



An  
Coimisiún  
Pleanála

## Inspector's Report PL-500625-SD-26

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<b>Development</b>	Construction of 2 No. two-storey terraced houses and all associated site works.
<b>Location</b>	18, Drumcairn Gardens, Fettercairn, Dublin 24, D24 HX5W
<b>Planning Authority</b>	South Dublin County Council
<b>Planning Authority Reg. Ref.</b>	SD25A/0262W
<b>Applicant(s)</b>	Jason Keeler
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse Permission
<b>Type of Appeal</b>	First Party Normal Planning Appeal
<b>Appellant(s)</b>	Jason Keeler
<b>Observer(s)</b>	None
<b>Date of Site Inspection</b>	
<b>Inspector</b>	David Freeland

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## 1.0 Site Location and Description

The appeal site (c. 0.03 ha) is located within the established Drumcairn residential estate in the Fettercairn/Jobstown area of Tallaght, Dublin 24. The estate is accessed from Cheeverstown Road (R136) to the west and Catherine Tynan Road to the north. The site is approximately 2.4 km south of the N7 and 1.5 km north of the N81. Public transport is available in the vicinity with bus stops within 500m on Cheeverstown Road to the south-west and the Cheeverstown Luas stop situated approximately 950 metres to the north-west. The site is located approximately 2.5 km from Tallaght Town Centre and 2.4 km from Citywest Shopping Centre.

The Drumcairn estate comprises a suburban residential environment characterised predominantly by two-storey terraced and semi-detached dwellings. The area is defined by a series of cul-de-sacs and internal residential roads with associated public open spaces. The subject site is located on Drumcairn Gardens, a cul-de-sac and occupies an end-of-terrace position adjoining a turning circle. The site is broadly triangular in shape widening towards the rear due to its position relative to the cul-de-sac layout. The site adjoins an area of public open space on Drumcairn Drive to the north-west.

The site is currently occupied by a two-storey end-of-terrace dwelling with a pitched gable roof with a dormer extension to the rear. Ancillary structures within the site include a rear veranda attached to the dwelling, two detached shed structures, and children's play equipment. The northern boundary adjoins an area of public open space.

The front and rear/side garden areas are a boundary wall and accessed via a pedestrian entrance. The front garden is fully hard surfaced in asphalt with granite cobble edging and is used for off-street parking. The site is served by an existing vehicular entrance of approximately 5.45 metres in width.

## 2.0 Proposed Development

The proposed development comprises the construction of 2 No. two-storey terraced houses, comprising one 2-bedroom dwelling and one 3-bedroom dwelling, each with private rear gardens located within the side/rear garden of No. 18 Drumcairn

Gardens. The proposed development also includes associated landscaping, boundary treatments, drainage, and all ancillary site works, to be carried out within the side gardens.

### 3.0 Planning Authority Decision

#### 3.1. Decision

South Dublin County Council made a decision to Refuse Permission for the following reason:

*Having regard to Section 12.7.4 of the South Dublin County Development Plan 2022-2028, and the 'RES' land use zoning objective of the site, which seeks to protect and/or improve residential amenity, it is considered that the development as proposed fails to provide adequate car parking to support the proposed development and would result in the overdevelopment of the site. The development, if supported, would likely result in cars from this site parking spilling out onto the adjoining street which could impede the public footpath and the adjoining turning circle and which could increase the risk of traffic accidents and endanger public safety. Supporting a development of this nature would set an undesirable precedent and would be inconsistent with the proper planning and sustainable development of the area.*

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

3.2.2. There is one planning file on report dated 12/12/2025 which is summarised as follows:

- **Planning Note:** The Planning Authority notes a discrepancy between a previously permitted dormer (Reg. Ref. SD18B/0357) and the dormer as constructed at No. 18, which protrudes above the terrace roofline although consider it an enforcement issue.
- **Overcoming Previous Reasons for Refusal:** The Planning Authority notes that the current proposal is materially similar to a recently refused scheme

(SD24A/0244), where refusal was based on inadequate and constrained car parking leading to a traffic hazard. The Planning Report considered the applicant has not addressed this concern and highlighted that the revised proposal reduces parking provision (to one shared space for the two new units) thereby worsening the deficiency. The Planning Authority considers this to exacerbate the likelihood of on-street parking, particularly within the turning circle, increasing traffic safety risks. The proposal fails to overcome the previous reason for refusal, and refusal is again recommended on traffic safety grounds, consistent with the Roads Department's position.

