



An
Coimisiún
Pleanála

Inspector's Report

PL-501183-SD-26

Development

This development will consist of a new water supply and wastewater infrastructure to the existing single storey family entertainment room to rear of back garden granted under planning reference SD21B/0528. Refer Condition 3. Also front gate design & external render finish of house under planning reference SD18A/0101. Refer condition 2 and 3.

Location

41A Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin, K78C6W0

Planning Authority

South Dublin County Council

Planning Authority Reg. Ref.

SD25B/0159W

Applicant(s)

Imtiaz Khan

Type of Application

Retention permission

Planning Authority Decision

Refuse retention permission

Type of Appeal

First party

Appellant(s)

Imtiaz Khan

Observer(s)

None

Date of Site Inspection

13 June 2026

Inspector

Killian Harrington

Table of Contents

1.0	Site Location and Description	4
2.0	Proposed Development	4
3.0	Planning Authority Decision.....	5
4.0	Planning History	10
5.0	Policy Context	12
6.0	EIA Screening	16
7.0	The Appeal	16
8.0	Assessment.....	18
9.0	AA Screening	22
10.0	Water Framework Directive	23
11.0	Recommendation	23
12.0	Reasons and Considerations	24
Appendix A: Form 1 EIA Pre-Screening		25

1.0 Site Location and Description

The subject site (c. 0.048 ha) is located west of Lucan village in an established residential area, Dodsborough Cottages. The site comprises a two storey, detached dwelling with pitched roof profile, served by a vehicular access to the front from Shackleton Way, and amenity space and garden room to the rear. The finishes of the front façade subject dwelling comprise smooth white render. The subject site adjoins the Adamstown SDZ along the front boundary to the south (Shackleton Way). The general streetscape is characterised by two storey semi-detached and terraced dwellings. Dodsborough Cottages is an older residential area with two storey terraces with relatively large rear gardens, and with a render finish while Shackleton Way is a newer estate to the south in Adamstown consisting of similar form dwellings but with red brick finishes.

2.0 Proposed Development

2.1 The proposed development relates to the retention of various ancillary works to an infill dwelling development (41A) to the rear of 41 Dodsborough Cottages that was originally granted under Reg Ref SD18A/0101. This dwelling subsequently received planning permission for a detached room/shed in the rear garden under Reg. Ref. SD21B/0528. The retention works that are the subject of this application relate to both the dwelling and the garden room structure and are detailed below:

- New water supply and wastewater infrastructure constructed underground from the main dwelling to the existing single storey family entertainment room to rear of back garden granted under planning permission reference SD21B/0528. Condition 3 of that permission specifies that no water or wastewater connection may be made to/from the structure
- Front gate design & external render finish of dwelling under planning reference SD18A/0101. Condition 2, part (b), of that permission specifies that the "front boundary wall and pillars shall not exceed 1.2m in height.". The subject wall proposed for retention is 1.8m in height

3.0 Planning Authority Decision

3.1 Decision

South Dublin County Council decided to refuse planning permission for the following reasons:

- 1. The development as currently proposed would provide for a vehicle access with reduced and inadequate sightlines thereby endangering public safety by reason of a traffic hazard. The development as currently proposed would, if permitted, set an undesirable precedent for similar development leading to potential traffic and public safety hazard, which would by themselves and cumulatively be harmful to the residential and visual amenities of the area, and would be contrary to the proper planning and sustainable development of the area.*
- 2. The proposed defensive boundary would undermine the character and safety of this residential street and in particular the enjoyment of the public road and the public realm by vulnerable road users, thereby diminishing the residential amenities of the area in contravention of the 'RES' zoning objective. It should be further noted as per the Planner's Report that appropriate boundary treatments have been provided for a number of properties developed on the northern side of Shackleton Way and that these developments support the character and safety of the street.*
- 3. The proposed development would be contrary to Built Form Principle 6 of the South Dublin House Extension Design Guide (2025), and would, by itself and precedent it would create, undermine the residential amenities of the area. The development would therefore be contrary to South Dublin County Development Plan 2022 - 2028 policy on residential extensions and residential consolidation, in particular Policy H14 Objective 1, and the 'RES' land-use zoning objective 'to protect and/or improve residential amenity', and the proper planning and sustainable development of the area.*
- 4. The development for which retention permission is sought, is a material contravention of some conditions attached to permission reg. refs. SD18A/0101*

