



An
Coimisiún
Pleanála

Inspector's Report

PL-500376-DF-25

Development	Retention of garden room including all associated site works.
Location	30 Laurel Court, Castleknock, Dublin 15.
Planning Authority	Fingal County Council.
Planning Authority Reg. Ref.	FW25A/0423E.
Applicant(s)	Yvonne Grimes.
Type of Application	Retention.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party
Appellant(s)	Yvonne Grimes.
Observer(s)	Rocco Tiedt.
Date of Site Inspection	04/02/2026 & 07/02/2026
Inspector	Anthony Abbott King

1.0 Site Location and Description

- 1.1. Laurel Court is a residential cul-de-sac of semi-detached houses within a network of residential streets. No. 30 Laurel Court is a two-storey two-bay semi-detached property located on the east side of the street.
- 1.2. The adjoining property to the east on Outfarm Lane is known as “Lavender House”, a two-storey detached property, which shares its western property boundary with the houses on the east side of Laurel Court, including no. 30 Laurel Court.
- 1.3. The shared property boundary is defined by a masonry rear garden wall. The garden room the subject of this appeal is located to the west of the shared property boundary positioned against the boundary wall at the extremity of the rear garden of no. 30 Laurel Court.
- 1.4. The blank east elevation of the garden room supports the highest point of a mono-pitch roof, which extends above the top of the shared eastern property boundary.
- 1.5. The garden room extends for the full width of the rear garden of no. 30 Laurel Court with fenestration orientated westward toward the rear elevation of the main dwelling.
- 1.6. The site area is given as 0.021 hectares.

2.0 Proposed Development

- 2.1. The proposed development comprises the retention of a single-storey garden room including alterations to the existing roof profile on the eastern elevation to reduce its height by 0.75m at eaves level in order to reduce the impact of the development on the adjoining property’s rear garden.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for the following reason:

- 3.1.1. Reason for refusal:

1. *Having regards to the scale, internal layout and design of the development proposed to be retained, including alterations, it is considered that the development is a visually incongruous and dominant feature which has a significant negative impact on existing residential amenity of adjoining properties. The development fails to satisfy the Development Management Standards for Garden Rooms outlined in Section 14.10.4 within the Fingal Development Plan 2023-2029 and seriously injures the amenities and depreciates the value of property in the vicinity. To grant said development will set an inappropriate precedent for similar forms of development. The development is therefore contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the CEO of Fingal County Council reflects the recommendation of the planning case officer.

3.2.2. Other Technical Reports

- Water Services no objection.

3.3. Prescribed Bodies

N/A

3.4. Third Party Observations

There is one third party submission on file. The submission from the adjoining property owner (observer on appeal – no. 29 Laurel Court) is summarised below:

- The planning authority and An Bord Pleanála have already refused the same development for retention permission.
- The only change to the development is a reduction in the roof height with no corresponding reduction in the length of the structure. The building footprint will remain the same.
- The development has an overbearing and intrusive impact on adjoining properties. The party wall with no. 29 Laurel Court has been used to facilitate

the development (deflect water) without the permission of the adjoining property owner.

- The planning officer assessing the previously refused development considered that the development had been fitted out for residential accommodation.
- The front elevation of the structure is closer to the rear elevation of the adjoining house at no. 29 Laurel Court, due to the set back of no. 29 from the street to accommodate the hammerhead of the cul-de-sac, resulting in an adverse impact on the residential amenity of the adjoining house,.

4.0 Planning History

4.1. The relevant planning history on site is summarised below:

- Under Reg. Ref. FW25A/0065E (ACP322466-25) retention permission was refused for a single-storey garden room to the rear of the dwelling house for the following reason:

1. Having regards the scale, internal layout and design of the development proposed to be retained, it is considered that the development appears as a visually incongruous and dominant feature which has a significant negative impact on the existing residential amenity of surrounding properties. The development fails to satisfy the Development Management Standards for Garden Rooms outlined in Section 14.10.4, within the Fingal Development Plan 2023-2029 and seriously injures the amenities, or depreciate the value, of property in the vicinity.

An Bord Pleanála (ACP-322466-25) upheld the decision of the planning authority for the following **reasons and considerations:**

The height and length of the rear elevation, as viewed from the neighbouring property, appears visually incongruous and a dominant feature that detracts from the residential amenity of the adjoining dwelling and is considered inappropriate both by itself and by the precedent it would set. The development fails to satisfy the Development Management Standards for Garden Rooms, set out in Section 14.10.4 of the Fingal Development Plan 2023-2029 and would,

therefore, be contrary to the proper planning and sustainable development of the area.

