



Development

RETENTION: of amendments to a previously permitted shed (Reg. Ref. 4624/22). Increase in the overall floor area with 2 rooflights, 2 doors to the rear lane, elevational changes and all associated site works.

Location

10 Saint Alphonsus Road Lower,
Drumcondra, Dublin 9

Planning Authority

Dublin City Council North

Planning Authority Reg. Ref.

WEB5198/25

Applicant(s)

Laurence Keegan

Type of Application

Retention

Planning Authority Decision

Refuse Retention

Type of Appeal

First Party Normal Planning Appeal

Appellant(s)

Laurence Keegan

Observer(s)

Tom & Ann Smith, James Judge & Alison Hay
Iona & District Resident's Association
Cllr Gayle Ralph

Date of Site Inspection

13th March 2026

Inspector

Bernadette Quinn

1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 0.028ha, is located on the southern side of St. Alphonsus Road Lower in Drumcondra, approx. 2 kilometres north of Dublin City Centre. The site contains a two-storey mid-terrace redbrick dwelling and a rear garden. Within the rear garden and adjoining the rear/southern boundary there is a single storey freestanding structure with a flat roof and which has a stated floor area of 39.5 square metres.
- 1.2. To the south of the rear boundary is a narrow pedestrian laneway which is accessed via a gate on St. Alphonsus Avenue. On the opposite side of this lane from the appeal site rear boundary is the rear boundary of a terrace of two storey properties on St. Alphonsus Avenue. These properties have small back yards to the rear which back on to the laneway. No. 8 and No. 12 St. Alphonsus Road lower are located to the east and west respectively.
- 1.3. The external walls of the structure are located on the site boundaries with the adjoining properties at No.'s 8 and 12 St Alphonsus Road Lower. Internally the structure contains a small store room and bathroom and the remainder of the floor area is an open plan storage area and contains bins and some building materials.
- 1.4. The north elevation of the structure contains a window and door way providing access to the rear garden of the appeal site and the south elevation contains two doors providing access to the rear laneway.

2.0 Proposed Development

- 2.1. Permission is sought for retention of amendments to a previously permitted shed (Reg. Ref. 4624/22) which include an increase in the overall floor area, 2 no. rooflights, 2 no. doors to the rear lane, elevational changes and all associated site works.

3.0 Planning Authority Decision

3.1 Decision

On 11th November 2025 the Planning Authority (PA) refused permission for one reason as follows:

The proposed retention of the amendments to a previously permitted single storey shed under the planning reference No. 4624/22 would result in an unacceptable form of

development by virtue of overbearing impact and loss of privacy, adversely affecting the residential amenity of neighbouring properties. The proposed retention of the development would therefore set a harmful and undesirable precedent contrary to the Z1 zoning objective 'To protect and improve residential amenities' and would therefore be contrary to the proper planning and sustainable development of the area.

3.2. **Planning Authority Reports**

3.2.1. Planning Reports

The Planning Officer's report dated 08/07/2025 can be summarised as follows:

- A number of the concerns raised by Planning Authority on the previous similar application of 4461/24 are still relevant to this application.
- A concern raised by multiple third party observations submitted relates to the walls of the structure built on the neighbouring boundary walls to the sides and rear. It appears that the structure is not contained within the red line boundary of the subject site and has not been constructed as per the 4962/22 permission. The submitted proposed drawings by the applicant show the walls of the structure built on the neighbouring boundary walls to the sides and rear. There has been no amendments made as part of this application concerning the walls of the structure built on the neighbouring boundary walls, to comply with the permitted single storey shed (Ref. 4624/22).
- It is likely that the structure is in residential use and there is an Enforcement Report in relation to the structure.
- There are serious concerns regarding overlooking and overbearance of the single storey structure on neighbouring properties located on St. Alphonsus Avenue situated to the rear of the structure.
- The land of the subject site appears to sit higher than the property to the rear (No. 8 St. Alphonsus Avenue) and with the location of two doorways overlooking into the rear neighbouring property there has been an adverse visual impact.
- This proposal includes a reduction in the overall heights of the single storey structure. The submitted drawings of the single storey flat roof structure has a ridge line height at the front elevation of 3.2m and at the rear elevation of 3.6m. It

appears only the ridge line height at the front elevation of the structure has been reduced. This proposed reduction in height does not significantly reduce the negative residential and visual amenity impacts on neighbouring properties.