and SD21B/0528, by way of the following alterations: (a) Conditions 1 and 2 of permission reg. ref. SD18A/0101: The vehicular access and boundary treatments have been pushed out to the site boundary in contravention of the revised access layout submitted on 26/06/2018 in response to a request for additional information. This revised layout, sought by the Planning Authority, was integrated into the proposal that was then permitted. (b) Condition 2, part (b), of permission reg. ref. SD18A/0101: The provision of a 1.8m tall boundary wall directly contravenes the condition, which specified that "front boundary wall and pillars shall not exceed 1.2m in height." (c) Condition 3 of permission reg. ref. SD21B/0528: The provision of a water supply and wastewater infrastructure to the detached garden structure directly contravenes the condition, which specifies that no water or wastewater connection may be made to/from the structure.

3.1.1. Planning Authority Reports

The works proposed for retention were assessed by the planning authority and it was considered that a request for additional information (AI) was warranted. Below summarises the various AI items and how the planning authority (PA) came to its conclusions regarding the works.

Item 1 – Revised Plans

Item 1(a) - The applicant is requested to submit permitted elevations and as built for retention elevations clearly noting the permitted and proposed materials for retention. The applicant's response was that the drawings have been amended to indicate the existing finish to the front elevation proposed for retention as well as that permitted.

PA assessment: The revised elevation depicts the house fully in render. It is noted that condition 3 of the parent permission Reg. Ref SD18A/0101 states that "all external finishes shall harmonise in colour or texture that is complementary to the house or its context". The housing units to the south are full red brick facades, the units to the west and east are brick with small portion of render to the front, it is considered that a fully white render property is not complementary to the surrounding context. The applicant has not submitted permitted elevations and as

built for retention elevations as requested. It is considered that the proposed retention permission of external finishes contravenes condition 3 of parent permission SD18A/0101. Item 1(a) is therefore not satisfied.

Item 1(b) - Drawings submitted also note a proposed sunroom and proposed entertainment room, however, it is noted that these do not form part of the development description. These should be re-labelled as existing if they are existing on site, if these are not and are proposed as part of this development an updated development description and notices should be submitted. The applicant's response was that these two structures were built under permission granted for reg ref SD21B/0528. The drawings have been amended accordingly.

PA Assessment: Revised floor plans are noted, item 1(b) is satisfied.

Item 1(c) - A revised drawing showing all details as existing for retention on site should be submitted. The applicants response was to submit an amended drawing to accurately indicate what was built and for which retention permission is sought.

PA Assessment: The submitted drawings are noted however, from images received from the applicant it is noted that the drawings do not accurately reflect what is on site in terms of design and materials. Item 1(c) is therefore not satisfied.

Item 1(d) - The applicant is requested to submit revised plans omitting the water supply and wastewater infrastructure to the detached garden room. It would allow the detached garden room to be habitable. The applicants response was to request that the water supply and wastewater infrastructure be permitted

PA Assessment: Such a connection does not comply with Built Form Principle 6 of the House Extension Design Guide 2025, and would if permitted, allow for habitable use of the detached garden room. Item 1(d) is therefore not satisfied

Item 2 – Roads

Item 2(a) - The applicant is requested to provide a drawing showing the boundary walls at vehicle access point limited to a maximum height of 0.9m, and any boundary pillars shall be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles. The applicant's response was to request that the

existing boundary walls and gates which have a height of 1.8m be permitted for security reasons. They examined the question of visibility from the entrance and conclude that from a point 2.2m back from the edge of the roadway there is clear and unobstructed vision in either direction. The public road is within a 30km speed limit. The retention of this entrance will not endanger public safety or impact on pedestrian convenience.