- **Zoning and Council Policy:** The site is zoned 'RES', where residential development is acceptable in principle.
- **Corner/side Garden Sites:** Policy support exists for development of corner/side garden sites (including H13 Objective 3), subject to compliance with criteria set out under Section 12.6.8 of the Development Plan. The Planning Authority noted the following:

Site capacity and amenity: Concerns arise regarding limited space, inadequate parking, overlooking of an existing window at No. 18, and potential overshadowing. A daylight/sunlight assessment would have been required.

Dual frontage: The northern elevation lacks first-floor openings, resulting in a blank façade facing public space and reduced passive surveillance.

Building line and roof profile: The proposed setback could be acceptable given the cul-de-sac context; however, the increased roof height would disrupt the established roofline and streetscape.

Design response: Finishes are considered broadly acceptable and in keeping with the area.

Private open space: Exceeds minimum standards and is acceptable.

- **Qualitative Standards:** The proposed dwellings comply with relevant quantitative standards relating to internal floor areas, room sizes, storage provision and private open space. The Planning Authority was satisfied with the quality of the proposed dwellings.

- **Residential and Visual Impact:** Notwithstanding the primary refusal issue, several design and amenity concerns were identified within the Planning Report :

Overdevelopment: The intensity of development on the site is considered excessive.

Building height: Proposed roofs would project above the established terrace, creating a visually discordant element.

Overbearing/overshadowing: The proximity and scale of development (including an approx. 8m high wall along the boundary) would likely result in significant adverse impacts on No. 18.

Overlooking: The proposed parking arrangement would result in direct overlooking of a habitable room window in the existing dwelling.

- **Access and Parking:** The proposal provides insufficient parking and could result in haphazard car parking to the turning circle. The Roads Department noted the restricted area to allow access to cars and to open doors within the curtilage. The layout is constrained, with inadequate space for vehicle manoeuvring and door opening. Likely overspill parking onto the adjoining road and turning circle would create a traffic hazard. The Roads Department explicitly recommends refusal on safety grounds. The Planning Authority concurs, concluding that the parking deficiency would endanger public safety and set an undesirable precedent.
- **Drainage:** No objection subject to compliance with SuDS requirements and standards conditions with regard to Uisce Eireann
- **Green Infrastructure:** Given the modest scale and urban context, the proposal is not considered to result in significant impacts on green infrastructure or permeable surfaces. A detailed GI assessment is not required.
- **Appropriate Assessment Screening:** No likely significant effects on European sites are identified due to the small scale, urban location, and absence of pathways. AA screening concludes that Stage 2 is not required.

- **Environmental Impact Assessment Screening:** The development is sub-threshold and unlikely to give rise to significant environmental effects. EIA is not required.
- **Overall Conclusion:** While the principle of residential infill development is accepted and the units meet internal standards, the proposal is fundamentally undermined by inadequate and poorly designed car parking provision, giving rise to traffic safety concerns. Additional design and amenity issues further reinforce concerns regarding overdevelopment. Refusal is therefore recommended.

### 3.2.3. Other Technical Reports:

- Roads Department: Request FI.
- Water Services: No objection subject to conditions.
- EHO: No objection subject to conditions.

### 3.3. Prescribed Bodies

None received.

### 3.4. Third Party Observations

No third party observation have been received.

## 4.0 Planning History

**P.A. Ref. SD24A/0244 – Permission Refused** for the construction of 2 No. three storey 3 bed semi-detached houses. Each dwelling with private rear gardens and car parking space. All with associated landscaping, boundary treatments, drainage, and site work to be carried out in the side gardens of No. 17 and No.18 Drumcairn Gardens.