- The retention of the development as indicated on the submitted plans does not address the alleged change of use.
- The proposal has many similarities to the previous application under reference 4461/24 which was refused permission by both the Planning Authority and An Coimisiun Pleanála.
- Having regard to the nature of the proposed development for retention, the alleged unauthorised use of the structure and the unauthorised works that have already taken place adversely affecting neighbouring residential properties, the proposed retention of development would therefore contravene the Z1 zoning objective and the policies and objectives of the Dublin City Development Plan.
- It is recommended that retention permission be refused.

3.2.2. Other Technical Reports

Engineering Department – Drainage Division:

- No objection subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- The developer shall comply with all the conditions relating to surface water management of the previous grant of permission, ref no: 4624/22.

3.3. Prescribed Bodies

None on file

3.4. Third Party Observations

Three submissions were received in relation to the planning application. The issues raised are similar to the issues raised in the third-party observations to the appeal.

4.0 Planning History

4.1. Appeal Site:

4624/22: On 11th November 2022, planning permission was granted to construct a single storey detached shed in the rear garden of the application site, subject to conditions including the following:

Condition 2. The proposed detached shed shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses or for any use other than as a use incidental to the enjoyment of the dwelling house as such, unless authorised by a prior grant of Planning Permission. Reason: In the interests of residential amenity.

Condition 3. The proposed detached shed shall not be put to commercial use, and its use shall be only incidental to the enjoyment of the principal dwelling on site. It shall not be separated from the principal dwelling by lease or sale. Reason: In the interests of the proper planning and sustainable development of the area and of residential amenity.

4461:24 / ACP-322095-25: Retention permission refused by DCC and ACP. DCC refusal reason relates to impacts on the residential amenity of adjoining properties. Following a first party appeal, ACP's refusal reasons relate to contravention of the requirements of Part 4 of the Planning and Development Regulations and uncertainty as to whether a satisfactory drainage system can be provided.

5.0 Policy Context

5.1. Development Plan

The Dublin City Development Plan 2022-2028 is the relevant development plan for the area. The site is zoned Z1, Sustainable Residential Neighbourhoods with the objective to protect, provide and improve residential amenities. Permissible uses include residential use.

Appendix 18 outlines guidance and standards relating to ancillary residential accommodation including residential extensions, detached habitable rooms, porches, alterations at roof level/attics/dormers /additional floors, sub-division of dwellings, and ancillary family accommodation.

5.2. **Natural Heritage Designations**

5.2.1. The proposal is not located within or immediately adjacent to any European site. The closest European Sites are South Dublin Bay and River Tolka Estuary SPA (Site Code 004024), located approx. 2km east of the appeal site and South Dublin Bay SAC (Site Code 000210) located approx. 4km southeast of the appeal site.

5.3. **EIA Screening**

5.3.1. 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

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A first party appeal has been received and can be summarised as follows:

- The applicant will not be using the shed as a habitable dwelling and drawings submitted with the application do not include a kitchen, bedroom, etc. The shed will be used for storage.
- The drainage department had no objection and recommended the inclusion of conditions relating to surface water management attached to the previous grant of permission ref. 4624/22.
- It is considered that the previous reasons for refusal relating to the site have been overcome.
- The applicant has complied with condition 4 relating to drainage of permission ref. 4624/22 and an Engineering Assessment Report which was submitted to DCC in this regard is attached to the appeal.
- A planning enforcement file relates to the site. The application seeks to address and resolve the issues raised in the enforcement file.
- The application seeks to retain an increased floor area to the north and a reduced roof height. Drawings submitted with the appeal show the line of the permitted height in comparison to the constructed height which is indicated as approx. 0.2m below the permitted height.

