



An
Coimisiún
Pleanála

Inspector's Report

PL-500743-SD-26

Development	Retention of existing timber fence to the front, and two internal boundary walls
Location	226A, The Avenue, Belgard Heights, Dublin 24, D24 K8Y2
Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD25B/0638W
Applicant(s)	Humayun Arbab.
Type of Application	Permission (retention).
Planning Authority Decision	Split Decision – Grant / Refuse
Type of Appeal	First v Decision
Appellant(s)	Humayun Arbab.
Observer(s)	None.
Date of Site Inspection	20 th March 2026.
Inspector	R Taylor

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1.0 Site Location and Description

- 1.1. The appeal site is located at 226A, The Avenue, Belgard Heights, Dublin with access from the Cookstown Estate Road adjacent to the north. The site comprised a two-storey detached dwelling finished in brick and render with tiled pitched roof. There is a garden area to the front mostly in grass with a front/roadside boundary comprising a rendered wall with brick piers c. 0.8m in height and several mature conifer trees c. 3.5m in height planted adjacent to the rear. There is further garden area to the rear comprising a grassed area and 3 detached shed structures. One shed is located adjacent to the eastern boundary, one adjacent to the rear broadly centrally located, with a third identified for retention also adjacent to the rear boundary to the southwest of the site/dwelling, adjacent to an existing garage/shed structure at the rear of an existing driveway. This has stated dimensions of 4m in width and 5m in length.
- 1.2. To the side/west of the dwelling there is a further garden area, with driveway beyond. 2m high rendered walls have been constructed perpendicular to the front boundary, one adjacent to the western gable of the dwelling from the front elevation to the roadside boundary with a stated length of 7.357m. A second wall has been constructed along the edge of the driveway, from the front elevation of a detached garage/shed at the rear of the driveway/adjacent to the rear/southern boundary to the front boundary adjacent to the existing vehicular entrance. Timber panel fencing approximately 2m in height and 9.34m in length has also been erected along the roadside boundary between the perpendicular walls discussed above. This is also identified for retention. The western site boundary has a stated length of 17.775m and comprises a block wall approximately 2m in height. This extends to the west to the rear of the adjacent public footpath and forms the rear boundary of adjacent housing. The site and immediate area are broadly level in terms of topography.
- 1.3. The site is the most westerly of a row of 12 dwellings. The site and dwelling immediately adjacent to the east are detached, with the remainder semi-detached with a linear layout broadly perpendicular to the adjacent public road to the north. These dwellings have similar boundary treatments to the appeal site in height and materials both to the front and between properties, save for no. 224 which is finished in stone and is approximately 1.4m in height. There is a public footpath approximately 2.8m in width adjacent to the appeal site vehicular entrance, increasing in width eastwards along the

frontage of adjacent dwellings. This includes a landscaped verge, with a dedicated cycle lane and public road beyond. There is a residential development to the rear/south and southwest known as Belgard Heights. The rear of a number of these dwellings is orientated to the Cookstown Estate Road with boundary adjacent to the associated footpath demarcated by a block wall approximately 1.8m in height. Opposite the site there is a footpath with stone faced wall beyond approximately 2m in height and farmland beyond.

2.0 Proposed Development

2.1. The application assessed by the Planning Authority (PA) is described as follows:

“Retention of existing timber fence to the front, and two internal boundary walls within the front and side garden, each incorporating a pedestrian gate. Retention of pitched-roof shed to the rear of the property. Permission for a new front vehicular access with dropped kerb, including partial removal of the existing front boundary wall. Infill of existing open-walled front porch to provide new front entrance door.”

3.0 Planning Authority Decision

3.1. Decision

3.1.1. The PA issued a split decision:

3.1.2. Approved:

- Retention of pitched-roof shed to the rear of the property;
- Infill of existing open-walled front porch to provide new front entrance door.

The approval includes 2 conditions which are standard in nature:

1. Development in accordance with the plans, and
2. external finishes to the development permitted shall harmonise in colour or texture that is complementary to the house or its context;
3. The detached canopy shed structure in the rear garden hereby permitted shall be for use ancillary to the enjoyment of the dwelling house and shall not be sub-

divided or used for any commercial purposes, and the outbuilding shall not be sold, let (including short-term letting), leased or otherwise transferred or conveyed, by way of sale, letting or otherwise save as part of the single dwelling unit.