PA Assessment: The heights of the walls and pillars exceed the permitted dimensions. The Roads Department is not satisfied with the response. Item 2(a) is therefore not satisfied.

Item 2(b) - The applicant is requested to provide a drawing showing the vehicular access point not exceeding a width of 3.5 metres. The applicants response was to submit n accurate drawing to indicate the width of the entrance and request that permission be retained for this access arrangement.

PA Assessment: The entrance gate exceeds the maximum width of 3.5m. The Roads Department is not satisfied with the response. Item 2(b) is therefore not satisfied.

Item 2(c) - The applicant is requested to provide a drawing showing a visibility splay exiting the property complying with DMURS standard. The applicants response was to submit a drawing.

PA Assessment: No visibility splay has been provided. Item 2(c) is therefore not satisfied.

Item 2(d) - The applicant is requested to provide a drawing showing a minimum space at the southern boundary to construct a 2m wide pedestrian footpath. The applicant's response was to note that the original permission granted for this dwelling under SD18A/0101 did not condition a 2m wide footpath. 1.4m is more than adequate to service pedestrian movement.

PA Assessment: No drawing has been provided showing a minimum space at the southern boundary to construct a 2m wide pedestrian footpath. The Planning Department notes that the parent permission did not condition the provision of a

footpath; however, the drawings submitted as part of that application did indicate the provision of a footpath, albeit without indicating a dimension. It is considered appropriate that the provision of a stretch of public footpath be conditioned in the event of a grant of permission. Item 2(d) has not been satisfied.

Item 2(e) - The applicant is requested to provide a drawing showing street poles within the applicant's boundary relocated so as not to obstruct pedestrians on any future pedestrian footpath at the south of the development. The applicant's response was to claim that there are no street poles within the subject boundary.

PA Assessment: No drawing provided showing the light pole relocated. Item 2(e) is therefore not satisfied.

Overall, the planning authority recommend refusal. The walls, pillars and gates were deemed excessively high. The applicant did not provide a drawing showing the width of the gate a maximum of 3m. No visibility spay was provided. Therefore, the development would endanger public safety by reason of a traffic hazard.

Insufficient space has been provided at the front of the site in order to accommodate a pedestrian walkway at a future date. The applicant did not provide a drawing showing street poles within the applicant's boundary relocated so as not to obstruct pedestrians on any future pedestrian footpath at the south of the development.

The SDCC planner's report concluded that it was reasonable that permission would be refused on the basis of traffic hazard, and with the applicant having failed to demonstrate adequate sightlines on the site. Furthermore it was considered that the basic design approach does not respect the character and nature of the residential street onto which the property fronts.

3.1.2 Other Technical Reports

- Roads Division – Additional Information requested

3.3. Prescribed Bodies

None

3.4. Third Party Observations

None

4.0 Planning History

4.1 Subject site

Reg. Ref. SD23B/0497 – Planning permission granted for a development that will consist of a new attic extension at second floor Level to existing house , with raised walls on all elevations with new hipped roof over and pop out windows to front south and rear north elevations with new rooflights on east and west side elevations. Relevant conditions attached noted below:

3. (a) External Finishes

All external finishes shall harmonise in colour or texture that is complementary to the house or its context. Reason: In the interest of visual amenity.

[This permission does not appear to have been implemented onsite.]

Reg. Ref. SD21B/0528 – Planning permission granted for a single storey rear garden home entertainment room and home gym. Relevant conditions attached noted below:

3. No water supply or wastewater infrastructure shall be provided to/from the structure. For clarity, any proposed connections shall require a separate planning application. Reason: This is in the interests of public health and to ensure that the structure will not be used as a separate dwelling.

