



An
Coimisiún
Pleanála

Inspector's Report

PL-500760-DF-26

Development	Extension and alterations to dwelling
Location	2 Mount Joseph, Westmantown, Lucan, Co. Dublin, K78 H5W9
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW25A/0452E
Applicant(s)	Charlotte Bagnall
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Noelle & Mark Behan
Observer(s)	None
Date of Site Inspection	27 th March 2026
Inspector	Barry Diamond

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Appendix 1 –EIA Screening

1.0 Site Location and Description

- 1.1. The application site is located in a rural area of Westmanstown and comprises an existing two storey semi-detached dwelling set within a site of 0.07ha. The existing curtilage to the dwelling includes side and rear garden areas along with some outbuildings of temporary construction. The dwelling is of a vernacular appearance and has a mixture of stone and render finishes to the walls and a slate finish to the roof. There is an existing two storey and single storey annex located to the rear of the dwelling.
- 1.2. There is no formal parking area associated with the site although cars appear to park in a grassed area beyond the laneway which runs to the front (south) of the dwelling.
- 1.3. The site is within a residential cul-de-sac that contains five other dwellings which accesses onto Tinkers Hill. The Fort Lucan Adventure Land Park is located to the north (rear) of the site and is a notable feature in the area.

2.0 Proposed Development

- 2.1. The proposed development seeks permission for a number of different elements including;
 - The demolition of the existing two storey rear annex;
 - Construction of a two storey rear extension;
 - Associated alterations to the internal layout and external alterations to the existing dwelling; and
 - The realignment of the existing sewerage infrastructure.

3.0 Planning Authority Decision

3.1. Decision

On the 16th January 2026 the Planning Authority issued a decision to grant planning permission subject to conditions.

3.1.1. Conditions

3. The developer shall amend the design of the proposed development to accord with the following: (a) The proposed first-floor west-facing window shall be omitted.

REASON: In the interests of residential amenity.

5. The following requirements in relation to Transportation shall be complied with in full: (a) Prior to the commencement of development, a revised layout plan shall be submitted and agreed in writing with the Planning Authority detailing the distance between the front building line of the dwelling and the beginning of the 2 no. proposed car parking spaces to be a minimum of 4.8m and the width of each car parking space shall be 3.0m and the length of the car parking spaces to be 4.8m or otherwise agreed. (b) No objects, structures, landscaping or planting shall be placed or installed within the visibility splays (as defined by DMURS (Current Edition) exceeding a height of 900mm; which would interfere or obstruct (or could obstruct over time) the required visibility splays for the parking areas. (c) All underground or overhead services and poles shall be relocated, as may be necessary to a suitable location at the Developer's own expense and according to the requirements of the relevant utility service provider/service owner/statutory undertaker. (d) All stormwater shall be disposed of to soak pits or drains within the site and shall not discharge onto the public road surface. (e) Any works to the public footpath, verge and road carriageway to facilitate the development and any repairs to the public footpath, verge and road carriageway necessary as a result of the development shall be at the expense of the developer and completed to the Council's standards for taking-in-charge and to the satisfaction of the Council.

REASON: In the interest of public and pedestrian road safety.

7. The following requirements in relation to surface water drainage shall be complied with in full: (a) Soakaways shall comply with BRE Digest 365, the GDSDS, designed to accommodate the 30-year critical duration storm event, include for climate change (minimum+20%), use site specific infiltration rates and rainfall data, and generally be at least 5m from any structure and 3m from any boundary. (b) No surface water / rainwater shall discharge into the foul water system under any circumstances. (c) The surface water drainage shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.

REASON: In the interest of public health and sustainable drainage of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The decision of the planner reflects the need for amendments during the processing of the application and the decision to grant planning permission. It includes the following points:

- The site is located within a High Amenity Area, Highly Sensitive Landscape and Dublin Airport Noise Zone D;
- The extension is proportionate in terms of design and scale;
- The applicant would already be able to construct an extension to their dwelling which would create a courtyard type development under Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001;
- There are concerns with a first floor window on the western elevation which may cause overlooking of No. 3 Mount Joseph, however, this can be addressed through condition;
- Sufficient amenity space will remain within the curtilage;
- The extension would appear as a subordinate feature to the dwelling and would be cognisant of the surrounding environs;
- The two parking spaces provided are acceptable;
- Further information is required in relation to the sewerage of the site and the location of existing manholes;

Further information was submitted and the planner comments:

- The additional information addresses the concerns of the Planning Authority subject to a condition.