The Reasons for Refusal were as follows:

*The applicant has, in response to Planning Authority queries relating to the ownership of the site, revised their proposals so as to no longer include lands not in their ownership. These lands should only have been included at*

*application stage if accompanied by a letter of consent from the SDCC Housing Department, which owns the relevant lands (the applicant is encouraged to engage with the Housing Department at an early stage if it is intended to make another application). The revised proposals have demonstrated, at a late stage in the application process, issues relating to the planning of the site that were not apparent at the time of the assessment of the original application, nor at the time of assessment of the additional information received. The SDCC Roads section has advised that "the parking layout is very constrained, it is not clear from the plans if the spaces are accessible for vehicles... The parking areas are very close to the gable end of the existing dwelling and the boundary of the proposed dwellings, resulting in passengers not able to open car doors... There is insufficient space provided for the proposed-on curtilage parking, a minimum amount of space should be available from the boundary to allow the vehicle occupants to access the vehicle. The restricted space for vehicle parking in curtilage may lead to uncontrolled parking in the turning circle. Increasing the risk of a traffic accident, thereby endangering public safety by reason of a traffic hazard." It is therefore appropriate, having regard to the advice of the SDCC Roads section, to refuse permission by reason of a traffic hazard.*

**P.A. Ref. SD18B/0357 – Permission Granted** for the construction of a flat roof dormer extension to rear of existing attic space for storage room; dormer roof to remain below the existing ridge tile to the existing two-storey dwelling.

**P.A. Ref. SD18B/0239 – Permission Refused** for the construction of a flat roof dormer extension to rear of existing attic space for study/playroom. Also, extension of ridge tile height to accommodate head height in the attic of this existing two storey dwelling.

## 5.0 Policy Context

### 5.1. National Policy

- Project Ireland 2040 – National Planning Framework First Revision (April 2025)
- Climate Action Plans (2024 & 2025)

- Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007)
- Design Manual for Quality Housing (DoHLGH, 2022)
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (DoHLGH, 2024)
- Housing For all – A New Housing Plan for Ireland (2021)

## 5.2. Regional Policy

- Eastern & Midland Regional Assembly Regional Spatial & Economic Strategy 2019- 2031.

## 5.3. Development Plan

### South Dublin County Development Plan 2022-2028

The statutory development plan for the area is the South Dublin County Development Plan 2022-2028.

The following sets out the relevant sections, policies and objectives of the of the Development Plan relating to the proposed development. This is not intended to comprise an exhaustive list of all applicable provisions.

#### Land Use Zoning:

The proposed development site is zoned as ‘RES’ with the stated land use zoning objective ‘*To protect and / or improve residential amenity*’. Residential development is permitted in principle under this zoning objective.

#### Housing Policy and Infill Development

*Chapter 2 – Core Strategy and Settlement Strategy* of the Development Plan sets out the Settlement Strategy for the County. The Strategy seeks to promote compact growth through the consolidation of existing built-up areas and the efficient use of serviced lands (Policy CS6: Settlement Strategy – Strategic Planning Principles and associated CS6 Objectives and Policy CS7: Consolidation Areas within the Dublin City and Suburbs Settlement Principles and associated CS7 Objectives refers).

*Chapter 6 - Housing* of the Development Plan supports the consolidation of existing urban areas and the provision of infill residential development, subject to the

protection of residential amenity and the achievement of high-quality design and layout (Section 6.8 Residential Consolidation in Urban Areas and Policy H13 Residential Consolidation and associated H13 Objectives refers).

H13 Objective 3 favourably considers proposals for the development of corner or wide garden sites within the curtilage of existing houses in established residential areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

Section 12.6.8 – Residential Consolidation sets out specific criteria for development of infill and corner/side garden sites.

Development on corner and / or side garden sites should meet the following criteria:

- *In line with the provisions of Section 6.8 Residential Consolidation in Urban Areas the site should be of sufficient size to accommodate an additional dwelling(s) and an appropriate set back should be maintained from adjacent dwellings ensuring no adverse impacts occur on the residential amenity of adjoining dwellings;*
- *Corner development should provide a dual frontage in order to avoid blank facades and maximise passive surveillance of the public domain;*
- *The dwelling(s) should generally be designed and sited to match the front building line and respond to the roof profile of adjoining dwellings where possible. Proposals for buildings which project forward or behind the prevailing front building line, should incorporate transitional elements into the design to promote a sense of integration with adjoining buildings;*
- *The architectural language of the development (including boundary treatments) should generally respond to the character of adjacent dwellings and create a sense of harmony. Contemporary and innovative proposals that respond to the local context are encouraged, particularly on larger sites which can accommodate multiple dwellings;*
- *A relaxation in the quantum of private open space may be considered on a case by-case basis whereby a reduction of up to a maximum of 10% is allowed, where a development proposal meets all other relevant standards*

*and can demonstrate how the proposed open space provision is of a high standard, for example, an advantageous orientation, shape and functionality;*

- *Any provision of open space to the side of dwellings will only be considered as part of the overall private open space provision where it is useable, good quality space. Narrow strips of open space to side of dwellings shall not be considered as private amenity space.*

### Residential Design and Layout

Section 6.7 of the Development Plan promotes high-quality residential design and layout, having regard to the standards set out in national guidance including the Sustainable Residential Development in Urban Areas Guidelines and associated Urban Design Manual.