- Planning permission has been granted for the development under permission ref. 4624/22 and therefore the principle of the development has already been established on the site.
- The shed does not directly adjoin any dwellings and there are no windows on either side elevations and no overlooking into the adjoining properties at Nos. 12 and 8 Alphonsus Road.
- A precedent has been set to the rear of a neighbouring property on St. Alphonsus Road Lower to the west for a large 2 storey dwelling which is significantly larger than the shed in floor area and height.
- The single storey shed is consistent with the Z1 zoning and does not injure the residential amenities of neighbouring properties.
- The use of the building as a shed and the limited extent of glazing on the rear doors restricts the possibility of overlooking on No. 8 Alphonsus Avenue.
- The shed as permitted by DCC was higher than the existing extension to the rear of No. 8 and the height now proposed has been reduced from that originally permitted and therefore the PA has been contradicting and inconsistent with regard to the height of the shed in relation to the rear of No. 8 Alphonsus Ave.
- The proposed 7.2 sq.m. increase in floor area is incorporated to the north and does not affect the dwelling to the south at No. 8 Alphonsus Ave.
- The permitted shed was considered appropriate in regard to the protection of residential amenities of adjoining properties. The alterations to the permitted shed are not considered significant enough to recant this view.
- The modest increase in floor area maintains the existing laneway and does not result in undue negative impacts on the residential amenities of neighbouring properties.
- The as built shed has a parapet height of 3280mm which is shorter in height than the height of the shed as permitted in 4642/22 and therefore the development as permitted would have more negative impacts on the amenity of neighbouring properties than the as built shed.

- Only minor amendments have been made to the permitted shed, all of which do not create any negative impacts on the amenity of neighbouring properties.
- The floor plans do not suggest the shed is in residential use as there is no kitchen, bedroom etc and the PA's presumption of such is entirely speculation and no change of use has occurred. The applicant is willing to comply with condition 2 of the permitted application.
- An engineering report outlining details of surface water drainage is attached.

6.2. Planning Authority Response

A response received from the PA can be summarised as follows:

- The PA requests that the commission upholds the decision to refuse retention permission.
- If permission is granted it is requested that a condition be applied requiring the payment of a Section 48 development contribution.

6.3. Observations

Three observations have been received and can be summarised as follows:

- The scale and bulk is excessive and will result in overdevelopment.
- There are concerns relating to impacts on residential amenities as a result of overlooking, overshadowing, loss of light and noise.
- The design and layout can facilitate residential use.
- The proposal is out of character with the rear laneway which is for service and will result in disturbance.
- The development results in a loss of private open space.
- The description of the structure as a shed is misleading and the application is invalid.
- The issues raised in previous applications and the previous reasons for refusal are not addressed.

- The development includes drainage works including installation of new manholes in the lane which is not addressed in the application and consent has not been sought for these works on the private laneway.
- The proposal does not meet minimum standards for residential development.
- There are concerns that the structure will not be used as a shed and will be used for residential purposes.
- There is an enforcement case relating to the structure.
- There is an absence of construction details.
- The proposal will depreciate value of adjoining properties.
- The proposal is contrary to national and local planning policy including the Z1 zoning objective, Appendix 3 Section 15 in relation to residential standards, and Quality Housing objectives in Chapter 5.
- The laneway width is inadequate for access.
- There are inaccuracies on drawings.
- A residential unit has been constructed following grant of permission for a shed and has been occupied by residents and is subject to enforcement proceedings.
- The party boundary walls between the appeal site and adjoining properties have been knocked down without consent and replaced with rising walls relating to the development. This has increased the footprint of the structure beyond what was permitted.
- The building has been built up to and over the rear laneway boundary without consent.
- The development results in adverse impacts on No. 8 Alphonsus Avenue.
- The existing laneway is inadequate to serve the development and there are no plans to widen it.
- The Development would set a poor precedent.
- The PA's decision should be upheld.
- The application form refers to a Class 2 Domestic Extension rather than a shed.