3.2.2. Other Technical Reports

- Water Services Section: no objection subject to conditions.
- Transport Planning Section: no objection subject to conditions.

3.3. Prescribed Bodies

None

3.4. **Third Party Observations**

The appellants own a dwelling immediately to the east of the appeal site (No. 1 Mount Joseph) raised an observation during the processing of the planning application which is attached to the file. A further submission was received from No. 3 Mount Joseph. I consider that some of the issues raised in their submissions to the Coimisiún correlate with the issues raised, however, the additional issues raised in the observations to the Planning Authority are as follows:

- The site notice was not erected prior to the submission of the planning application;
- The development is 5 metres from the boundary with No. 3 and there is a first floor window in the western elevation which would cause overlooking and should be removed;
- The existing foul manhole is not shown at the correct location;
- It is not clear how the continuity of foul sewerage services will be maintained during construction works;
- Access to the appellants property should be maintained during works and all services should be reinstated upon completion; and
- There are no details of how the existing boundary wall is to be finished.

4.0 **Planning History**

4.1 **Site**

None

4.2 **Setting**

F08B/0009 – In April 2008 the Planning Authority granted planning permission for alterations, two storey extension to side and ground floor extension to rear of 1 Mount Joseph, Westmanstown, Lucan, Co. Dublin.

F07B/0546 - In October 2007 the Planning Authority refused planning permission for alterations, two storey extension to side and first floor extension to rear of an existing house at 1 Mount Joseph, Westmanstown, Lucan, Co. Dublin.

FW20B/0077 - In November 2020 the Planning Authority granted planning permission for the construction of part two storey and part single storey rear extension (overall additional area of 69.5m sq) together with internal modifications to existing dwelling and associated site works at 3 Mount Joseph, Westmanstown, Lucan, Co. Dublin, K78 F6R6.

F06B/0048 - In April 2006 the Planning Authority granted planning permission for the construction of a two storey extension to the side and rear of existing main dwelling, construct a single storey domestic garage in the rear garden with access to the proposed new side entrance of 6 Mount Joseph's, Westmanstown, Lucan, Co Dublin.

F05B/0373 - In July 2005 the Planning Authority refused planning permission to construct a second storey extension to the rear of 1 Mount Joseph, Westmanstown, Lucan, Co. Dublin.

F03B/0384 - In October 2003 the Planning Authority granted planning permission to construct a single storey extension to the rear and side of premises at 1 Mount Joseph, Westmanstown, Lucan, Co. Dublin.

F03B/0149 - In May 2003 the Planning Authority refused planning permission to single storey extension to rear and side of premises at 1, Mount Joseph, Westmanstown, Lucan, Co. Dublin.

5.0 Policy Context

5.1. Development Plan

The Fingal Development Plan 2023-2029 is the operational plan for the area. The appeal site is zoned 'RS,' Residential with the associated land use objective 'to provide for residential development and to protect and /or improve residential amenity.' The appeal site is also located within the Dublin Airport Noise Zone C.

5.1.2 The following sections /policies / objectives are pertinent:

SPQHP41 seeks to support the extension of existing dwellings with extensions of appropriate scale and subject to the protection of residential and visual amenities.

SPQHO45 seeks to support dwelling extensions of appropriate scale and subject to the protection of residential and visual amenities.

Objective DAO11 and DMSO105 – Requirement for Noise Insulation - The site is identified in the Plan as being located within Dublin Airport Noise Zone C which requires noise insulation where appropriate.

Objective DMSO23 – Separation Distance: A separation distance of a minimum of 22 metres between directly opposing rear first floor windows shall generally be observed unless alternative provision has been designed to ensure privacy.

Objective DMSO26 - Separation Distance between Side Walls of Units: Ensure a separation distance of at least 2.3 metres is provided between the side walls of detached, semi-detached and end of terrace units.

Objective DMSO27 – Minimum Private Open Space Provision: 3 bedroom houses or less to have a minimum of 60 sq. m. of private open space located behind the front building line of the house.

Section 14.10.2 Residential Extensions: supports applications to amend existing dwelling units to reconfigure and extend as the needs of the household change, subject to specific safeguards. In particular, the design and layout of residential extensions must have regard to and protect the amenities of adjoining properties.