4. Drainage;
5. Minimise Air Blown Dust;
6. Construction Noise and Hours.

3.1.3. Refused:

- Retention for the timber fence to front and two internal boundary walls with pedestrian gates;
- The new front vehicular entrance with dropped kerb.

3.1.4 Reasons:

3.1.5 Having regard to the established character of the immediate area, which comprises of low-level front boundary walls which maintain a strong and important visual connection between the residential units and the adjoining streetscape, together with the provisions of BFP7 of the SDCC House Extension Design Guide, it is considered that the timber fence and two internal walls, by reason of their height, scale and solid design would represent a visually discordant feature within the receiving environment, and, if permitted, set an undesirable precedent for similar new/modified boundary treatments in the area.

3.1.6 The proposed vehicular entrance and its associated driveway, dropped kerb, timber fence line and garden walls by virtue of their design (namely their heights and their constrained nature) would severely limit visibility onto a fast-moving arterial route with an adjoining footpath and bicycle track and would give rise to an unacceptable traffic hazard. These deficiencies would endanger road users, pedestrians and cyclists 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

- A single planning report notes the following:

- In recommending a grant of permission:
- The detached canopy shed and front porch infill are considered acceptable with regard to the visual and residential amenities of the area and, subject to condition, would accord with the relevant provisions of the 2022-2028 South Dublin County Development Plan and BFP1, BFP2 and BFP6 of the SDCC House Extension Design Guide.
- In recommending a refusal of permission:
- The established character of this section of the Cookstown Estate Road area is characterised by low-level front boundary walls allowing a direct visual connection between the front elevations of the residential units and the immediately adjoining street allowing continued passive surveillance of the adjoining streetscape.
- Having regard to same, and to the provisions of BFP7 of the SDCC House Extension Design Guide, it is considered that the timber fence and internal boundary walls, by reason of its height, would represent a visually discordant feature within the receiving environment, and, if permitted, would set an undesirable precedent for boundary treatments which are considered out of character with the area. The height of the structures also results in the detached garden structure reading as a separate property from the adjoining streetscape.
- A new front vehicular access with dropped kerb, including partial removal of the existing boundary wall is proposed. The new vehicular access of the subject property would be 3.5m wide. The new vehicular entrance would constitute a second vehicular access point to the site.
- The report provided by the Roads Department is noted, having regard to the traffic safety concerns raised, a refusal of retention permission in relation to the timber fence and internal walls, and a refusal of permission in relation to the proposed vehicular entrance and dropped kerb is recommended.

3.2.2. Other Technical Reports

- Roads Department: refusal recommended of following elements:
- The timber fence to the front as *“sightlines are significantly affected”*.

- The 2no internal boundary walls: The turning head that was outside the existing shed serving the whole site and all vehicular traffic has been removed and this has in turn created a significant traffic hazard with vehicles likely to reverse out the driveway now. Sightlines are significantly affected.
- The proposed carpark space to the front of the existing dwelling: Roads have concerns with the skewed reversing angle required for egress. Parking space is confined and does not allow minimum clearance. Minimum driver sightlines are not provided.

3.3. Prescribed Bodies

None.

3.4. Third Party Observations

None received.

4.0 Planning History

4.1. The Authority report notes no history on the appeal site.

5.0 Policy Context

5.1. Development Plan

The South Dublin County Development Plan 2022-2028 was made on 22nd June 2022 and came into effect on 3rd August 2022. It has regard to national and regional policies in respect of residential development. The following policy considerations are relevant based on the nature of the proposal:

Zoning Objective RES: To protect and/or improve residential amenity

Policy QDP6: Public Realm

QDP6 Objective 7: To ensure, in so far as is practical, that all boundary walls in new residential developments are of a similar height and of a high quality where they are bordered on either side by a public footpath or an area that has been or is due to be taken-in-charge in order to leverage the opportunity to improve the quality of boundary treatments.

Policy QDP7: High Quality Design – Development General

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

Policy QDP11: Materials, Colours and Textures

Promote high-quality building finishes that are appropriate to context, durable and adhere to the principles of sustainability and energy efficiency.