- Details of site coverage and plot ratio should be clarified.
- There are 2 no. rooflights and 5 no. vents on the roof and permission has not been sought for these.
- The internal floor level has been dropped.

7.0 **Assessment**

7.1. Having 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 inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issue in this appeal are as follows:

- Principle of Development
- Impacts on Visual & Residential Amenities
- Surface Water
- Other Matters

7.2. **Principle of Development**

7.2.1. Permission is sought for retention of amendments to a previously permitted shed which was permitted by DCC under permission ref. 4624/22. The amendments relate to a stated increase in floor area of 7.2sq.m and a stated reduction in ridge height of approx. 0.2m. The appeal site is zoned Z1 Sustainable Residential Neighbourhoods where on residential development, including extensions or alterations to existing dwellings, is permitted in principle.

7.2.2. I note in its decision on a previous application on the site under reference ACP-322095-25, the Commission considered the application omitted substantial information regarding the layout of the ground floor, noting that the structure to be retained has the appearance of a residential unit and the information on file concerning the use of the structure was substantially incorrect. I note that the floor plans submitted with the current application indicate a storeroom and bathroom and the remainder of the floor space indicated as 'shed'. Having inspected the site, I note that the structure in place corresponds with floor plan Drawing PL-03 submitted with the application which shows 2 no. small rooms providing a store and bathroom and the remainder of the space comprising one large room

which is in use for storage of wheelie bins and building materials with no evidence that the structure is used for residential purposes. I am satisfied that drawings submitted with the application provide an accurate representation of the layout of the existing structure on site. I am therefore satisfied that refusal reason No. 1 attached to file ACP-322095-25 has been overcome.

- 7.2.3. I note that observers to the appeal outline that the proposal fails to comply with National and Local planning policy relating to residential development, including policies in the development plan relating to quality housing as outlined in Chapter 5 and development management standards. I do not consider these policies and standards are relevant to the assessment of the appeal having regard to the nature of the application which relates to a domestic shed.
- 7.2.4. I note the concerns raised relating to the enforcement history of the site and concerns that the development may potentially be used for residential or other purposes. My assessment is based on the description of the development as applied for based on the drawings and documentation submitted with the application and my findings on a site inspection. Having reviewed the file and inspected the site I am satisfied that the application for retention relates to a domestic shed and I consider any future unauthorised use or amendments are matters for the Planning Authority and the Commission has no role in Planning Enforcement. In this regard, I note that conditions 2 and 3 of permission ref. 4624/22 placed restrictions on the use of the shed, stating that it should not be used for human habitation or commercial use. If the Commission decides to grant permission, I recommend the inclusion of these conditions in the interests of clarity.
- 7.2.5. Having regard to the above I consider the proposal is acceptable in principle subject to consideration of impacts on adjoining properties and other matters as outlined below.

7.3. Impacts on Visual & Residential Amenities

- 7.3.1. The PA refused permission as it considered the amendments to the previously permitted shed would result in an unacceptable form of development by virtue of overbearing impact and loss of privacy, adversely affecting the residential amenity of neighbouring properties. The Planning Officers report outlines concerns regarding overlooking and overbearance on neighbouring properties located on St. Alphonsus Avenue. Observers to the appeal raise concerns in relation to impacts on adjoining properties as a result of overlooking, overshadowing, loss of light and noise and request that the decision of the PA be upheld.

The appeal outlines that the permitted shed was considered appropriate in regard to the protection of residential amenities of adjoining properties and the alterations are not considered significant.