Section 14.10.2.3 Ground Floor Extensions (rear) will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining to serve the dwelling house. The proposed extension should match or complement the existing dwelling house.

Section 14.10.2.4 First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- Overshadowing, overbearing, and overlooking – along with proximity, height, and length along mutual boundaries.
- Remaining rear private open space, its orientation and usability.
- Degree of set-back from mutual side boundaries.
- External finishes and design, which shall generally be in harmony with existing.

Section 14.12.13 Extensions to Rural Dwellings - Extensions of a reasonable or modest size may be acceptable, subject to the proposed extension respecting the character, scale, and proportions of the existing dwelling, and subject to the availability of necessary services and protection of the visual amenities of the area.

Objective IUO4 & Objective DMSO197 – Separate Foul and Surface Water Drainage Systems - Requires all new development to provide separate foul and surface water drainage systems and to prohibit the connection of surface water outflows to the foul drainage network where separation systems are available, and vice versa (foul to surface), where separation systems are available

Objective GINHO15 – SuDS - Limit surface water run-off from new developments through the use of appropriate Sustainable Urban Drainage Systems (SuDS) using nature-based solutions and ensure that SuDS is integrated into all new development in the County.

Objective IUO15 & Objective DMSO205– Surface Water Management Plan - Requires the preparation of a Surface Water Management Plan as part of all new developments.

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

‘Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities’, Department of Housing, Local Government and Heritage, (2024).

Development Management Guidelines for Planning Authorities (2007)

5.3. **Natural Heritage Designations**

The appeal site is not located on or within any designated Natura 2000 sites, with the nearest proposed designated site being the Liffey Valley (pNHA: 000128) which is c. 50 metres to the east of the site. The nearest designated site is South Dublin Bay and River Tolka Estuary SPA (SPA: 004024) which is located 14.3km to the east of the site.

6.0 **EIA Screening**

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 my report.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1 The third party appellants (No. 1 Mount Joseph) grounds of appeal can be summarised as follows:

- There is no objection in principle to an extension to the dwelling;
- There are inaccuracies in the submitted drawings, including building widths and the depiction of the rear building line;
- Loss of light to the first floor bedroom window;
- The proximity to the shared boundary wall will create issues with access to maintain gutters, downpipes and the roofline;
- There is an existing two storey rear building line which the proposal may extend beyond; and
- The overall cumulative impact of the issues noted.

7.2. Applicant Response

7.2.1 The applicant for planning permission submissions were provided by Robert Kenny Architectural & Engineering Services and are as follows:

- Substantial extensions have been constructed at Nos. 1, 3 & 6 Mount Joseph;
- The extension is subordinate to the main structure and will be finished in similar materials;
- Substantial single and two storey extensions are permitted under the exempted development Regulations;
- There is no overshadowing as the backs of the houses face due north;
- A proposed window to the west which was to obtain some additional sunlight has been omitted by condition which the applicant is agreeable to;

- Where access could not be obtained to adjoining property's, the dimensions were taken from Ordnance Survey;
- Scaled drawings cannot be compared with photographs taken from a satellite;
- The ground floor window in the photograph does not have permission and it would be unreasonable that it would prevent development on an adjoining site. A wall could be built along the boundary close to this window under exempted development;
- The manhole to the rear of No. 1 will become redundant once the drain has been diverted; and
- The rear of the proposed extension is in line with the rear of the extension permitted to No. 6 (Ref: F06B/0048) and only projects marginally beyond the rear extension of No. 1 Mount Joseph.

7.3. **Planning Authority Response**

7.3.1 The Planning Authority state that the applicant has the potential to exercise their permitted development rights, and could construct an extension within the Conditions and Limitations of Class 1, Part 1, Article 6, Schedule 2 of the Planning and Development Regulations 2001, as amended. The construction of such an exempt development structure would have an impact on the existing side-facing window of the existing attached dwelling. Therefore the provision of the proposed extension is considered acceptable, given the permitted development fall-back position.

7.3.2 The Planning Authority states that if permission is granted a condition requiring a Section 48 development contribution or Special Development Contribution is requested.

8.0 **Assessment**

8.1 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, having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows:

- Principle of Development

- Design
- Residential Amenity
- Drainage
- Parking
- Other Matters

8.2 Principle of Development

8.2.1 The proposed development comprises a rear two storey extension to an existing dwelling, which is located in a rural area within zoning 'HA', which seeks to protect and enhance high amenity areas.