Policy H11: Privacy and Security

Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

Policy H14: Residential Extensions

Support the extension of existing dwellings subject to the protection of residential and visual amenities.

H14 Objective 1:

To favourably consider proposals to extend existing dwellings subject to the protection of residential and visual amenities and compliance with the standards set out in Chapter 12: Implementation and Monitoring and the guidance set out in the South Dublin County Council House Extension Design Guide, 2010 (or any superseding guidelines).

Chapter 7 Sustainable Movement

7.8.1 Design of Urban Roads and Streets: The design of streets in Ireland is guided by the Design Manual for Urban Roads and Streets (DMURS) which is mandatory for all urban roads and streets within the 60 km / h urban speed limit zone.

Chapter 12: Implementation and Monitoring:

12.6 Housing - Residential Development

12.6.7 Residential Standards

12.6.8 Residential Consolidation

Extensions

The design of residential extensions should have regard to the permitted pattern of development in the immediate area alongside the South Dublin County Council House Extension Guide (2010) or any superseding standards.

SDCC House Extension Design Guide 2025

2.5 Managing Visible Interventions

2.5.1 General Principles

2.5.3 Additional considerations: External spaces, including:

- Prioritise vegetation, pedestrian and bicycle needs;
- Provide attractive and well maintained boundary treatments between neighbouring gardens;
- Retain and protect existing trees, hedges and planting where visual interest, wildlife and pollination can thrive;
- Retain on-site parking where it is available.

Section 3.0 Built Form Principles

3.1 General Considerations Relating to All Extensions

3.1.2 Residential Extensions

3.1.5 Main Considerations: The overarching consideration in the assessment of any domestic extension and alteration is the suitability of the scale, form, position, fenestration and finishing materials of any extension/ alteration and whether it will have serious adverse effects on the residential amenities of neighbours (includes overlooking, overbearing visual impact, overshadowing of habitable rooms), or more generally the visual amenities of residents or the streetscape.

3.1.6 Elements of Good Extension Design: Extensions to existing dwellings are generally acceptable to the Planning Authority, subject to accordance with Built Form Principles.

3.1.7 Built Form Principle (BFP) 1 - All Extensions and Alternations to Houses:

- Respects the appearance and character of the house and subject streetscape/local area.

- Does not read as overly dominate relative to existing structure by reason of scale or position.
- Provide comfortable internal space and useful outside space.
- Incorporate energy efficient measures where possible.
- Does not adversely impact on adjacent properties by way of significant overbearing visual appearance.
- Does not result in significantly increased levels of overshadowing of adjacent properties.
- Does not directly overlook/result in significantly increased levels of overlooking of adjacent properties. Where a new window could result in overlooking or loss of privacy to neighbouring properties, consider alternative design solutions such as repositioning the window or use of a high-level window (cill level 1.7 metres or high above internal floor level), angled window or obscure glazing.
- Consideration of external finishes, such as use of light-coloured materials on elevations adjacent to neighbouring properties.
- Consideration of remaining private amenity space.

3.2.1 General Considerations relating to all front extensions

3.2.2 Built Form Principle (BFP) 2 – Front Extensions

- Should not dominate the front elevation of the house.
- Should not exceed 1.5 metres in depth where there is a regular/uniform front building line along the street.
- Should retain a driveway depth of 6 metres.
- Should complement the design and materials used in the main house, unless design rationale for alternative materials is demonstrated.
- Roof profile of two storey front extension should tie in with that of the main house, unless design rationale for alternate profile is demonstrated.

- Roof profile of ground floor front extension to a bungalow/ dormer bungalow should be carefully considered relative to the eaves level of the house.

3.6.1 General Considerations relating to structures within curtilage

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

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

3.7.1 General Considerations relating to other alterations

3.7.2 Built Form Principle (BFP) 7 – Other Alterations (includes): The maintenance of established railings/gates/fences/hedges demarcating the boundary between front gardens and the street is encouraged.