- 7.3.2. The shed permitted under permission reference 4624/22 had a floor area of 32.2 sq.m., a flat roof with a height of 3.65m, a window and door facing into the rear garden of the appeal site, walls without any windows or doors facing all other elevations and was located inside the boundary walls on the rear and side elevations.
- 7.3.3. The development for which retention permission is sought differs from the permitted development in that it has an overall stated floor area of 39.5 sq.m. (as stated in the planning application form), a flat roof containing 2 no. roof lights and parapet walls on the east and west side elevations, a height of 3.28m above the rear garden level and a height of 3.61m above the rear laneway level, the window and door position on the front elevation facing the rear garden have been revised, 2 no. doors have been incorporated onto the rear (southern) elevation facing the laneway, and the shed has been constructed on the site boundaries to the south, east and west.
- 7.3.4. The appeal site is set within a terrace of two storey dwellings with No. 8 and No. 12 St. Alphonsus Road lower located to the east and west respectively and a terrace of two storey dwellings on St. Alphonsus Avenue located to the rear (south). The adjoining properties on St. Alphonsus Road lower have two storey and single storey rear returns. The north elevation of the shed is set back 13.7m from the rear elevations of these properties. To the rear, the site is separated from No. 8 St. Alphonsus Road Avenue by a laneway and rear boundary wall. The main rear elevation of No. 8 is set back approx. 5m and a two-storey rear return is set back approx. 2.3m from the south elevation of the shed.
- 7.3.5. I note that the PA raised no concerns in relation to residential amenity impacts when assessing the shed under permission reference 4642/22 and ACP did not raise concerns in this regard in their assessment under reference ACP-322095-25. Whilst I note that the eastern and western side elevations are approx. 0.9m longer than previously permitted I also note that the previously permitted shed had a ridge height of 3.65m which is higher than that which the retention application seeks permission for. Having regard to the scale of the amendments to the shed, and to the pattern of surrounding development, I do not consider the development is of such a scale that it will result in overshadowing, loss of light or overbearing impacts on adjoining properties. In relation to overshadowing impacts, I

note the orientation of the shed to the north of 8 St. Alphonsus Avenue and I do not consider the proposal will result in unacceptable overshadowing effects on this neighbouring property.

- 7.3.6. In relation to overlooking, I note that no windows are proposed on the side elevations. I note that a window and door on the north elevation are similar to those permitted under reference 4624/22, although approx. 0.9m forward of the previously permitted shed, and having regard to the separation distance and nature of use I do not consider undue overlooking impacts will arise. To the rear two doors are proposed onto the laneway opposite the rear of No. 8 St. Alphonsus Avenue. The doors contain window panels which contain opaque glazing. Whilst these glazed panels are located above the height of the rear boundary wall separating the lane from No. 8, noting the glazed nature and limited size of these windows I do not consider they have the potential to result in undue overlooking into the rear of No. 8 St. Alphonsus Avenue. Furthermore, I do not consider the extent of use associated with a domestic shed has the potential to give rise to an unacceptable level of overlooking as a result of access via these rear doors and I do not consider the development to be retained has the potential to result in significant adverse impacts on the privacy of adjoining properties. I also do not consider the extent of use associated with a domestic shed has the potential to result in unacceptable noise and disturbance impacts.
- 7.3.7. The rear laneway is characterised by rear boundary walls, rear elevations of dwellings and domestic sheds. I note that drawings submitted indicate that external walls to the shed are proposed to be rendered, with these works partially complete and I consider this an appropriate finish. I do not consider the amendments to the single storey shed are of such a scale or character that they will give rise to unacceptable impacts on the character of the laneway.
- 7.3.8. In relation to concerns regarding overdevelopment, I note the appeal site has a stated overall area of 0.028ha, the shed has a stated floor area of 39.5 sq.m. and that a rear garden area of 105 sq.m. will be retained. I do not consider the development will result in overdevelopment and having regard to the remaining rear garden area I do not share the observers concerns that the proposal will result in an unacceptable loss of private amenity space. I do not consider it is necessary to assess site coverage and plot ratio in relation to the development.