8.2.2 I note that the Fingal Development Plan 2023-2029 (FDP) is supportive of residential extensions. In this regard Sections 14.10.2 and 14.12.13 support applications, including extensions in rural areas, to amend, reconfigure and extend existing dwellings subject to specific safeguards. I consider that the principle of a residential extension is acceptable subject to issues of design, neighbour amenity and other relevant factors.

8.3 Design

8.3.1 The existing dwelling is a two storey semi-detached dwelling which has a stone finish to the front elevation while the side and rear elevations are finished in render. To the rear of the dwelling there are existing two storey and single storey rear annexes.

8.3.2 The proposed development includes the demolition of the existing rear annexes and the erection of a new two storey rear annex which extends across the width of the rear of the dwelling (8.35 metres), has a height of 6.1 metres and an overall depth of 8.8 metres. The finishes are noted to be fine dash render to the walls with a slate roof which is similar to the finishes to the existing dwelling. In addition, the height of the extension mirrors the ridge line of the existing dwelling.

8.3.3 The proposal includes a kitchen and living area on the ground floor and a bedroom, shower room and bathroom at first floor level which adds an additional 64 sqm of new floorspace on each floor.

8.3.4 At ground floor level on the western elevation a single door is proposed on the gable of the original dwelling, while a double patio door opening is proposed on the new rear annex. At first floor level on the same elevation there is one dormer window

proposed. The southern elevation has a number of window openings at ground and first floor levels which have a vertical emphasis, along with some vertical symmetry. There are no window or door openings on the eastern elevation which faces onto No. 1 Mount Joseph.

8.3.5 Section 14.12.13 of the FDP indicates that rural extensions must respect the character, scale, and proportions of the existing dwelling. The views of the proposed rear extension are quite limited with the only public viewpoints being from along the shared private laneway serving Mount Joseph. A short term view would be achievable from the gap between the application dwelling and No. 3 Mount Joseph with only the western gable elevation of the proposed extension being visible.

8.3.6 I am of the view that the window and door openings are in conformity with the window openings on the gable and rear elevation of the existing dwelling. The massing, finishes and design do not diminish the character of the existing dwelling and in my opinion are acceptable. I also note that the Planning Authority did not raise any concern with the design of the extension.

8.3.7 Concerns were raised that the proposed extension would breach the rear two storey building line. I was not referred to any policy within the FDP which references the need to maintain a rear two storey building line nor am I aware of any such requirement. I have considered the impact of the extension on the visual amenity and character of the area and I do not consider that either are adversely impacted as a result of the development.

8.3.8 Objective DMSO27 of the FDP requires houses with 3 bedrooms or less to have a minimum of 60 sq. m. of private open space located behind the front building line of the house. The remaining rear garden area serving the dwelling is circa 200sqm and I consider that there is sufficient amenity space remaining within the curtilage of the dwelling.

8.4 **Residential Amenity**

8.4.1 The impact upon the residential amenity of neighbouring properties is an essential part of the assessment and in this regard I consider that dominance, overshadowing/loss of light and overlooking are the main areas to be considered in respect to residential amenity.

8.4.2 The proposed extension immediately abuts No. 1 Mount Joseph to the east which has had a number of extensions and alterations which vary in height and style. No. 1

Mount Joseph has a two storey rear extension which is set in from the shared boundary with the application site by approximately 2 metres. This extension has a ground floor window finished in obscure glazing on its western elevation. There are a number of windows on the rear (northern) facing elevation of the extension at ground and first floor level.

8.4.3 A single storey annex finished in profiled metal to the walls and roof then extends from the two storey extension along the boundary with No. 2. There are no windows on the elevation of this building which faces onto the shared boundary with the application site, however, the single storey annex creates a small courtyard within the confines of No. 1 as it sits closer to the boundary than the two storey annex. On the southern elevation of the single storey extension where it joins the two storey extension there is a ground floor window, which is finished in obscure glazing.

8.4.4 Section 14.10.2.4 of the FDP sets a number of criteria for assessing first floor extensions to properties. The proposed extension, which is the subject of this application, does not have any set back from the common boundary and it will protrude beyond the rear two storey annex of No. 1 by approximately 3 metres. I am of the opinion that given the existing extensions to No. 1, that the proposed development will not have any significant overbearing or impact of dominance. In addition, the first floor rear elevation No. 1 is north facing and is well served by a number of window openings which means that there would be no significant impacts from overshadowing. The proposed extension does not have any opposing windows with No. 1 on the ground or first floor elevations. I do not consider that there would be any significant impact on the rear of No.1 as a result of the proposed development.