5.2. **Relevant National or Regional Policy / Ministerial Guidelines**

The Design Manual for Urban Roads and Streets (DMURS):

4.4.5 Visibility Splays:

In general, junction visibility splays should be kept clear of obstructions, however, objects that would not be large enough to wholly obscure a vehicle, pedestrian or cyclist may be acceptable providing their impact on the overall visibility envelope is not significant.

5.3. **Natural Heritage Designations**

The site is not within or immediately adjacent to a designation. The closest Natural Heritage designations are as follows:

Glenasmole Valley SAC	Site Code	001209 c. 4.74km S.
The Wicklow Mountains SAC	Site Code	002122 c. 8.32km SE.
The Wicklow Mountains SPA	Site Code	004040 c. 8.83Km SE.

Proposed Natural Heritage Area:

Dodder Valley	Site Code	000991 c. 3.14km SE.
Grand Canal	Site Code	002104 c. 3km N
Lugmore Glen	Site Code	001212 c. 3.73km SW
Glenasmole Valley	Site Code	001209 c. 4.7km S.
Liffey Valley	Site Code	000128 c. 6.8km N.

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. Refer to Form 1 in Appendix 1 of this report.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1 The grounds of appeal are submitted by the appellant. Their statement confirms the grounds solely relate to the following elements of the proposal:

- The timber fence to the front boundary; and
- Two internal boundary walls incorporating pedestrian access gates;

7.1.2 The appellant state that they accept the PA refusal decision for the new vehicular access and dropped kerb and this element is not included in the grounds of appeal.

7.1.3 The original boundary wall was replaced as it was in a poor state of repair, unsafe, and carried out in good faith as part of upgrade works to an ageing dwelling.

7.1.4 The works are critically important for security and safety and supported by Policy H11 (Privacy and Security). The walls and fencing prevent unauthorised access, reducing the risk of trespass, burglary, and antisocial behaviour.

7.1.5 The walls are internal to the site, running laterally within the curtilage rather than forming a continuous street boundary. They are well proportioned, constructed to a high

standard and do not appear overbearing or dominant when viewed from the public realm.

- 7.1.6 The appellant disagrees with the PA report that the proposal is out of character. The Avenue contains a mix of boundary treatments, including walls, fencing and planting. The area does not comprise a uniform/consistent boundary treatment that would be undermined by the proposal. There are examples of solid front boundary walls, including at no. 224 close to the appeal site. The visual impact would be limited and localised. The proposal does not adversely affect neighbouring residential amenity.
- 7.1.7 Roads Department concerns appear linked to the originally proposed new access which is not subject to this appeal. The existing driveway is 7m wide and 11m in length which exceeds manoeuvring requirements. Vehicles existing do not immediately enter the public road and benefit from a wide footpath buffer.
- 7.1.8 The refusal is a disproportionate response when assessed against development plan objectives relating to privacy, security and residential amenity.

7.2. **Planning Authority Response**

There is a single response from the Planning Authority. It states that all issues are considered in the assessments set out in the planning reports.

7.3. **Observations**

None.

7.4. **Further Responses**

None.

8.0 **Assessment**

- 8.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, site inspection and having regard to the relevant policies, objectives and guidance, I am satisfied that the main issues to be

considered is those raised in the First Party grounds of appeal, being the Planning Authority (PA) reason for refusal and I am satisfied that no other substantive issues arise. The main issues in determining this appeal are as follows:

- a) Principle;
- b) Granted Elements of the Proposal by PA;
- c) Design and Impacts on character / amenity and precedent;
- d) Road Safety considerations.
- e) Security and Safety.

a) Principle

8.2. Policy H14: Residential Extensions supports house extensions in principle, subject to design and other considerations set out in the SDCC Design Guide 2025. Bullet point 2 of paragraph 2.5.3 specifically refers to boundary treatment requirements with a requirement to “*provide attractive and well maintained boundary treatments between neighbouring gardens.*” Paragraph 3.7.2 Built Form Principle (BFP) 7 – Other Alterations is also relevant to the appeal, which states “*the maintenance of established railings/gates/fences/hedges demarcating the boundary between front gardens and the street is encouraged.*” Subject to these considerations, provision of appropriate boundary treatments are acceptable in principle.