Policy H7 and associated objectives require that new residential development provides a high standard of accommodation, energy efficiency and living environment

Chapter 12 (Implementation and Monitoring) sets out detailed quantitative and qualitative standards relating to residential development, including private open space, daylight and sunlight, and general amenity considerations.

### Car Parking and Vehicular Access

The Development Plan sets out policies and standards relating to car parking provision and vehicular access under Chapter 7: Sustainable Movement and Chapter 12: Implementation and Monitoring.

Chapter 7 recognises the role of car parking as a demand management measure and promotes a balanced approach to parking provision, having regard to accessibility, the availability of public transport and services, and the need to encourage sustainable modes of travel (Policy SM7: Car Parking and EV Charging and associated SMY Objectives refers).

Section 12.7.4 sets out car parking standards, which are expressed as maximum standards. The proposed development includes 1no. 2-bedroom dwelling (maximum of 1.5 spaces) and 1no. no. 3-bedroom dwelling (maximum of 2no. spaces).

A lower rate of parking may be acceptable subject to; The proximity of the site to public transport and the quality of the transport service it provides;

- The proximity of the development to services that fulfil occasional and day to day needs;
- The ability of people to fulfil multiple needs in a single journey;
- The levels of car dependency generated by particular uses within the development;
- The ability of residents to live in close proximity to the workplace; Peak hours of demand and the ability to share spaces between different uses; and
- The ability of the surrounding road network to cater for an increase in traffic.

Section 12.7.5 requires the provision of electric vehicle charging infrastructure in new residential development, including enabling infrastructure for future installation where in-curtilage parking is proposed.

Section 12.7.6 provides guidance on car parking design and layout. In-curtilage parking to the front of a house for lower density development may be acceptable for lower density development, subject to sufficient measures to promote a self-regulating street environment, adequate plot widths to enable the planting of materials which have a low-level screening effect, the provision of conveniently located on-street parking for visitors

Widening of Driveways to Accommodate In-Curtilage Parking will have regard to the following:

- A width of 3.5m between gate pillars shall not normally be exceeded. This is for reasons of pedestrian safety and visual amenity and to retain on-street parking spaces;
- Proposals to widen driveways that would result in the removal of, or damage to, a street tree will not generally be permitted and where permitted must be mitigated;
- Where a hard surface is proposed to accommodate parking in a front garden area, permeable paving shall be used, in the interest of sustainable drainage.

## **Natural Heritage Designations**

The appeal site is not located within or adjacent to any designated European site (SAC or SPA) or Natural Heritage Area (NHA or pNHA).

The closest European site to the subject site includes Glenasmole Valley SAC (Site Code: 001209) - 3.9km to the south, Wicklow Mountains SAC (Site Code: 002122) 5.9km to the south and Wicklow Mountains SPA (Site Code: 004040) – 8.9km to the south and the closest Natural heritage designation is Lugmore Glen pNHA (Site code: 001212) – 2.1km to south, Dodder Valley pNHA (Site Code: 000991) – 3.1km to south-east, Glenasmole Valley pNHA (Site Code: 001209) – 3.9km to south-east, Slade of Saggart and Crooksling Glen pNHA (Site Code: 000211) – 4.2km to south-west and Grand Canal pNHA (Site Code: 002104) – 4.2km to north.

### **5.4. EIA Screening**

The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). The proposed development is of a CLASS specified in Part 2, Schedule 5 of the Planning and Development Regulations 2001 (as amended) but is sub-threshold being a Class 10(b)(i) 'Construction of more than 500 dwelling units'. Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

### **5.5. Water Framework Directive**

The subject site comprises the side/rear garden of an end-of-terrace terrace dwelling located on Drumcairn Gardens (cul-de-sac) which forms part of an established residential area within the Fettercairn area of Tallaght. The proposed development comprises 2no. two-storey dwellings within the side garden of the existing dwelling. Site services include water supply and wastewater are proposed to connect to Uisce Eireann infrastructure.