8.4.5 A concern was raised during the processing of the application that the proposed extension would affect the ground floor windows of No.1 within the courtyard area along its western elevation. I note that the Planning Authority state that the applicant could develop an extension along this boundary under exempted development in accordance with Schedule 2, Part 1, Class 1 of the Planning and Development Regulations 2001 which would have the same impact. I accept that the Planning Authority are correct in this regard and I note that both the existing windows in the courtyard area of No. 1 are finished in obscure glazing and have no outward views. This exempted form of development could be constructed by the applicant would form a fallback for the applicant in the absence of permission being granted for the

subject application. In the circumstances I do not consider that permission should be withheld for the subject development due to the impact that it may have on these windows.

8.4.6 Objective DMSO23 of the FDP indicates that a minimum separation distance of 22 metres between directly opposing first floor windows shall generally be observed. In this case, there is a proposed first floor bedroom window on the western gable of the proposed development which would have some views, although partially obscured, towards No. 3 at a separation distance of 17.5 metres. This would fall below the standards set out in Objective DMSO23 of the FDP.

8.4.7 The subject window on the proposed extension serves a bedroom which is also served by two other windows on the northern elevation. The Planning Authority sought to address the potential for overlooking by imposing a condition (No. 3) which sought the removal of the window from the proposed scheme, however, I consider that given the separation distance and the restricted views from this proposed window that it could be finished in obscure glazing as opposed to being removed. This would in my view be sufficient mitigation to ensure that overlooking of No. 3 does not occur.

8.4.8 In addition, there is a separation distance of at least 16.7 metres from the application dwelling to No. 3 and I do not consider that there would be any other adverse impacts arising from overlooking, overshadowing or dominance as a result of the development.

8.4.9 I consider that none of the adjoining properties would have its residential amenity adversely impacted as a result of the proposed development given the fall back position of the applicant and the ability to apply suitably worded conditions to mitigate any impact.

8.5 **Drainage**

8.5.1 It is indicated by the applicant that the surface water and foul sewerage for the existing dwelling connects to the public sewer which runs to the east of the site. Objectives IUO4 & DMSO197 of the FDP requires the separation of foul and surface water drainage systems while Objectives IUO15 & DMSO205 requires the preparation of a Surface Water Management Plan as part of all new developments.

8.5.2 The surface water drainage is indicated to be directed towards two separate soakaways, one located within the side garden and the other located in the rear

garden area. There is no information on the suitability of these areas to facilitate surface water drainage and I note that the Planning Authority has indicated that a condition (No. 7) is necessary to ensure that the percolation areas are in accordance with BRE Digest 365 and no surface water is to drain to the public sewer. I agree that this condition would be a necessary safeguard to ensure that adequate surface water drainage facilities are provided within the site.

8.5.3 The proposed development includes disconnecting the existing foul sewer connection which it is stated runs under the adjoining property No. 1 Mount Joseph and then takes a 90 degree turn. It is stated that there are issues with the age of the pipework and the ability to achieve access. It is proposed to lay a new 100mm sewer pipe which will connect to the existing infrastructure to the east of the site making the existing pipework redundant.

8.5.4 I note that there is some dispute regarding the location of the existing foul sewer pipe serving the application site, however, the proposed sewer pipe will remove the applicants reliance upon the existing pipework removing any issues with gaining access to third party land. Whereas I note that the applicant intends to disconnect the sewer pipe, I consider that this statement refers to their existing connection to it, rather than the removal of the pipework or any other third party's right of access to it. The applicant will need to negotiate and agree any connections to the public sewer with Uisce Éireann. I do not consider that the drainage and sewerage proposals will adversely impact upon any third party property nor is there any failure to comply with the policies and objectives of the FDP.

8.6 Parking

8.6.1 The parking requirements for dwellings are set out in Section 14.17.7, Table 14.18 and Table 14.19 of the FDP. I consider that given the sites rural location which is not well served by bus services, that the site lies within the Zone 2 parking area and would require two parking spaces to serve the extended appeal building (3 bedroom house).