- Under Reg. Ref. F02B/0728 (PL06F202293) permission was refused for a non-habitable attic study incorporating dormer window on hipped roof for 2 reasons in order to protect the residential amenity of the area and in order to protect against undesirable precedent for similar such development.

5.0 Policy Context

5.1. Development Plan

I have set out below the relevant policies and objectives of the Fingal Development Plan 2023-2029 for the information of the Commission.

Zoning

The relevant land-use zoning objective is 'RS' (Map Blanchardstown South – Sheet 13): *Provide for residential development and protect and improve residential amenity.*

- Chapter 13 (Land use Zoning) states the vision for the objective is to ensure that any new development in existing areas would have a minimal impact on and enhance existing residential amenities.

The proposed development is a permitted in principle use.

Chapter 3 (Sustainable Placemaking and Quality Homes)

Section 3.5.13.1 (Residential Extensions) is relevant and states:

The need for people to extend and renovate their dwellings is recognised and acknowledged. Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.

Chapter 14 (Development Management Standards)

Chapter 14 (Development Standards) Section 14.10. (Additional Residential Accommodation in Built-up Areas) is relevant.

Garden Rooms

Section 14.10.4 is relevant and states:

Garden Rooms can provide useful ancillary accommodation such as a playroom, gym, or study/home office for use by occupants of the dwelling house. Such structures should be modest in floor area and scale, relative to the main house and remaining rear garden area. Applicants will be required to demonstrate that neither the design nor the use of the structure would detract from the residential amenities of either the main residence or of adjoining property. External finishes shall be complementary to the main house and any such structure shall not provide residential accommodation and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities. Such structures shall not be let or sold independently from the main dwelling.

5.2. Relevant National or Regional Policy / Ministerial Guidelines

The Department of Housing, Local Government and Heritage 'The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities', (15 January, 2024).

6.0 EIA Screening

6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination.

7.0 The Appeal

7.1. Grounds of Appeal

The grounds of appeal, prepared by Declan Brassil & Co., on behalf of the appellant are summarised below:

- The proposed retained development is a garden room constructed as an ancillary space to the principal residence. It has a floor area of 22.5 sqm.
- The garden room functions as a garden shed and flexible space that serves as office, study and recreational purposes. The structure represents a significant investment by the appellant.
- The appellant constructed the garden room with the understanding that it was an exempted development complying with the conditions and limitation of such structures under Class 3, Schedule 2, Part 1 of the Planning & Development Regulation 2001.
- It was subsequently clarified by a warning letter and Section 5 Declaration that the structure required planning permission. The appellant claims that the exceedances of the exempted provision are *de minimus*.
- Therefore, it is claimed those exceedances cannot be considered to be so material as to result in a development of a scale that warrants a refusal of planning permission by reason of adverse impacts on residential amenity.
- The appellant applied to the planning authority and subsequently appealed the decision to refuse retention permission. Notwithstanding a recommendation to grant permission by the inspector, An Coimisiún Pleanála (ACP) refused permission (PL06F.322466).
- The reason to refuse permission specifically relates to the height and length of the rear elevation as viewed from the neighbouring detached property to the east (Lavender House former "Inchgill").
- The appellant claims that the subject reason for refusal (FW25A/0423E) by the planning authority is not consistent with the previous Commission reason for refusal (ACP ACP322466-25), as it refers to impacts on surrounding properties rather than specific impacts on Inchgill House.
- Inchgill House (FCC Reg. Ref. F05A/1265) is a large (285 sqm) 4-bedroom 2-storey detached house over basement located 1.3m (western gable) from the rear boundary of no.30 Laurel Court. The house has an extensive rear garden

(extending for the length of the 3 properties in Laurel Court to the north of no. 30 Laurel Court).

- A proposed material alteration (FW25A/0423E) of the roof profile is the subject of this appeal. It is claimed the amendment would mitigate the impact of the garden room on the property to the rear, in terms of perceived height, bulk and massing of the structure, to support a grant of planning permission by the Commission.
- The existing mono-pitch roof would be replaced by an A-frame roof reducing the eaves height by 750mm. It is claimed the modification of the roof would be consistent with the surrounding dwellings and would address the adverse impact on the adjoining detached property to the rear (Lavender House former Inchgill House) and the neighbouring properties at nos. 29 & 31 Laurel Court.
- There is no adverse impact on the adjoining properties to the south (rear garden of no. 29 Laurel Court) and north (rear garden of no. 31 Laurel Court). There are no windows overlooking these properties.
- The development to be retained is consistent with the policies and objectives of the Fingal Development Plan 2023-2029 in specific the zoning objective and with Section 14.10.4 (Garden Room).
- The development is typical of structures in the rear gardens of properties in the vicinity in terms of height, scale and materials. It is in keeping with residential character of the area and will not injure the amenities of any dwellings in the area.