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 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 significant risk to any surface and groundwater water bodies either qualitatively or quantitatively. The reasons for this are as follows:

- The nature of the works comprising a small scale of development.
- The location of the nearest surface waterbody is situated approximately 0.5km to the west of the subject site, is the River Waterbody Camac\_030 (Code: IE\_EA\_09C020310) which is separated by urban development.
- The lack of direct hydrological connections from the site to any surface and transitional water bodies.
- Standard environmental measures including SuDS that would be implemented.

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

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

A first-party appeal has been submitted which is summarised as follows:

- Zoning & Policy: The appellant submits that the proposed development accords with the zoning objective (“RES – To protect and/or improve residential amenity” under the South Dublin County Development Plan 2022–2028.

- Residential and Regeneration Lands: The appellant emphasises that land is a finite resource, particularly in urban areas, and that there is a need to prioritise the development of vacant and underutilised sites. In this regard, the proposal is presented as an appropriate form of urban regeneration, consistent with the provisions of the Urban Regeneration and Housing Act 2015 and with policy objectives supporting compact growth and the efficient use of serviced residential lands.
- Architect (Agent) Response: In response to the Planning Authority's concerns regarding limited space to the front of the units and car parking provision, the appellant submits that the development has been designed to reduce reliance on private car use, in line with sustainable transport objectives, and that the site's proximity to public transport justifies a reduced parking approach. It is contended that the level of parking provided is appropriate and avoids over-provision.
- In terms of residential amenity, including overshadowing and loss of light, it is submitted that the scale, siting and orientation of the proposed development have been carefully arranged to minimise impacts on adjoining properties and that any effects would be limited and not significant.
- With regard to potential overlooking from the parking space adjacent to No. 18, the appellant states that this space serves the same unit and that any overlooking would not result in an undue or unreasonable impact beyond what would typically be expected in a residential setting.
- Overall, the appellant considers that the proposal achieves an appropriate balance between efficient use of the site, sustainable transport principles, and the protection of neighbouring residential amenity.
- Design, Streetscape and Passive Surveillance: The appellant refers to the Planning Authority's comments regarding passive surveillance and states that, had concerns relating to car parking not arisen, further revisions could have been made to enhance the scheme in this regard. It is submitted, however, that the proposed development integrates with the existing terrace and would positively contribute to the streetscape and activity at this corner location.

- **Roof Profile and Visual Impact:** In response to concerns regarding the proposed roof profile, the appellant submits that the variation in height relative to the existing terrace is approximately 330mm and that there is already variation in the established roofline. It is further stated that the proposed units are set back from the principal elevation, such that any difference in height would not be readily perceptible in the public domain or materially disrupt the overall streetscape. The appellant concludes that the development would not have a significant adverse impact on the character or appearance of the area.
- **Compliance with Standards:** The appellant asserts that the proposed development complies with relevant standards, including those relating to private open space, internal floor areas, room sizes and storage, and is consistent with the principles set out in Quality Housing for Sustainable Communities and related guidance.
- **Conclusion:** It is concluded that the proposal represents an appropriate and sustainable form of development on serviced urban land, consistent with the proper planning and sustainable development of the area, and would integrate with the existing environment while enhancing overall residential amenity.

## 6.2. **Planning Authority Response**

In a letter dated 11th February 2026, the planning authority confirmed its decision and states that the issues raised in the appeal have been covered in the Chief Executive's Order.

## 6.3. **Observations**

None

## 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 having inspected the site, and having regard to the relevant

local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development – Corner/Side Garden Site Policy
- Siting, Design and Layout – Impact upon Visual Amenities
- Impact upon Residential Amenities
- Development Standards and Services
- Traffic, Access and Car Parking

## **7.2. Principle of Development – Zoning and Corner/Side Garden Site Policy**

- 7.2.1. The proposed development site is zoned 'RES' with the stated land use zoning objective 'To protect and / or improve residential amenity'. Residential development is permitted in principle under this zoning objective.
- 7.2.2. The proposal relates to the provision of two dwellings within the side/rear garden of an existing dwelling in an established suburban area. This form of development is consistent with national and Development Plan policy promoting compact growth and the consolidation of existing built-up areas.
- 7.2.3. In this regard, I note Policy CS6 and CS7 of the Development Plan which support consolidation within the Dublin City and Suburbs settlement, and Policy H13 which supports residential consolidation, including development of corner and side garden sites. H13 Objective 3 specifically provides support for such development, subject to compliance with the criteria set out under Section 12.6.8.
- 7.2.4. Section 12.6.8 sets out a number of qualitative criteria relating to site capacity, layout, design and the protection of residential amenity. The assessment below considers the proposal against these criteria.
- 7.2.5. Having regard to the zoning of the site and the policy support for residential consolidation, I am satisfied that the proposed development is acceptable in principle, subject to compliance with the relevant Development Plan standards and the protection of residential amenity.