7.3.9. I do not consider the amendments to the permitted shed are of sufficient scale to result in residential amenity impacts beyond that originally permitted and I am satisfied that the proposal is in accordance with the Z1 zoning objective. I do not consider the proposal would set a harmful and undesirable precedent or that it would be contrary to the Z1 zoning objective and I do not agree with the PA reason for refusal in this regard.

7.4. **Surface Water**

7.4.1. The decision of ACP relating to the previous appeal on the site refused permission as it was considered that in the absence of detailed drainage drawings there is unacceptable uncertainty as to whether a satisfactory drainage system can be provided in accordance with the Greater Dublin Regional Code of Practice and as required by Policy S14 of the Development Plan. The observers to the appeal raise concerns that this matter has not been addressed in the current application and that the refusal reason has not been overcome.

7.4.2. The first party appeal includes a copy of an Engineering Assessment Report which outlines details relating to foul water drainage, surface water drainage and SUDS relating to the development to be retained. It is outlined that the development is connected to an existing foul drain and an existing storm drain which connect to an existing combined sewer. A water butt with discharge to a filter drain and permeable artificial grass over a free draining stone sub-base provide SUDS measures. The local authority engineers report relating to the file stated no objection to the proposal and that the developer shall comply with all the conditions relating to surface water management of the previous grant of permission, ref no: 4624/22.

7.4.3. Policy S14 relates to Drainage Infrastructure Design Standards and requires new private development sewers which are intended to connect to the public drainage system to comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works and/ or Irish Water foul sewer specification (where applicable).

7.4.4. Having reviewed the details on the file and the report of the DCC Drainage Division, I am satisfied that acceptable drainage details have been provided. I am therefore satisfied that the previous refusal reason of ACP in this regard has been overcome and that the development is acceptable with regard to Policy S14 of the Development Plan.

7.5. **Other Matters**

- 7.5.1. In relation to concerns raised regarding the potential future residential use of the structure, I consider this is a planning enforcement matter for the PA.
- 7.5.2. In relation to concerns regarding the description of the proposal in public notices and on the application form and the validity of the planning application and inaccuracies contained therein, I note that the applicant has sought permission for a shed which I consider is appropriate and I note that the PA was satisfied that the planning application was a valid application. In relation to the increased footprint which has been extended to the site boundaries, I note the drawings submitted reflect the extent of the structure to the boundaries and I am satisfied that the drawings provide for an appropriate representation of the development on site.
- 7.5.3. In relation to concerns raised regarding the inclusion of works relating to rooflights, vents and drainage works, I note the description of the development includes reference to 2 no. rooflights. I note that the drawings and development description do not refer to vents or drainage works, however I do not consider these are material to the assessment of the application for amendments and I note that the development description refers to 'all associated site works' which I consider satisfactorily addresses this matter.
- 7.5.4. In relation to concerns that the internal floor level has been dropped, the drawings submitted indicate the finished floor levels and having inspected the site I am satisfied that the development to be retained is as indicated on the drawings submitted with the application.
- 7.5.5. Observers raise concerns that the rear laneway is inadequate to serve the development and that there are no plans to widen the laneway. Having regard to the nature and scale of the amendments to the shed to be retained, I do not consider it necessary that additional access beyond that which exists from the laneway is required to serve the development. I note the rear doors will facilitate pedestrian access via the laneway and I do not have concerns in relation to this element of the proposal, noting the likely limited extent of use associated with the development to be retained.
- 7.5.6. Concerns are raised that the applicant has failed to provide for consent from landowners for works carried out to shared boundaries and the rear laneway. I note that the application form submitted indicates that the applicant is the owner of the site. Section 5.13 of the Development Management Guidelines for Planning Authorities (June 2007), states the planning system is not designed as a mechanism for resolving disputes about title to land

or premises and these are ultimately matters for resolution in the Courts. Furthermore, Section 34(13) of the Planning Act 2000 (as amended) states that a person is not entitled solely by reason of a permission to carry out any development. As such, should the Commission be minded to grant retention permission, I consider the onus is on the applicant to ensure sufficient legal interest exists. Having regard to the above I do not consider the proposed development should be refused on these grounds.