Reg. Ref. SD18A/0101 - Planning permission granted for a 5 bedroom detached 2 storey house in the rear garden of site, new boundary walls, 2 car spaces to front of house and all associated site works. The entrance to new house exits onto Shackleton Way. Relevant conditions attached noted below:

2. Footpath/Kerb/Front Boundary/Gates.

(a) Footpath and kerb shall be dished and widened dropped crossing shall be constructed to the satisfaction of South Dublin County Council at the applicant's expense.

(b) The front boundary wall and pillars shall not exceed 1.2m in height.

(c) Any gates shall open inwards and not out over the public domain.

Reason: In the interests of traffic & pedestrian safety.

3. External Finishes.

All external finishes shall harmonise in colour or texture that is complementary to the house or its context.

Reason: In the interest of visual amenity.

Planning Enforcement

There are currently two live cases relating to the subject site:

- Ref. S9215 – Noncompliance with planning permission condition 3 of SD21B/0528 in that no water supply or wastewater infrastructure shall be provided to/from the structure. L
- Ref. S9539 – Noncompliance with condition 2B, 2C and 3 of planning permission SD18A/0101.

4.2 Adjacent Sites

42, Dodsborough Cottages, Lucan, Co. Dublin

Reg. Ref. SD19A/0217 (as extended by SD19A/0217/EP) -Planning permission granted for dividing the site into two plots; erecting a new 4 bedroom, detached three storey house in the rear garden of site, new boundary walls, 2 car spaces to front of house and all associated site works; the entrance to new house exits onto Shackleton Way.

5.0 Policy Context

5.1 Development Plan

Under the South Dublin County Development Plan 2022-2028 the site is subject to the Land Use Zoning Objective RES - 'to protect and / or improve residential amenity'. The following sections of the Development Plan are relevant to the subject application:

Policy H14: Residential Extensions

Support the extension of existing dwellings subject to the protection of residential and visual amenities. H14 Objective 1 seeks 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)

Policy GI4: Sustainable Drainage Systems

GI4 Objective 1: To limit surface water run-off from new developments through the use of Sustainable Drainage Systems (SuDS) using surface water and nature-based solutions and ensure that SuDS is integrated into all new development in the County and designed in accordance with South Dublin County Council's Sustainable Drainage Explanatory Design and Evaluation Guide, 2022.

Policy QDP6: Public Realm

Promote a multi-disciplinary and co-ordinated approach to the delivery and management of the public realm within South Dublin County

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.

QDP11 Objective 1:

To require the use of high quality and durable materials and finishes that make a positive contribution to placemaking.

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).

H15: Family flats

Support family flat development subject to the protection of residential and visual amenities.

H15 Objective 1:

To favourably consider a family flat development where the Council is satisfied that there is a valid need for semi-independent accommodation for an immediate family

member or members subject to the criteria outlined in Chapter 12: Implementation and Monitoring.

Policy E3: Energy Performance in Existing and New Buildings

Support high levels of energy conservation, energy efficiency and the use of renewable energy sources in new and existing buildings including the retro fitting of energy efficiency measures in the existing building stock in accordance with relevant building regulations, national policy and guidance and the targets of the National and South Dublin Climate Change Action Plans.

Policy IE3: Surface Water and Groundwater

IE3 Objective 7: To protect surface water quality by continuing to assess the impact of domestic and industrial misconnections to the drainage network in the County and the associated impact on surface water quality, and by implementing measures to address same, and to diagnose and repair any misconnections in Council housing stock as part of the re-letting process

South Dublin County Council House Extension Design Guide (February 2025)

The updated House Extension Design Guide (February 2025) contains the following general guidance on house extensions and specific guidance on side extensions:

‘Extensions in general should be well designed, cohesive, appropriate, innovative and addresses basic considerations to ensure good design, progressive improvements to the built environment, consideration for neighbouring properties, reflect best practice, architectural innovation and high standard of design, construction technology and sustainability.’

Section 3.3.1 states that ‘general considerations relating to all side extensions’ notes that the roof profile of first floor/two storey side extension should be carefully considered relative to that of the main house and parapet height should always be minimised.