## **7.3. Siting, Design and Layout – Impact upon the Visual Amenities of the Area**

- 7.3.1. The subject site forms part of an established residential cul-de-sac characterised by two-storey terraced dwellings with relatively consistent building lines, materials and roof profiles.
- 7.3.2. The proposed dwellings will be set back approximately 7.9m from the front building line of the existing dwelling and will extend to the rear beyond the established rear building line. The dwellings will be finished in a mix of brick and render, which I consider acceptable in the context of the area.
- 7.3.3. The ridge height of the proposed dwellings will be approximately 1.01m above that of the adjoining terrace. The Planning Authority raised concerns that this would disrupt the established roofline. The appellant contends that the set-back from the front elevation reduces the visual impact of this increase in height.
- 7.3.4. I note that the increased ridge height facilitates a floor ceiling height of 2.4m at attic level of which alongside the proposed rear dormer will allow this space to be a habitable room. I consider the increase in height allows for adaptable and flexible homes which meets family needs and the changing of needs of peoples throughout their lives in line with National and Development Plan policy. On balance I consider this represents an efficient use of an underutilised site within the Dublin City & Suburbs.
- 7.3.5. While standard planning practice would generally require new development align with the form, height and roof type of adjoining properties, having regard to the set-back of the proposed dwellings from the primary frontage, I consider that the increased ridge height would not be overly discernible or prominent when viewed from Drumcairn Gardens. Similarly, when viewed from the public open space to the rear, I do not consider that the proposal would appear unduly discordant, having regard to the varied and uncoordinated nature of extensions and ancillary structures to the rear of dwellings in the area.
- 7.3.6. The Planning Authority also raised concerns regarding the blank northern elevation, which would not provide active frontage to the adjoining public open space. While I agree that this is not consistent with the guidance under Section 12.6.8, I consider that this is a design issue that could be addressed by way of condition and does not warrant refusal in itself.

7.3.7. Having regard to the set-back, design approach and materials, I am satisfied that the proposed development would not adversely impact upon the visual amenities of the area.

#### **7.4. Impact upon Residential Amenities**

##### Impact on the Existing Dwelling, No. 18 Drumcairn Gardens

7.4.1. The proposed two-storey dwellings will extend significantly beyond the rear building line of the existing dwelling by approximately 8.6m. In this regard, there is an existing open sided veranda like structure adjoining the rear of the existing dwelling, no. 18. I do not consider this structure mitigates for the proposed development in the same manner as a permanent extension to the dwelling would do so.

7.4.2. The applicant has not submitted a daylight/sunlight assessment. Notwithstanding this, having regard to the scale, height and depth of the proposed development, I consider that the extent of the projection to the rear, in close proximity to the existing dwelling, would give rise to an overbearing and dominant appearance when viewed from the rear of No. 18.

7.4.3. In my view, this would result in an adverse impact on the residential amenities of the existing dwelling, particularly in terms of outlook and general amenity. While some level of impact may be expected in an urban consolidation context, I consider that the extent of the projection in this instance is excessive and warrants refusal. The Planning Authority did not include this as a reason for refusal. As such, this is a new issue in the context of this appeal. The Commission may wish to inform the first party that this may constitute a reason for refusal having regard to the procedures under Section 137 of the Act. However, having regard to other substantive reasons for refusal set out below, it may not be considered necessary to pursue the matter.

##### Impact on No. 17 Drumcairn Gardens

7.4.4. The proposed dwellings will be located to the north of No. 17. The side gable of this dwelling does not contain windows, and the separation distance to the proposed development is in excess of 10m to the side wall.

7.4.5. Having regard to the orientation and separation distances, I do not consider that the proposed development would result in significant overshadowing or overbearing impact on No. 17. While there may be some overlooking of the side garden area, I

consider that this would be limited in nature and not unreasonable in an established suburban context.