7.2. Planning Authority Response

The planning authority have no further comment to make in the matter of this appeal.

7.3. Observations

- The observer is the adjoining property owner at no. 29 Laurel Court.
- It is claimed that the development to be retained does not satisfy the development management standards in Section 14.10.4 of the Fingal Development Plan 2023-2029.

- The observer claims that the development to be retained seriously injures the amenities and depreciates the value of neighbouring properties, including the observers property at no. 29 Laurel Court adjoining the appeal site.
- The planning authority and 'The Commission' have confirmed that the height and length of the development is visually incongruous and is a dominant feature detracting from residential amenity inappropriate in itself and by reason of the precedent it would cause.
- The development is contrary to the proper planning and sustainable development of the area as it causes significant negative impact on existing residential amenities, including overbearing impacts and overlooking of neighbouring properties due to the proximity and location of fenestration of the appeal property facing the rear elevations of the neighbouring main houses on Laurel Court.
- The appeal development overlooks the main bedroom and ensuite windows of no. 29 Laurel Court. The configuration of the cul-de-sac results in no. 29 being 2m closer to the appeal development due to the setback of the property to accommodate the cul-de-sac hammerhead.
- The scale of the development in comparison to the garden size is overbearing on the adjoining property at no. 29 Laurel Court and dominates its own site. It is not in harmony with adjoining buildings / sheds due to its oversized nature.
- The development overshadows the sheds in the adjoining gardens. It is not similar to existing garden structure /sheds in adjoining properties.
- The original internal configuration of the development, including a shower room, sink, toilet and kitchen was previously cited as residential development by the planning authority. Notwithstanding that the applicant has stated that the facilities have been removed they can be reinstated.
- The observer states that permission was not given to build an overhang or to direct rainwater onto the boundary dividing wall between nos. 29 & 30 Laurel Court.

- Finally, the observer notes the existing planning history of refusal on site for a dormer extension, which has not been removed to date.

8.0 Assessment

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

- Zoning / Principle of development;
- Ancillary residential accommodation
- Section 14.10.4 (garden room) of the Fingal Development Plan 2023-2029
- Modification of roof profile.
- Other Matters.

8.2. Zoning / principal of development

The site is zoned to provide for residential development and protect and improve residential amenity.

8.3. Section 3.5.13.1 (Residential Extensions) of the Fingal County Development Plan 2023-2029 recognises the need for people to extend and renovate their dwellings: *Extensions will be considered favourably where they do not have a negative impact on adjoining properties or on the nature of the surrounding area.*

8.4. Section 14.10 of the Fingal Development Plan 2023-2029 provides for additional residential accommodation in built-up areas. Section 14.10.4 provides for the construction of additional ancillary residential accommodation in the form of a garden room.

8.5. Residential development is a permitted in principle use. I conclude that the proposed development to retain a garden room as ancillary residential accommodation on site is acceptable in principle.

8.6. Ancillary residential accommodation

The appellant states that the proposed retained development is a garden room constructed as an ancillary space to the principal residence. The garden room functions as a garden shed and flexible space that serves as office, study and recreational purposes.

8.7. I accept the bona fides of the appellant in regard to the purpose and function of the existing garden room.

8.8. I can confirm that the garden room is not an independent dwelling unit (site visit of the 07/02/2026).

8.9. The largest of the internal rooms within the garden room is configured as a den and work space (multi-purpose ancillary space). There is an annexe shower room accessed from this room.

8.10. The garden room also contains a storage / utility space accessed externally.

8.11. I conclude that the structure to be retained is an ancillary residential space to the main dwelling house, as inspected on the 07/02/2026.

8.12. Garden room

The planning authority refused planning permission for the retention of the existing garden room having regard to the scale, internal layout and design (including alterations), which would represent a visually incongruous and dominant feature, that would have a negative impact on adjoining residential properties creating an undesirable precedent.

8.13. The appellant states the garden room was constructed with the understanding that it was an exempted development complying with the conditions and limitation of such structures.