8.3. In addition to the above road safety is a key consideration, with the plan stipulating that any access for development must accord with the DMURS. This includes requirements for adequate visibility to ensure road safety.

b) Granted Elements of the Proposal by PA

8.4. The PA granted permission for 2 elements of the proposal, an infill of existing open-walled front porch to provide new front entrance door and the retention of pitched-roof shed to the rear of the property.

8.5. The main considerations for these elements are set out in the SDCC Design Guide 2025, namely Built Form Principle (BFP) 2 – Front Extensions and BFP 6 – Detached Garden Rooms and Sheds.

8.6. The porch revisions comprise the construction of perimeter walls and insertion of a door within the existing structure. Materials will match the existing dwelling. The roof will

remain unaltered and will not include any further projection forward of the building into the front garden area. Accordingly, I consider the alterations compliant with BPF2 requirements and no adverse impacts on visual amenity or character would occur.

8.7. The detached shed is located to the rear of the dwelling and not subject to any public views. It is small in scale, and no sanitary facilities are indicated on the proposed plans. I am satisfied that is subordinate to the dwelling and will not adversely impact amenity of adjacent properties due to the separation distances. I therefore conclude this structure is compliant with BFP 6.

c) Design and Impacts on character / amenity and precedent;

8.8. The appellant disputes the conclusions of the PA that the walls and timber fence for retention adversely impact on amenity, the walls are internal to the site and are for security reasons.

8.9. Both the walls and timber fencing are in place, with the latter located along a section of the front roadside boundary to the rear of an existing front wall with piers, approximately 0.8m in height.

8.10. Boundary walls along roadside/footpath boundaries are a feature of the local context. A stone wall approximately 2m high forms the roadside boundary of farmland opposite/north of the appeal site, extending further to the southeast and northwest. A block wall approximately 2m in height also extends to the southwest, from the northwestern corner of the appeal site and forms the rear boundary of a row of dwellings to the west which are orientated to the south. The roadside boundaries of all dwellings to the east of the appeal site all match in terms of design, height and finishes save for one property, no. 244, which has a stone wall along a short frontage of that site approximately 1.4m in height. All properties to the east of the appeal site also have vegetation of varying height and extent within their respective front garden areas adjacent/along both common boundaries and to the rear of roadside wall boundaries.

8.11. The timber fencing (c. 9.35m in length) along the site frontage is erected in between a leylandii hedge and the roadside boundary wall and is subject to perceptible public views on approach from the east from a point approximately outside of no. 223 on the appeal site side of the road, and from a slightly greater distance from the public footpath opposite due to diagonal views. From the west, views from the footpath on the appeal

site side of the road are largely obscured by the existing roadside block wall which forms the rear boundary of dwellings to the west of the appeal site. The fence is more readily perceptible from the footpath opposite the appeal site. It is most perceptible along the opposite footpath from a point north-westwards approximately opposite the common boundaries of 216/217 Belgarde Heights, to a point north-eastwards approximately opposite the common boundaries of 223/224 The Avenue, approximately equating to 91m.

- 8.12. Public views of both walls within the appeal site erected perpendicular to the front roadside boundary are broadly limited to outside and opposite the appeal site frontage. There is an existing leylandii evergreen hedge varying in height between c. 3-4m along the site frontage to the rear of the boundary wall which restricts views to between gaps in this vegetation. It follows that in the event this vegetation is removed, then these walls would become readily visible from these viewpoints. Views from beyond the frontage both from the northeast and northwest are largely obscured by intervening vegetation and boundary treatments.
- 8.13. In relation to policy considerations, QDP11 promotes high quality materials appropriate to the context. The SDCC Design Guide 2025. Bullet point 2 of paragraph 2.5.3 requires “attractive” boundary treatments, whilst paragraph 3.7.2 Built Form Principle (BFP) 7 states “the maintenance of established railings/gates/fences/hedges demarcating the boundary between front gardens and the street is encouraged.”
- 8.14. In relation to the timber fencing, I agree with the PA that this is a discordant feature in the streetscape due to a combination of its height and materials. Such features are not evident within the row of dwellings fronting this section of the Cookstown Estate Road, nor in neighbouring residential streets to the rear of the site. The existing roadside wall and piers is a unifying/cohesive feature along this section of the road. I note the appellants comments regarding the stone wall outside no. 224, however this is also at odds with character albeit to a lesser degree than the timber panel fencing at the appeal site. The planning status of the stone wall at no. 224 has not been confirmed by the PA and there is no evidence confirming it is lawful. In my view this is not comparable to the timber panel fencing due to height, length/extent, and materials and does not therefore support or justify the proposal.