## **7.5. Development Standards and Services**

- 7.5.1. The proposed dwellings comprise one 2-bedroom unit and one 3-bedroom unit. The submitted Housing Quality Assessment demonstrates compliance with the relevant standards relating to internal floor area, room sizes and storage provision. A review of the plans indicates that the dwellings generally comply the minimum standards set out under Section 12.6.7-Residential Standards of the Development Plan and Section 5.3 – Internal Layout and Space Provision of the Quality Housing for Sustainable Communities Best Practice Guidelines for Delivering Homes and Sustaining Communities (DoHLGH, 2007).
- 7.5.2. The proposed private open space provision exceeds both Development Plan standards and the minimum standards set SPPR 2 of the Compact Settlement Guidelines. I am satisfied that the private open space provision is of a high standard.
- 7.5.3. Boundary treatments are acceptable and would provide adequate separation and privacy between dwellings.

### Site Services

- 7.5.4. The submitted Engineering Report indicates that it is proposed to connect to the public water mains and foul sewer network and states that the proposed infrastructure will be in compliance with Uisce Éireann standards and the Code of Practice for Wastewater.
- 7.5.5. I note that a pre-connection enquiry has been submitted to Uisce Éireann; however, no confirmation of feasibility or capacity has been provided, and Uisce Éireann did not submit a report at application stage. Notwithstanding this, the Water Services Department of the Planning Authority did not raise any objection to the proposed development, subject to standard conditions.
- 7.5.6. Having regard to the modest scale of the proposed development, its location within an established serviced urban area, I am satisfied that the proposed connections to public water and wastewater infrastructure are acceptable in principle. I consider that this matter can be adequately addressed by way of condition requiring agreement with Uisce Éireann prior to commencement.

7.5.7. In terms of surface water management, the applicant proposes to discharge runoff to rainwater garden planters to the rear and permeable paving to the front, incorporating SuDS measures. The Water Services Department raised no objection subject to compliance with the SDCC SuDS Guide. I am satisfied that the proposed approach is appropriate for the scale and nature of the development.

## **7.6. Traffic, Access and Car Parking**

7.6.1. The proposed development provides a total of 2 no. car parking spaces to serve 3 no. dwellings, comprising one space to the front of the existing dwelling and one space to the front of the proposed House 18B.

7.6.2. The Planning Authority and Roads Department raised concerns that the proposal fails to provide adequate quantum of parking and that the layout is constrained with insufficient space for manoeuvring and for vehicle occupants to access cars. It was considered that this would lead to overspill parking onto the adjoining road and turning circle, giving rise to a traffic hazard.

7.6.3. The appellant submits that the reduced level of parking is justified having regard to the proximity of the site to public transport and services.

7.6.4. The site is located within approximately 500m of bus services and 950m of the Luas stop and is reasonably well served by local facilities. In this context, I accept that a reduction in car parking provision may be appropriate, having regard to SPPR 3 of the Compact Settlement Guidelines.

7.6.5. However, the site is located within an established suburban residential area characterised by family housing. I noted during the site visit that there is a high level of informal car parking within the turning circle and along the adjoining road, which indicates an existing demand for car parking in the area.

7.6.6. In this context, I consider that a minimum of one car parking space per dwelling is required to serve the reasonable needs of future occupants and to avoid additional pressure on on-street parking.

7.6.7. The proposed provision of 2 no. spaces to serve 3 no. dwellings is therefore not sufficient.

7.6.8. Furthermore, I consider that the layout of the site is constrained and does not readily accommodate additional parking based on the current layout of the proposed

housing. The concerns raised by the Roads Department in relation to manoeuvrability and access are noted and, having regard to the limited space available, I share these concerns.

- 7.6.9. I consider that the likely result of the proposed development would be overspill parking onto the turning circle and adjoining road, which would interfere with the safe operation of the cul-de-sac and give rise to a traffic hazard.

While the proposed development is acceptable in principle and would not adversely impact upon the visual amenities of the area, I consider that the extent of the projection of the proposed dwellings to the rear would result in an overbearing impact on the existing dwelling at No. 18, and the proposal fails to provide adequate and workable car parking provision, with likely overspill onto the adjoining road giving rise to a traffic hazard. Taken together, these issues indicate that the site is constrained in its ability to accommodate the proposed level of development based on the current layout and I consider that it would have an adverse impact upon the residential amenities of the area.