7.5.7. Concerns are raised in observations that the development will depreciate the value of adjoining properties. Having regard to my findings in relation to the absence of impacts on the visual and residential amenities of the area and having regard to the pattern of development surrounding the appeal site, I do not consider the amendments to the permitted shed are likely to depreciate value of adjoining properties.

7.5.8. The observation of the PA requests that if permission is granted it is requested that a condition be applied requiring the payment of a Section 48 development contribution. The Dublin City Council Development Contribution Scheme states that no reductions in whole or in part shall apply to permissions for retention of development. I therefore consider it appropriate that if the Commission decides to grant permission that a condition be attached requiring payment of a Section 48 financial contribution.

8.0 **AA Screening**

8.1. **Screening the need for Appropriate Assessment: Screening Determination (Stage 1, Article 6(3) of Habitats Directive**

8.1.1. I have considered case PL-500445-DN-25 in light of the requirements of S177U of the Planning and Development Act 2000 as amended. The development to be retained is located within a residential area and comprises amendments to a shed and all associated site works. The closest European Sites are South Dublin Bay and River Tolka Estuary SPA (Site Code 004024), located approx. 2km east of the appeal site and South Dublin Bay SAC (Site Code 000210) located approx. 4km southeast of the appeal site.

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

The reason for this conclusion is as follows:

- Small scale and domestic nature of the development
- The location of the development in a serviced urban area, distance from European Sites and urban nature of intervening habitats, absence of ecological pathways to any European Site.

8.1.3. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 **Water Framework Directive**

9.1. The subject site is located approx. 400m south of the nearest water body comprising Tolka River. The development comprises the retention of amendments to a shed as outlined in section 2.1 of this report.

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

9.3. The reason for this conclusion is as follows:

- The small scale of development and the nature of works
- The location-distance from nearest Water bodies and lack of hydrological connections

9.4. 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.

10.0 Recommendation

10.1. I recommend that retention permission should be granted, subject to conditions.

11.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, the zoning objective to 'To protect, provide and improve residential amenities', the established residential use and planning history on the site, the pattern of development in the area, and the scale, form and design of the development to be retained, it is considered that, subject to compliance with the conditions set out below, there would be no adverse impact on the existing residential and visual amenities of the area. The development to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1. The development shall be carried out, completed and retained 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 interests of clarity.

2. The development shall be in accordance with the terms and conditions attached to the grant of permission under 4624/22 save for the amendments in the current application and the requirements of the conditions hereunder.

Reason. In the interest of clarity

3. The proposed detached shed shall not be used for human habitation or for the keeping of pigs, poultry, pigeons, ponies or horses or for any use other than as a use incidental to the enjoyment of the dwelling house as such, unless authorised by a prior grant of Planning Permission.

Reason: In the interests of residential amenity.

4. The proposed detached shed shall not be put to commercial use, and its use shall be only incidental to the enjoyment of the principal dwelling on site. It shall not be separated from the principal dwelling by lease or sale.

Reason: In the interests of the proper planning and sustainable development of the area and of residential amenity.

5. 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 the An Coimisiun Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

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.”

Bernadette Quinn
Planning Inspector

16th March 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL-500445-DN-25
Proposed Development Summary	RETENTION: of amendments to a previously permitted shed (Reg. Ref. 4624/22). Increase in the overall floor area with 2 rooflights, 2 doors to the rear lane, elevational changes and all associated site works
Development Address	10 Saint Alphonsus Road Lower, Drumcondra, Dublin 9
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.	State the Class here

<p>EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.</p>	
<p><input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3</p>	
<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. No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required</p>	<p>State the Class and state the relevant threshold</p>
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	<p>State the Class and state the relevant threshold</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: 16/03/2026