- 8.15. The internal render walls have a limited visual impact compared to the roadside timber panel fencing, primarily due to the intervening leylandii mature hedge adjacent to the roadside boundary wall. There are no similar structures within the locality and therefore in this regard are at odds with the character. I note that the policy is locational, referring to boundaries between properties and the adjacent to the public road. Policy is therefore silent in relation to the internal walls, as they are located perpendicular to the public road but for a small section immediately adjacent to the roadside boundary. Similarly, they do not constitute boundaries with adjacent properties. Subject to retention of the hedging, I do not consider that they result in an adverse visual impact on character and amenity. However, I acknowledge that it is not common practice to seek retention of leylandii hedging by planning condition due to their limited aesthetics and reported issues with this species. Should the Commission conclude that the proposal is acceptable, I would recommend that a planning condition requiring retention of the roadside hedge is attached to any approval.
- 8.16. I note that the PA report refers to the height of the structures resulting in the detached garden structure to the rear reading as a separate property from the adjoining streetscape. The relevant policy is silent on this issue, and the PA has not referred to any such requirements precluding this type of development. The associated visual impacts are limited by existing boundary wall treatments to the west and the vegetation along the site frontage on approach/views from the east. I therefore consider this is acceptable, subject to retention of the roadside vegetation by condition and provision of safe access facilities/considerations which are discussed below.
- 8.17. The PA refusal reason references an undesirable precedent for similar new/modified boundary treatments in the area. As discussed above, boundary treatments both to the roadside and internally between properties all exhibits similar design characteristics and are perceptible to varying degrees from the adjacent road due to vegetation within and adjacent to respective boundaries. House type design and materials are also cohesive and unified in appearance. The sole distinguishing factor is the degree of setback of buildings from the adjacent public road, increasing in depth as you travel eastwards from the appeal site.
- 8.18. After careful consideration, I consider that approval of the timber panel fencing along the front boundary would result in an undesirable precedent given the similarity of

adjacent sites, associated treatments, and relationship to the adjacent public road. I do not consider that the internal walls would necessarily result in a precedent due to the particular circumstances including screening/limited views and layout of the appeal site.

d) Road Safety considerations.

8.19. The second refusal reason relates to road safety considerations. In part this refers to the new access/driveway originally proposed which is not included within the grounds of appeal as confirmed by the appellant. However, this also refers the perpendicular/internal walls and roadside timber fencing. The PA Roads response is quoted in the planning report. The PA refused permission based on impacts on visibility and safety, endangering road users, pedestrians and cyclists due to design/heights and “constrained nature”.

8.20. Visibility is discussed in DMURS and referenced at paragraph 7.8.1 of the plan. Paragraph 4.4.5 of DMURS relates to Visibility Splays and states:

In general, junction visibility splays should be kept clear of obstructions, however, objects that would not be large enough to wholly obscure a vehicle, pedestrian or cyclist may be acceptable providing their impact on the overall visibility envelope is not significant.

8.21. Public infrastructure adjacent to the site comprises a footpath immediately adjacent to the front roadside boundary of the appeal site, narrow landscaped verge with increasing tapering width eastwards, cycle lane, and road beyond. The footway and verge are approximately 2.2m in width adjacent to the existing driveway access which is located adjacent to the western site boundary. The western site boundary comprises a wall approximately 2m in height and terminates at the boundary with the public footpath. The driveway is of insufficient width and depth to facilitate incutillage manoeuvring and turning of motor vehicles.