Section 3.1.7 - Built Form Principle (BFP) 1

All extensions and alternations to houses should meet the following criteria:

- 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 (sill 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.

Section 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.

5.3. Natural Heritage Designations

Rye Water Valley/Carlton SAC and Rye Water Valley/Carlton proposed NHA c.2km to the west of the site, Liffey Valley proposed NHA c. 2km to the north of site and South Dublin Bay and River Tolka SPA, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA c.14 km to the east

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 report.

7.0 The Appeal

7.1 Grounds of Appeal

The first party appeal summarises the application for retention and the planning history and includes the following grounds of appeal based on the Additional Information request.

- Item 1A - The refusal of the change from brickwork to napp plaster is unreasonable. It would not be out of character – there is plenty of variety of materials in the area and Doddsborough Cottages to the rear have render external finishes. This is not a Conservation Area
- Item 1B – This was deemed satisfactory so no issues with this
- Item 1C – Revised drawings submitted with this appeal address the PA's concerns about the design and dimensions of the front boundary and gate and also show that the four mirrors can be removed as required

- Item 1D – The rejection of the retention of the wastewater treatment and water supply was unfairly deemed unacceptable on the basis of ‘Principle 6’ of the House Extension Design Guide (2025). The decision was that this amounted to habitable use and would therefore no longer be ‘ancillary accommodation’. We disagree with this assessment as there would be no beds or shower facility. A basic toilet and sink facilitate a more comfortable and modest use of the structure as an entertainment room and gym. The guide is advisory only and not a statutory document. A prohibition on sanitary facilities is archaic and unreasonable.
- Item 2A – In relation to compliance with DMURS, the particular site context and constraints have not been considered by the PA. The walls and pillars exceed the permitted dimensions according to the PA but the existing road width and the speed restrictions on the road have not been factored in. Also, DMURS does not include guidance on visibility splays or entrances.
- Item 2B – The 3.5m width maximum standard for an entrance is arbitrary and a wider entrance was rejected for no valid reason.
- Item 2C – Vision splays have been amended and the revised drawings attached to this appeal show a minimum of 25m in either direction. This is suitable for the site location and speed zone. Many of the houses opposite have entrance pillars well in excess of 1.2m height.
- Item 2D – In response to the request to provide a 2 metre wide footpath, the space available is only 1.4m and this is acceptable given that the footpath opposite is 1.8m and the adjoining site also only has 1.4m wide footpath. This is more than adequate. The PA also noted that the parent permission did not condition a footpath.
- Item 2E – As previously confirmed, the subject street lamp pole is not on the subject land. In our opinion, it would not obstruct pedestrians (The appellant includes a photo of the pole outside the property)

- Traffic safety concerns are not sufficiently validated to warrant a refusal. The speed limit is 30 kph. Effective vision splays can be provided at the entrance and an adequate footpath can be built by the applicant.
- In terms of visual appearance, the retention of the front boundary wall is acceptable on the basis of visual interest and identify within the area. The PA's assertion that street character would be adversely impacted by the proposed front boundary is excessively defensive. The assessment of the front boundary wall and gates has been largely subjective and failed to account for security and safety. The applicant is willing to remove the steel framed mirror fixtures by planning condition in the event of a grant of permission

7.2. Planning Authority Response

The Planning Authority confirms its decision and maintains that the issues raised in the appeal have been covered in the Chief Executive Order.

7.3. Observations

None

7.4 Applicant Response

n/a

8.0 Assessment

- 8.1 Under the South Dublin County Development Plan 2022-2028 the site is subject to the Land Use Zoning Objective RES - 'to protect and / or improve residential amenity.' A residential dwelling and an ancillary detached garden structure have been constructed on site. The proposed development relates to retention of works to the façade and boundary of the main dwelling and separately the installation of water infrastructure to the detached ancillary garden structure. The main house and garden structure were granted permission separately and subject to

conditions. An inspection of the garden structure was not possible but from the drawings, these works are permissible in principle under this zoning as it relates to the alterations and extension of an existing residential use.