8.14. The planning authority have previously declared that the subject garden room was not an exempted development as provided for Class 3, Schedule 2, Part 1 of the Planning and Development Regulations (2001). This is accepted by the appellant.

8.15. The appellant previously applied for retention planning permission (FW25A/0065E) for the garden room and was refused retention permission by the planning authority and the Commission on appeal (ACP-322466-25).

- 8.16. The appellant states that although the development to be retained exceeds the conditionality of Class 3, Schedule 2, Part 1 of the Planning and Development Regulations (2001), for the construction, erection or placing within the curtilage of a house of a garden structure, that these exceedances are *de minimus*.
- 8.17. Therefore, it is claimed that the exceedances of the exempted development provision cannot be considered to be so material as to result in a development of a scale that warrants a refusal of planning permission by reason of adverse impacts on residential amenity.

Protection of existing residential amenity

- 8.18. The appellant claims that the planning authority refusal of planning permission is not consistent with the previous Commission reason for refusal (ACP ACP322466-25), as it refers to general adverse impacts on the amenities of surrounding properties rather than specific adverse impacts on "Inchgill House" (Lavender House) - solely cited by the Commission.
- 8.19. However, I note that the planning authority reason for refusal is consistent with the previous decision under Reg. Ref. FW25A/0065E.
- 8.20. I assess below the development to be retained against Section 14.10.4 (garden room) of the Fingal Development Plan 2023-2029 and the overall policies and objectives protecting existing residential amenities.
- 8.21. Section 14.10.4 of the development plan *inter alia* states that garden rooms can provide useful ancillary accommodation such as a playroom, gym, or study/home office for use by occupants of the dwelling house.
- 8.22. Furthermore, garden room structures should be modest in floor area and scale, relative to the main house and remaining rear garden area.
- 8.23. In this regard applicants will be required to demonstrate that neither the design nor the use of the structure would detract from the residential amenities of either the main residence or of adjoining property.
- 8.24. The existing garden room extends for the full width of the garden (6650mm). The fenestration is restricted to the west elevation and the roof. The west elevation fenestration comprises a large glazed patio door and separate entrance door (to integrated shed) that directly face the rear elevation fenestration of the main house.

- 8.25. The subject dwelling house extends beyond the rear building line at ground floor level. However, there is an acceptable minimum window to window distance at ground floor level of 6120mm, given the use of the garden room as an ancillary space to the main house.
- 8.26. The garden room is significantly smaller than the main house in floor area. The garden room to be retained has a floor area of 22.5 sqm. The main house has a given floor area of 109 sqm.
- 8.27. *Overlooking*
- The observer on appeal highlights the proximate distance of the garden room fenestration to the bedroom and ensuite windows of the adjoining property at no. 29 Laurel Court (to the south).
- 8.28. I consider that the direct line of sight of the garden room fenestration is toward the rear elevation of no. 30 Laurel Court. Furthermore, I consider that potential oblique overlooking of no. 29 Laurel Court is mitigated by the high boundary wall (approximately 1.6m) between the properties.
- 8.29. I concur with the planning authority that there are no significant overlooking impacts resulting from the development.
- 8.30. *Overbearing*
- The appellant claims *inter alia* that the development to be retained is typical of structures in the rear gardens of properties in the vicinity in terms of height, scale and materials.
- 8.31. Notwithstanding that there are single-storey garden sheds in rear gardens of properties in the vicinity, I note that the depth and width of the structure to be retained is significant within context.
- 8.32. The subject garden room extends across the full plot width (6650mm) onto the north and south boundaries with the adjoining properties at no. 31 Laurel Court (north) and no. 29 Laurel Court (south), respectively.
- 8.33. The requirement for roof light to provide additional illumination to the interior of the garden room evidences the substantive internal depth of the structure (3.63m).