8.22. Paragraph 4.4.5 stipulates that visibility spays should not be obstructed as set out above. Site visit observations indicate that visibility from the west/left side emerging from the existing driveway is wholly obscured by the existing boundary wall to the rear of adjacent dwellings to the west. This is outside the ownership/control of the appellant and an important consideration in the assessment of available visibility of the access. Similarly, the perpendicular wall adjacent to the driveway and the timber fence along the

site frontage sought for retention wholly obscure visibility to the east/right side emerging. It is not therefore possible to view pedestrians or cyclists approaching the site access until the associated opening from a vehicle emerging from the access in forward and/or reverse gears. The adjacent walls would require vehicles to “edge out” onto the adjacent footway and public road. I consider this is unacceptable in terms of safety and, if approved, would result in conflict between emerging vehicles, pedestrians and cyclists. I therefore concur with the conclusions of the PA and the related provisions of the reason for refusal.

8.23. I noted at the visit that the adjacent public road is subject to busy/frequent traffic flows in both directions with vehicles travelling generally around the stated speed limits. Given the depth of the adjacent footway and cycle lane, I consider that exiting vehicles would have to wait on the footway/cycle lane area to safely manoeuvre into the public road and associated traffic flow. The PA Roads Department advise that previously there was in curtilage turning facilities within the site, which has not been disputed by the appellant. The walls within the site remove this facility. I agree that removal of these facilities is unacceptable at this location given the traffic and associated speeds on the adjacent public road.

e) Security and Safety.

8.24. The appellant states that the walls and fencing are necessary for security and safety purposes, and that they are supported by policy H11: Privacy and Security. No comment has been provided by the PA in relation to this issue.

8.25. Policy H11 seeks to “Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing”.

8.26. I note the appellants arguments in relation to this issue. However, there is no substantive evidence provided that would support or necessitate the provision of the structures for which retention is sought. Nonetheless, I do not consider that security provision outweighs the road safety issues discussed above which are in the public interest. In addition, I do not consider that security outweighs the visual impact of the timber fencing along the site frontage which does not meet associated policy requirements as discussed above.

9.0 AA Screening

- 9.1 I have considered the proposed access and associated works in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2 The subject site is located in an existing residential development within an urban/residential area of Dublin.
- 9.3 The proposed development comprises alterations and works within the curtilage of an existing dwelling as described at section 2.0 above.
- 9.4 No nature conservation concerns were raised in the planning appeal.
- 9.5 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 European Site. The reason for this conclusion is as follows:
- small scale nature of works and nature of the development;
 - distance from nearest European site and lack of connections.
- 9.6 I conclude that 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.
- 9.7 Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

10.0 Water Framework Directive

- 10.1. The subject site is located in an existing residential development within an urban/residential area of Dublin.
- 10.2. The proposed development comprises alterations and works within the curtilage of an existing dwelling as discussed at section 2.0 above.
- 10.3. No water deterioration concerns were raised in the planning appeal.
- 10.4. 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.

10.5. The reason for this conclusion is as follows:

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

10.6. Conclusion

I conclude that 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.

11.0 Recommendation

11.1. I recommend that permission for retention be REFUSED.

12.0 Reasons and Considerations

Having regard to the established character of the immediate area, which comprises of low-level front boundary walls which maintain a strong and important visual connection between the residential units and the adjoining streetscape, together with the provisions of the South Dublin County Development Plan 2022-2028, BFP7 of the associated House Extension Design Guide, it is considered that the timber fence sought for retention, by reason of height, scale and design would represent a visually discordant feature within the area, and, if permitted, set an undesirable precedent for similar new/modified boundary treatments in the area.

The proposed vehicular entrance and its associated driveway, dropped kerb, timber fence and garden walls by virtue of their design (namely their heights and their constrained nature) would severely limit visibility onto a fast-moving arterial route with an adjoining footpath and bicycle lane and would give rise to an unacceptable traffic hazard. These deficiencies would endanger road users, pedestrians and cyclists and would therefore be contrary to paragraph 7.8.1 Design of Urban Roads and Streets of the South Dublin County Development Plan 2022-2028, paragraph 4.4.5 Visibility Splays of the Design Manual for Urban Roads and Streets, 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 me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

R Taylor
Planning Inspector
20 April 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL06S.500743-SD-26
Proposed Development Summary	Retention of existing timber fence to the front, and two internal boundary walls
Development Address	226A, The Avenue, Belgard Heights, Dublin 24, D24 K8Y2
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.	
<input checked="" type="checkbox"/> No, it is not a Class specified in Part 1. Proceed to Q3	