- 8.2 Following a review of the file, assessment of the relevant planning policies and inspection of the site, I conclude that the primary concerns in this appeal can be divided generally between the two Additional Information items namely (1) design and (2) road safety.

(1) Design

- 8.3 Firstly, I will assess the proposed retention of the water supply and wastewater system installed to service the approved single storey family entertainment room to the rear. The planning authority notes that under the permission for the detached garden room (Reg. Ref. SD21B/0528) the applicant was required under condition no. 3 not to include any water supply or wastewater infrastructure as the structure should be non-habitable and ancillary to the main dwelling. The applicant was requested to submit revised plans omitting the water supply and wastewater infrastructure as part of Item 1D of Additional Information.
- 8.4 This provision of water supply and wastewater infrastructure was not omitted and the subject appeal includes the grounds that this is needed for basic sanitary reasons. However, such an inclusion would allow the detached garden room to be habitable and non-ancillary to the existing dwelling on site. This would amount to a change to the planning permission for that structure. However, a water and foul connection does not amount to habitation and I understand the requirement for sanitary facilities in an extension or garden room. I am satisfied that this would be acceptable and would not be contrary to the House Extension Design Guide or Policy H14. I am also satisfied that such an installation would not impact on Policy GI4: Sustainable Drainage Systems as the works are minor in nature and in an established built-up area.
- 8.5 Items 1A and 1C of the Additional Information request relate to the external finish and boundary treatment of the main dwelling which relates to the planning permission of the main house Reg. Ref. SD18A/0101.

- 8.6 For the external finish, the appeal wishes to retain the fully rendered finish and argues that other dwellings in the area do not have a brick façade. However I note that all dwellings on Shackleton Way, both the estate houses and the other two infill dwellings to the rear of Dodsborough Cottages have a brick façade at the front. The render finish is therefore at odds with the character of the residential street and would not be acceptable. The rendered facades of Dodsborough Cottages to the north are in keeping with the traditional and historic appearance of that residential area. However, such an appearance would not be in keeping with the character of Shackleton Way.
- 8.7 For the boundary treatment, I note that the revised drawings submitted with the appeal do not amend the proposal in the application for retention. The height of the wall remains at 1.8 metres and the width at 5.5 metres is greater than the Development Plan maximum of 3.5 metres. The only amendment option the appeal provides is the removal of the mirrored panels on the gate. The materials used are out of character with the simple pillar and railing gates of surrounding properties and their removal would assist in allowing the dwelling to harmonise its appearance with adjacent dwellings. However, what is most visually harmful is the defensive style boundary proposed to be retained, with tall retaining walls and a solid, access gate. This retention would diminish the residential character of the street and could set a precedent for the area. As the appeal drawings do not alter the scale and dimensions, I would agree with the planning authority that the front gate and wall are not appropriate and should not be retained.
- 8.8 The appeal states that the boundary treatments reflect the applicant's security concerns. However the concern here is with the scale, height and overly defensive form of the boundary. The combination of the high wall and solid gate is visually jarring. The boundary treatment not in keeping with the scale of other front boundaries and entrances along this street. I note that there is no provision in the Development Plan or the House Extension Design Guide for high security boundary treatments.

