 100 times larger than a typical domestic site.
- It is necessary that the building has sanitary facilities and these were approved under the original planning appeal.

### H3 Objective 1

- This policy is not applicable as the treatment room / home office building is neither a house nor an extension to a house.
- Notwithstanding, it is considered the proposed development is not incompatible with this policy.

### Other

- No third party objections made in connection with the proposal.
- The proposal has no impact on bats (Bat Report prepared and submitted with application).

The appeal includes a copy of the planning authority's decision, a copy of the Planning Report prepared on behalf of the appellant which was submitted with the planning application and a copy of a letter of support from a medical professional which appears to be more relevant to a prior application on the lands (Reg. Ref. SD18A/0258).

The following drawings are also provided:

PL101: Elevation and Section Drawings and Floor Plan for treatment room / home office building (Scale:1:200). This is a new drawing and was not submitted with the planning application.

PL102: Garden pergola drawings (Also submitted with the planning application).

PL103: Garden room drawings (Also submitted with the planning application).

PL104: Barna shed drawings (Also submitted with the planning application).

## **7.2. Planning Authority Response**

In its response to the appeal received on the 9<sup>th</sup> October 2025 the planning authority confirms its decision and considers the issues raised in the appeal to have been covered in the Chief Executive Order.

## **7.3. Observations**

None.

## **8.0 Assessment**

8.1. Having examined the application details and all other documentation on file, the reports of the local authority, and having inspected the site and accessed all the buildings which are the subject of this appeal, (and which generally accord with the floor plan as provided in the appeal), and having regard to the relevant local policies and guidance, I consider the substantive issues in this appeal to be as follows:

- Development granted retention permission
- Visual Impact
- Provisions of H23 Objective 1

- Provisions of BFP6 (SDCC House Extension Design Guide 2025)
- Other issues
- Water Framework Directive - Screening
- Matter Arising
- Appropriate Assessment

## 8.2. **Development granted retention permission**

8.2.1. The planning authority decided to grant retention permission for a garden room (23sqm) and a Barna shed (2sqm) and refuse retention permission for the extended treatment room/home office building (115.5sqm in total) with attendant pergola element (18sqm), as constructed.

8.2.2. At the outset, and in terms of the development to be retained as permitted by the planning authority, having regard to the small scale, form and design of the garden room and Barna shed along with their location to the rear of the dwellinghouse, at the lower part of the rear garden, which is not visible or prominent from any public view, I consider these structures to be acceptable on the site and I concur with the planning authority's decision in this regard.

## 8.3. **Visual Impact**

8.3.1. The refusal reason for retention of the extended treatment room / home office building with pergola element states the structure, located on a visible hillside, would detract from the visual amenities and character of the area and would interfere with a view of special amenity value. In response, the appellant notes the development area is located at the lower part of the garden which is not visible or prominent from any public view.

8.3.2. Ground levels on the overall site, which measures approximately 3.6ha, slope down generally in a west to east direction from the public road. The existing house on the lands is set back approximately 50m from the public road, has a finished floor level below the road and is partially screened from the road by existing trees, vegetation and boundary treatment. The structures which are the subject of this retention

application are located to the rear of the dwelling, set down significantly at a floor level approximately 6m below that of the house. The subject treatment room / home office building with a now total floor area of 115.5 sqm and a maximum height of approximately 5.3m would not, in my opinion, detract from the visual amenities of the area or from the character of the area. The site where this building is located is largely sheltered by woodlands and mature tree coverage to the north, south and east and no public roads are visible from this area.

8.3.3. Therefore, I do not concur with the planning authority that the subject building is located on a visible hillside or that it would interfere with any view of special amenity value. I do not consider that the proposal would be out of character with the area as I noted outbuildings associated with a number of rural dwellings in the immediate vicinity. To conclude, I consider that the proposal would not detract from the visual amenities and character of the area.

#### **8.4. Provisions of H23 Objective 1**

8.4.1. The refusal reason states that the proposal would not comply with Development Plan objective H23 Objective 1 which sets out several criteria for all new rural housing and extensions within areas zoned rural and high amenity, including lands subject to the Dublin Mountain (HA-DM) zoning objective, which applies to the appeal site.