- 8.34. The observer states that scale of the development in comparison to the garden size is *inter alia* overbearing on the adjoining property at no. 29 Laurel Court.
- 8.35. I acknowledge the scale of the garden room within the modest rear garden context of no. 30 Laurel Court. However, I also note that there is sufficient residual amenity space remaining to the rear of the property (approximately 40 sqm).
- 8.36. Furthermore, there is a significant spatial gap between the rear elevation of the main house and the garden room elevation creating a clear visual separation between the main house and the ancillary garden room. The separation distance at ground floor is approximately 6m (6120mm).
- 8.37. I do not consider that the position, scale and massing of the garden room in the rear garden of no. 30 Laurel Court has an adverse impact on the main house. I conclude that the rear garden configuration to be retained is acceptable.
- 8.38. Furthermore, I do not consider that the existing structure has an adverse overbearing impact on either no. 29 Laurel Court (south) and no. 31 Laurel Court (north) given its single-storey height onto the property boundary.
- 8.39. I conclude that the garden room to be retained does not have a significant adverse impact on the main house. Furthermore, I conclude that the garden room does not result in a significant depreciation in the residential amenity of the adjoining houses at nos. 31 & 29 Laurel Court in terms of overbearing and overlooking impacts.
- 8.40. Finally, the west gable elevation of Lavender House (located on Outfram Lane) rises above the rear (east) boundary (and mono-pitch roof plane of the garden room to be retained) of the houses on Laurel Court. The blank gable elevation (west) and the roof plane of the adjoining house to the east is the building volume dominant to the rear of nos. 29 & 30 Laurel Court.
- 8.41. I conclude that the garden room is not a visually dominant feature at the rear of the houses on the east side of Laurel Court rather the prospect east is dominated by the massing of Lavender House.
- 8.42. *Previous refusal of retention permission*

The Commission previously refused planning permission for the retention of the garden room (ACP-322466-25) by reason of the height and length of the rear elevation, which represented an incongruous and a dominant feature having a

significant adverse impact on the residential amenity of the neighbouring detached property to the east (Lavender House on Outfarm Lane formerly identified as "Inchgill").

8.43. The side elevation of Lavender House is approximately 1m from the shared property boundary with the houses on the east side of Laurel Court (nos. 28-33), including no. 30 Laurel Court.

8.44. Lavender House is oriented on a north-south axis (the houses on Laurel Court have an east-west axis) exhibiting a predominantly blank west elevation toward the rear gardens of Laurel Court.

8.45. The house has an extensive rear garden extending in length to the corresponding width of the rear gardens of the three properties in Laurel Court (nos. 31,32 & 33) to the north of no.30 Laurel Court.

8.46. I note that there is a ground level change between the rear gardens of the houses on the east side of Laurel Court, which are elevated above the lower grade of Lavender House and its curtilage on Outfarm Lane.

8.47. Proposed Modification of roof profile

The appellant proposes the modification of the existing roof of the garden room from a mono-pitch to a pitch roof structure (A-frame) with eaves on the eastern elevation reducing the height of the garden room by 750mm on the shared property boundary.

The appellant claims that the modified roof, substituting ridge height for eaves height, onto the east boundary would be a material change, significantly reducing the perceived height, bulk and massing of the structure, ensuring that the residential amenities of the neighbouring detached property (Lavender House) would not be adversely impacted.

I note that the reduction in height would measure 740mm, as shown on the proposed side elevation drawing (from 3900mm to 3160mm).

8.48. The appellant claims that the reason to refuse permission by the Commission specifically relates to the height and length of the rear elevation as viewed from the neighbouring property (Lavender House) and that the proposed modification of the roof addresses the reason for refusal.

- 8.49. I agree with the appellant. I consider the reduction in the height of the roof on the east boundary with Lavender House would be a material change.
- 8.50. Furthermore, the change in height would significantly reduce the physical presence of the garden room onto the rear shared property boundary as view from Outfarm Lane and within the curtilage of Lavender House.
- 8.51. Finally, the existing mono-pitch roof ensures that the highest point of the structure is positioned at the extremity of the rear garden onto the east boundary at the furthest point of separation from the rear elevations of the houses on the east side of Laurel Court.
- 8.52. I acknowledge that this structure is unauthorised.
- 8.53. However, the modification of the roof would result in asymmetrical north and south facing gable elevations, exhibiting a roof apex of 3490mm, visible above the side property boundaries with nos. 29 & 31 Laurel Court.
- 8.54. I do not consider that the modification of the garden room roof would have a significant adverse overbearing impact on the adjoining properties to the north (31 Laurel Court) and to the south (no. 29 Laurel Court) to warrant a refusal of planning permission.
- 8.55. I consider that the development to be retained subject to the substitution of the existing mono-pitch roof with a pitched roof, with lower eaves onto the eastern boundary with Lavender House, would be acceptable in principle.
- 8.56. I conclude the proposed roof modification would address concerns in regard to the dominance of the garden room structure on the eastern boundary (Lavender House) while respecting the residential amenities of the adjoining properties located to the north and south at nos. 31 and 29 Laurel Court, respectively.

Internal configuration

- 8.57. The planning authority refused planning permission *inter alia* in regard to the internal layout of the garden room. The submitted drawings show an office / gym with a shower room annexe.
- 8.58. The shower room contains a shower and small sink as viewed on site. The room is naturally lit from above.