(2) Road Safety

- 8.9 The issue of the footpath arises as the applicant was requested under Item 2(D) of the AI request to provide a drawing showing a minimum space at the southern boundary to construct a 2m wide pedestrian footpath. The appellant reiterates that the original permission granted for this dwelling under SD18A/0101 did not condition a 2 metre wide footpath and that 1.4 metre width would be sufficient. However, Condition 2(a) of that permission specified that a footpath should be constructed along the boundary. It is acknowledged that this footpath may not be 2 metres on other parts of Shackleton Way. However, no drawing has been provided in the application or the appeal placing the footpath outside the red line boundary of the site in accordance with that permission condition. The adjacent infill dwellings have provided space for the provision of a footpath on that side of the road.
- 8.10 In terms of visibility and vehicular movements, no appropriate visibility splay has been provided on the revised drawings submitted for this appeal. The boundary pillars should be limited to a maximum height of 1.2m, in order to improve forward visibility for vehicles complying with DMURS Standards. The height remains at 1.8 metres. Overall, I would agree with the SDCC Road Division's comments and reasons for refusal. The development as retained would endanger public safety by reason of a traffic hazard and non-compliance with DMURS. Insufficient space has been provided at the front of the site in order to accommodate a pedestrian walkway at a future date. The appeal, although correct to state that the street pole is not within their boundary, has nonetheless not provided sufficient information about how a footpath can be constructed at the southern boundary – a condition of the dwelling's permission. Furthermore the appeal cannot demonstrate sufficient visibility at the entrance.
- 8.11 Having regard to the provisions of the South Dublin County Development Plan 2022-2028 outlines in Section 5.0 of this report, the SDCC House Extension Design Guide 2025 and the design of the development proposed to be retained, it is considered that the proposed development would endanger public safety by reason of traffic hazard. In addition, the proposed boundary treatment consisting of

a high wall and wide vehicular entrance with a solid gate, would have an adverse visual impact on the residential character of the street and set an undesirable precedent for similar development. The front walls, pillars and gates are excessively high at 1.8 metres. The applicant has not provided a drawing showing the width of the gate a maximum of 3.5 metres and the width remains at 5.5 metres. The proposed development would provide an inappropriate precedent for the area, would be harmful to the residential and visual amenities of the area and cause a traffic hazard contrary to the proper planning and sustainable development of the area.

9.0 AA Screening

- 9.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located at 41A Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin, K78C6W0 in an established residential area c. 2km east of Rye Water Valley/Cartron SAC and c. 14km to the west of South Dublin Bay and River Tolka SPA, South Dublin Bay SAC, North Dublin Bay SAC and North Bull Island SPA.
- 9.2. The proposed development comprises retention of works to an existing residential dwelling at 41A Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin. No nature conservation concerns were raised in the planning appeal.
- 9.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site. The reason for this conclusion is as follows:
- Nature of works
 - Location in an established residential area
 - Lack of connections to nearest European sites
- 9.4. I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and

therefore Appropriate Assessment (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 41A Dodsborough Cottages Lucan Co. Dublin approximately 190 metres east of the River Liffey.
- 10.2 The proposed development comprises retention of works to an existing residential dwelling at 41A Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin. 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
 - Location-distance from nearest water bodies and/or lack of hydrological connections

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 retention permission be refused

12.0 Reasons and Considerations

12.1 Having regard to residential zoning of the site, the residential character of the area, the design, scale and massing of the proposed development and the policies contained in the South Dublin County Development Plan 2022-2028, it is considered that the proposed development would be seriously injurious to the visual amenity of the area, would cause an unacceptable road safety hazard and would be contrary to the provisions of the South Dublin County Development Plan 2022-2028 in particular Policy H14 Objective 1 and the 'RES' land-use zoning objectives. Furthermore, the proposed development would set an undesirable precedent in the area and would be contrary to 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.

Killian Harrington
Planning Inspector

25 June 2026

Appendix A: Form 1 EIA Pre-Screening

Case Reference	PL-501183-SD-26
Proposed Development Summary	This development will consist of a new water supply and wastewater infrastructure to the existing single storey family entertainment room to rear of back garden granted under planning reference SD21B/0528. Refer Condition 3. Also front gate design & external render finish of house under planning reference SD18A/0101. Refer condition 2 and 3.
Development Address	41A Dodsborough Cottages, Shackleton Way, Lucan, Co. Dublin, K78C6W0
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)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ 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)?	
☐ Yes, it is a Class specified in Part 1 . EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	

1. Is the proposed development of a CLASS specified in <u>Part 2, Schedule 5, Planning and Development Regulations 2001</u> (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☒ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☐ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	
2. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____

Date: 25 June 2026