8.4.2. I concur with the appellant's view that the subject treatment room / home office building is not an extension to a rural house as referenced in the refusal reason and as such, in my opinion, the criteria detailed in H23 Objective 1 are not applicable to the proposal.

8.4.3. The text of the refusal reason appears to suggest that the proposal would not accord with H23 Objective 1 on the basis of interference with a view of special amenity value and / or negative impact on visual amenity. As set out in section 8.3 of this report above I have noted no such adverse impacts, given that the part of the overall lands where the subject building is located is not visible from any public areas.

8.4.4. Having regard to the foregoing I conclude that H23 Objective 1 is not applicable to the development to be retained and as such I do not consider it reasonable to include as part of the refusal reason in this application.

## 8.5. **Provisions of BFP6**

8.5.1. Section 1.2 of South Dublin County Council's *House Extension Design Guide 2025* notes that this Guide is applicable to those considering building an extension or any other residential development or alterations. The Guide includes seven Built Form Principles (BFPs) and BFP 6 relating to 'Detached Garden Rooms and Sheds' is referred to in the planning authority's refusal reason. While the appellant considers BFP 6 to be more relevant to suburban sites, in my view the design principles may also be applied to existing residential development in rural areas, including the appeal site.

8.5.2. The refusal reason refers to two particular principles in *BFP 6 - Detached Garden Rooms and Sheds*, and considers that by reason of scale and floor area relative to that of the main dwelling on site and internal layout including sanitary facilities, that the extended treatment room / home office building does not accord with the provisions of BFP6.

8.5.3. Noting the size and scale of the existing house on the site, given by the appellant as in excess of 500sqm, my view is that the extended treatment room / home office building (115.5sqm) is in fact subordinate to the main house on the site. Furthermore, the principle of sanitary facilities within the building was established and implemented on foot of the An Bord Pleanála 2019 decision (Ref. ABP-305380-19) which permitted the treatment room / home office, and in this regard it pre-dates BFP 6 of the *House Extension Design Guide 2025* as referred to in the refusal reason.

8.5.4. To conclude, and having regard to the foregoing, my view is that the extended treatment room / home office building to be retained is acceptable in terms of the Council's House Extension Design Guide 2025 and BFP 6 therein.

## 8.6. **Other issues**

8.6.1. Precedent

8.6.2. The refusal reason states that the granting of retention permission for the treatment room / home office building as constructed would set an undesirable precedent for other similar future developments which would, in themselves and cumulatively, be harmful to the visual impact, character and visual setting of the surrounding rural landscape.

8.6.3. As set out under section 8.3 of this report, I have concluded that the extended building to be retained would not adversely impact on visual amenity of the area and would not interfere with any view of special amenity value. I do not consider that granting retention in this case would set an undesirable precedent. I consider the subject site and adjoining lands to be unique in terms of their topography, differing ground levels and dense tree coverage which ensures the development to be retained does not adversely impact the visual amenity, character and visual setting of the surrounding rural landscape.

8.6.4. Exempted development rights

8.6.5. The appellant contends the planning authority incorrectly concluded that some works considered to be exempted development would require planning permission and requests the Commission to review works undertaken in the context of exempted development rights.

8.6.6. I consider that such a request is outside the scope of this report, the objective of which is to assess the subject planning proposals and the decision of the planning authority. Under Section 5 of the Planning and Development Act 2000, as amended, it is open to the appellant to request the planning authority to determine whether specific proposals require planning permission or are considered exempted development. The matter can be referred to the Commission for formal adjudication usually following initial consideration of the matter by the planning authority.

#### **8.7. Water Framework Directive (WFD) – Screening**

The proposal relates to retention of buildings / structures namely an extended treatment room / home office building and pergola, a garden room and a Barna shed on a rural site which accommodates a large dwellinghouse.

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 and ground water bodies 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 ground water bodies either qualitatively or quantitatively. The reasons for this are as follows:

- The nature of the works comprising a relatively small scale of development.
- The lack of direct hydrological connections from the site to any surface and transitional water bodies.

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

## **8.8. Matter Arising**

### **8.8.1. Planning Conditions**

8.8.2. I consider the conditions attached in Schedule 1 of the Notification of Decision to be generally appropriate and acceptable. Should the Commission decide to grant permission for the extended treatment room / home office building I recommend inclusion of a condition requiring compliance with the conditions of Ref. ABP-305380-19.