## 8.0 AA Screening

I have considered the proposal including the construction of a dwelling and domestic garage, installation of an onsite secondary waste water treatment system and polishing filter, use of existing site entrance and associated works in the light of the requirements of Sections 177S and 17U of the Planning and Development Act 2000, as amended.

The proposed development is not located within or immediately adjacent to any European Site. The closest European site to the subject site includes Glenasmole Valley SAC (Site Code: 001209) - 3.9km to the south, Wicklow Mountains SAC (Site Code: 002122) 5.9km to the south and Wicklow Mountains SPA (Site Code: 004040) – 8.9km to the south.

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 proposed development.

- Location-distance from nearest European Site and lack of connections.
- 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 proposed development 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.

## 9.0 Recommendation

I recommend that permission be Refused for the proposed construction of 2 No. two-storey terrace houses, comprising one 2-bedroom dwelling (mid-terrace) and one 3-bedroom dwelling, each with private rear gardens located within the side/rear garden of No. 18 Drumcairn Gardens based on the below reasons and considerations.

## 10.0 Reasons and Considerations

1. Having regard to Section 12.7.4 - Car Parking Standards of the South Dublin County Development Plan 2022–2028 and to the configuration of the site and the constricted shared access from the main road, it is considered that there is inadequate space to allow for vehicular manoeuvrability for the existing and proposed dwellings and the proposed development fails to provide an adequate quantum and layout of car parking. The proposed development would likely result in overspill parking onto the adjoining road and turning circle, which would interfere with the safe operation of the cul-de-sac and give rise to a traffic hazard. The proposed development would, therefore, be contrary to the Development Plan and the proper planning and sustainable development of the area.

2. Having regard to the zoning objective for the site ('RES' – to protect and/or improve residential amenity) and Section 12.6.8 (Residential Consolidation) relating to Corner/Side Garden Sites of the South Dublin County Development Plan 2022–2028, the proposed dwellings, by reason of their location and projection beyond the

rear building line of the existing dwelling at No. 18 Drumcairn Gardens, would result in an overbearing and dominant form of development, adversely affecting the residential amenities of the existing dwelling. The proposed development would, therefore, be contrary to the Development Plan and the proper planning and sustainable development of the area.

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

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David Freeland  
Planning Inspector

20/04/2026

## **Appendix 1 - Form 1 - EIA Pre-Screening [EIAR not submitted]**

<b>An Coimisiún Pleanála Case Reference</b>	PL-500625-SD-25		
<b>Proposed Development Summary</b>	Construction of 2 No. two-storey terraced houses and all associated site works.		
<b>Development Address</b>	18, Drumcairn Gardens, Fettercairn, Dublin 24, D24 HX5W		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>	X	
	<b>No</b>		
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>		Class.....	EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>		N/A	No EIAR or Preliminary Examination required
<b>Yes</b>		10(b)(i): Construction of more than 500 dwelling units.	Proceed to Q.4
<b>4. Has Schedule 7A information been submitted?</b>			
<b>No</b>	X		<b>Preliminary Examination required</b>
<b>Yes</b>			<b>Screening Determination required</b>

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

## Appendix 2 - Form 2 - EIA Preliminary Examination

<b>Case Reference</b>	PL-500625-SD-25
<b>Proposed Development Summary</b>	Construction of 2 No. two-storey terraced houses and all associated site works.
<b>Development Address</b>	18, Drumcairn Gardens, Fettercairn, Dublin 24, D24 HX5W
<b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b>	
<b>Characteristics of proposed development</b>  (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The proposed development comprises the construction of two new dwellings with proposed connections to public water and wastewater and is located within an established urban area.  The development comes forwards as a standalone project, does not require the use of substantial natural resources, or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health
<b>Location of development</b>  (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The site is not located within or immediately adjacent to any designated site. The proposed development would connect to public water and wastewater. It is considered that the proposed development would not be likely to have a significant effect individually, or in combination with other plans and projects, on a European Site and appropriate assessment is therefore not required.
<b>Types and characteristics of potential impacts</b>  (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
<b>Conclusion</b>	
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>

There is no real likelihood of significant effects on the environment.	EIA is not required.
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Inspector: \_\_\_\_\_ Date: \_\_\_\_\_