8.6.2 The subject development includes 2 car parking spaces on an area of land to the front of the dwelling. Although the parking area forms part of the application site, it is separated from the main curtilage of the dwelling by the private shared laneway serving Mount Joseph. The laneway traverses the site between the existing dwelling and the proposed parking area. The majority of the other dwellings in Mount Joseph

have similar parking arrangements and I am of the opinion that the visual impact of the parking arrangement would be minimal.

8.6.3 The Planning Authority have indicated that the dimensions of the parking area need to be controlled by way of condition (No.5) given the narrow laneway which forms access to the site and five other dwellings. I agree that a condition would be necessary to ensure that the parking area is suitable to allow for manoeuvrability onto/off the shared laneway so that vehicular and pedestrian safety is not impacted.

8.7 Other Matters

8.7.1 It is worth noting that in the Planning Authority's response to the Coimisiún they made reference to the 'decision to refuse permission', however, their decision was to grant planning permission and the reference to upholding the decision to refuse permission appears to be a drafting error.

8.7.2 The accuracy of the submitted plans was raised as an issue by the third party and they primarily critique the accuracy of the contextual elevations of the adjoining dwelling (No. 1). The applicant's agent indicates that where access could not be achieved to a third party's property that measurements were taken from Ordnance Survey. I have inspected the site and I have viewed the adjoining properties. I accept that there are anomalies with the contextual elevations of No. 1 Mount Joseph, however, I am satisfied that I am able to assess the impact of the proposed development on the adjoining property. The dimensions of the proposed development are clear and its impact on other existing development can be accurately assessed.

8.7.3 The excavation of the laneway and the continuity of service during the construction phase were raised as a concern by third parties during the course of the application and also in the appeal submissions. Construction impacts are normally short term and these impacts can be mitigated through the use of appropriately worded conditions. The Planning Authority attached a condition to its decision notice to address construction works and I am of the view that a similar condition should be attached in this case so that adverse impacts can be minimised.

8.7.4 I note that issues relating to the access to lands to carry out certain works and acts of maintenance were raised, however, private property rights are not matters which can be adjudicated by the Coimisiún. I refer to Section 5.13 of the Development Management Guidelines for Planning Authorities (2007) which states that the

planning system is not designed as a mechanism for resolving disputes about title to land or premises or rights over land with Section 34(13) of the Planning and Development Act 2000 (as amended) stating that 'a person shall not be entitled solely by reason of a permission under this section to carry out any development'. Furthermore, the granting of planning permission does not give the applicant the right to affect another party's rights of access to their home or other services and other permissions or consents may be required before works could commence.

9.0 **AA Screening**

9.1 I have considered the development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at 2 Mount Joseph, Westmantown, Lucan, Co. Dublin and no relevant designated sites are close by.

9.2 The proposed development comprises the extension and alterations to a dwelling. No nature conservation concerns were raised in the planning appeal. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site.

9.3 The reason for this conclusion is as follows:

- Small scale and nature of the development; and
- Distance from nearest European site and lack of connections; and
- The screening decision of the Planning Authority.

9.4 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. 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 at 2 Mount Joseph, Westmantown, Lucan, Co. Dublin, which is 249 metres northwest of the nearest water body.
- 10.2 The proposed development comprises the extension and alterations to a dwelling. No water deterioration concerns were raised in the planning appeal.
- 10.3 I have assessed the development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface & ground water waterbodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and/or groundwater water bodies either qualitatively or quantitatively. The reason for this conclusion is as follows:
- Nature of works e.g. small scale and nature of the development ; and
 - Distance from nearest water bodies and/or lack of hydrological connections.
- 10.4 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. That planning permission be granted for the reasons and considerations set out below and subject to the conditions set out below.

12.0 Reasons and Considerations

Having regard to the design, appearance of the proposed extension, it is the Coimisiúns view that, subject to compliance with the conditions below, the

development proposed would not seriously injure the visual amenities of the area or the residential amenities of any property in the vicinity and would not adversely impact on the character of the area. The proposed development, therefore, would be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and received by the Planning Authority on the 17th day of October 2025, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The dwelling and extension shall be jointly used as a single dwelling unit and shall not be used for multiple occupancy living units / non-residential uses, except where otherwise permitted by way of a separate grant of planning permission.</p> <p>Reason: In the interest of clarity and to ensure proper planning and sustainable development and to prevent unauthorised development.</p>
3.	<p>The developer shall amend the design of the proposed development to accord with the following: (a) The proposed first-floor west-facing dormer window on the proposed extension shall be finished with obscure glazing and shall thereafter be permanently retained.</p> <p>Reason: In the interests of residential amenity.</p>
4.	<p>All external finishes shall harmonise in colour and texture with the existing premises.</p>