8.59. I can confirm that the internal layout as shown on the submitted plans is the existing internal configuration of the garden room.

8.60. Section 14.10.4 of the Fingal Development Plan 2023-2029 *inter alia* states that garden rooms *shall not provide residential accommodation and shall not be fitted out in such a manner including by the insertion of a kitchen or toilet facilities*

8.61. I consider that the omission of the shower room can be dealt with by way of condition.
Precedent

8.62. Finally the planning authority conclude that to grant said development will set an inappropriate precedent for similar forms of development. The development is therefore contrary to the proper planning and sustainable development of the area.

8.63. Section 14.10.4 of the Fingal Development Plan 2023-2029 provides for the construction of residential accommodation ancillary to the main dwelling house in the form of a garden room.

8.64. I consider that the structure to be retained subject to modification, as proposed by the applicant, would externally be a garden room in terms of its typology.

8.65. Furthermore, I consider subject to condition, requiring the removal of the shower room, the development to be retained would satisfy Section 14.10.4 (garden room) of the development plan in terms of its external envelope and internal configuration.

8.66. Therefore, I conclude that the proposed modified development to be retained would not set an inappropriate precedent for similar forms of development rather the development to be retained is a type of ancillary residential accommodation provided for in the Fingal Development Plan 2023-2029.

8.67. Other Matters

I note that the planning authority on the previous appeal (ACP322466-25) requested the attachment of a financial contribution.

The Fingal County Council Development Contribution Scheme 2026-2030 provides for a residential development contribution.

I note that retention permissions will be paid at twice the applicable rate (Section 21 of the Scheme – ‘Retention Permissions’). I also note that the exemption for residential

extension provided for in Section 239(a) – first 40sqm of an extended dwelling house is exempt from contribution - is not applicable to retention development.

I consider the attachment of a financial contribution appropriate.

9.0 AA Screening

I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established suburban area and is connected to piped services and is not immediate to a European Site. The proposed development comprises minor works to the front façade and works to the front garden of a dwelling house.

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

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

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

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

10.0 Water Framework Directive

10.1. The site is located in a suburban location. It is not proximate to a visible watercourse.

The development comprises minor works to an existing dwelling house.

No water deterioration concerns were raised in the planning appeal.

I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status

(meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is the small scale and nature of the development.

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

11.0 Recommendation

11.1. I recommend a grant of planning permission subject to condition for the reasons and considerations outlined below.

12.0 Reasons and Considerations

Having regard to the residential zoning objective, the pattern of development in the area, characterised by semi-detached and detached houses with ancillary structures in back gardens and, the policy framework provided by the Fingal Development Plan 2023-2029 for additional residential accommodation within built-up areas, I consider that the proposed development to be retrained subject to modification and by way of condition would not have an adverse impact on the existing residential amenities of adjoining properties, including 'Lavender House' located to the east (rear) of the appeal site, would be consistent with Section 14.10.4 (garden room) of Fingal Development Plan 2023-2029 and would be consistent with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development to be retained shall be carried out and completed in accordance with the plans and particulars lodged with the application except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity

2. Within 3 months of the date of this permission, the applicant shall submit for the written agreement of the planning authority revised floor plans showing the omission of the garden room shower room and the substitution of a store room.

Reason: In order to comply with Section 14.10.4 (Garden Room) of the Fingal Development Plan 2023-2029.

3. 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. The contribution shall be paid prior to the 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 the Board to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Development Contribution Scheme

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.

A handwritten signature in blue ink, appearing to read 'A. Abbott King', written over a horizontal line.

Anthony Abbott King
Planning Inspector

12 February 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500376-DF-25
Proposed Development Summary	Retention of garden room.
Development Address	30 Laurel Court, Castleknock, Dublin 15.
IN ALL CASES CHECK BOX / OR LEAVE BLANK	
1. Does the proposed development come within the definition of a 'Project' for the purposes of EIA?	<input checked="" type="checkbox"/> Yes, it is a 'Project'. Proceed to Q.2
	<input type="checkbox"/> No, No further action required.
(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)	
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
<input type="checkbox"/> Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

<p>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?</p>	
<p><input checked="" type="checkbox"/> No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994.</p> <p>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>State the Class and state the relevant threshold</p> <p>N/A</p>
<p><input 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>State the Class and state the relevant threshold</p> <p>N/A</p>
<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)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: A. [Signature]

Date: 21/02/2016