## **9.0 AA Screening**

I have considered the proposal comprising retention of buildings / structures, namely an extended treatment room / home office building and pergola, a garden room and a Barna shed on this rural site in the light of the requirements of Sections 177S and 177U of the Planning and Development Act 2000, as amended.

The development to be retained is not located within or immediately adjacent to any European Site. Wicklow Mountains SAC (Site Code 002122) is c 1.4km to the south and Wicklow Mountains SPA (Site Code 0004040) is approximately 1.4km to the south east. Glenasmole Valley SAC (Site Code 001209) is located approximately 2.5km to the south-west.

Having considered the nature, scale and location of the project, I am satisfied 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:

- Relatively small scale and nature of the proposal.
- Location-distance from nearest European Site.
- Absence of any meaningful direct and indirect pathways to any European Site.
- Taking into account the screening determination of the planning authority.

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

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

## **10.0 Recommendation**

10.1. I recommend that retention permission be granted for the extended treatment room / home office building and pergola, the garden room, the Barna shed and all associated works.

## **11.0 Reasons and Considerations**

Having regard to the provisions of the South Dublin County Development Plan 2022-2026, the South Dublin County Council Extension Design Guide 2025, and the nature and scale of the development to be retained including the extended treatment room / home office building with pergola element, it is considered that subject to compliance with the conditions set out below, the proposal would not detract from the visual

amenities and character of the area, would not interfere with a view of special amenity value, would not set an undesirable precedent for other similar future developments, would be subordinate to the main dwelling on the site and would be in accordance with the proper planning and sustainable development of the area.

## 12.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and Drawing PL101 submitted with the planning appeal, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p><b>Reason:</b> In the interest of clarity.</p>
2.	<p>The extended treatment room / home office building to be retained shall comply with the conditions of An Bord Pleanála Reference Number ABP-305380-19, except as otherwise may be required in order to comply with this Order.</p> <p><b>Reason:</b> In the interest of clarity.</p>
3.	<p>(a) The garden room to be retained shall be for use ancillary to the enjoyment of the main dwelling. The structure shall not be used as habitable accommodation or as an independent self-contained living unit.</p> <p>(b) The subject structure shall not be sold, let or otherwise transferred or conveyed, save as part of the house.</p> <p><b>Reason:</b> In the interests of clarity, compliance with the rural housing policy of the South Dublin County Development Plan 2022-2028 and the proper planning and sustainable development of the area.</p>

4.	<p>Drainage arrangements, including the attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
5.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

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John Duffy  
Planning Inspector

8<sup>th</sup> January 2026

## Form 1 - EIA Pre-Screening

### No EIAR Submitted

<b>Case Reference</b>	ACP-PL-500010-SD
<b>Proposed Development Summary</b>	Retention permission for extension of treatment room / home office building by 52.5 sqm (permitted under ABP-305380-19), pergola, garden room, Barna shed and all associated works.
<b>Development Address</b>	Gleann Na Coille, Killakee Road, Rathfarnham, D16RW26
<b>In all cases check box /or leave blank</b>	
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b>  (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input checked="" type="checkbox"/> Yes, it is a 'Project.' Proceed to Q2.  <input type="checkbox"/> No, No further action required.
<b>2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?</b>	
<input type="checkbox"/> Yes, it is a Class specified in Part 1.  <b>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</b>	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	
<b>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?</b>	
<input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2,	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

<p>Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p><b>No Screening required.</b></p>	<p>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.</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p><b>EIA is Mandatory. No Screening Required</b></p>	<p><b>State the Class and state the relevant threshold</b></p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p><b>Preliminary examination required. (Form 2)</b></p> <p><b>OR</b></p> <p><b>If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</b></p>	<p><b>State the Class and state the relevant threshold</b></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"/>	<b>Screening Determination required (Complete Form 3)</b>
No <input checked="" type="checkbox"/>	<b>Pre-screening determination conclusion remains as above (Q1 to Q3)</b>

**Inspector:** \_\_\_\_\_ **Date:** \_\_\_\_\_