	Reason: In the interest of visual amenity.
5.	<p>The following requirements in relation to Transportation shall be complied with in full:</p> <p>(a) Prior to the commencement of development, a revised layout plan shall be submitted and agreed in writing with the Planning Authority detailing the distance between the front building line of the dwelling and the beginning of the 2 no. proposed car parking spaces to be a minimum of 4.8m and the width of each car parking space shall be 3.0m and the length of the car parking spaces to be 4.8m or otherwise agreed.</p> <p>(b) No objects, structures, landscaping or planting shall be placed or installed within the visibility splays (as defined by DMURS (Current Edition) exceeding a height of 900mm; which would interfere or obstruct (or could obstruct over time) the required visibility splays for the parking areas.</p> <p>(c) All underground or overhead services and poles shall be relocated, as may be necessary to a suitable location at the Developer's own expense and according to the requirements of the relevant utility service provider/service owner/statutory undertaker.</p> <p>(d) All stormwater shall be disposed of to soak pits or drains within the site and shall not discharge onto the public road surface.</p> <p>(e) Any works to the public footpath, verge and road carriageway to facilitate the development and any repairs to the public footpath, verge and road carriageway necessary as a result of the development shall be at the expense of the developer and completed to the Council's standards for taking-in-charge and to the satisfaction of the Council.</p> <p>Reason: In the interest of public and pedestrian road safety.</p>
6.	<p>Where the developer proposes to connect to a public water/waste water network operated by Uisce Éireann, the developer shall sign a connection agreement with Uisce Éireann.</p>

	<p>Reason: In the interests of public health and in order to ensure adequate drainage provision.</p>
7.	<p>The following requirements in relation to surface water drainage shall be complied with in full:</p> <p>(a) Soakaways shall comply with BRE Digest 365, the GDSDS, designed to accommodate the 30-year critical duration storm event, include for climate change (minimum+20%), use site specific infiltration rates and rainfall data, and generally be at least 5m from any structure and 3m from any boundary.</p> <p>(b) No surface water / rainwater shall discharge into the foul water system under any circumstances.</p> <p>(c) The surface water drainage shall be in compliance with the Greater Dublin Regional Code of Practice for Drainage Works, Version 6.0, FCC, April 2006.</p> <p>Reason: In the interest of public health and sustainable drainage of the area.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays.</p> <p>Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
9.	<p>a) All necessary measures shall be taken by the applicant to prevent any spillage or deposition of clay, dust, rubble or other debris, whether arising from vehicle wheels or otherwise, on the adjoining and/or adjacent public road and footpath network during the course of the construction works.</p> <p>b) Any damage to roads, footpaths or other public property caused by the development shall be made good to the satisfaction of the District Engineer.</p> <p>Reason: In the interest of traffic safety and proper control of development.</p>

10.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.</p> <p>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.</p>

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

Barry Diamond
Planning Inspector

XX April 2026

Appendix 1 - Form 1 EIA Pre-Screening

Case Reference	PL-500760-DF-26
Proposed Development Summary	Extension and alterations to a dwelling.
Development Address	2 Mount Joseph, Westmantown, Lucan, Co. Dublin, K78 H5W9
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? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	<input type="checkbox"/> Yes, it is a 'Project'. Proceed to Q2.
	<input checked="" type="checkbox"/> No, No further action required.
2. Is the proposed development of a CLASS specified in <u>Part 1</u>, 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	
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?	
<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	

<p>development under Article 8 of the Roads Regulations, 1994.</p> <p>No Screening required.</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class and meets/exceeds the threshold.</p> <p>EIA is Mandatory. No Screening Required</p>	
<p><input type="checkbox"/> Yes, the proposed development is of a Class but is sub-threshold.</p> <p>Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)</p>	

<p>4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?</p>	
<p>Yes <input type="checkbox"/></p>	<p>Screening Determination required (Complete Form 3)</p>
<p>No <input checked="" type="checkbox"/></p>	<p>Pre-screening determination conclusion remains as above (Q1 to Q3)</p>

Inspector: _____

Date: _____

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