



An
Coimisiún
Pleanála

Inspector's Report PL-501375-DR-26

Development	Residential development of four houses and two duplex apartments with associated works.
Location	0.18 Ha site at & including part of Kilgobbin Road, Dublin 18 bounded by Rath Na nGall, Sans Souci, The Rectory development (D24A/0600/WEB).
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D25A/0661/WEB
Applicant	Glencarra Stepside Limited
Type of Application	Permission
Planning Authority Decision	Grant Permission + Conditions
Type of Appeal	Third Party Normal Planning Appeal
Appellants	Oliver & Anne Colton & others Michael & Frances O'Driscoll
Observers	Paul & Katherine Roche Denis & Hilary Madigan

Lei & Yan Can
Liz Donnelly
Brian Stapleton
Mary & Brian Maher and Others
Rachel Senior
James and Sandra Doyle
David Jones
Liam and Bernie Farrell
Vanessa Ryan
Colm and Alma Griffin
Helen O'Meara

Date of Site Inspection

31st of July 2026

Inspector

Siobhan Carroll

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1.0 Site Location and Description

- 1.1. The appeal site is located in a mature suburban area on the western side of Kilgobbin Road, Co. Dublin. It is situated to the 320m to the north of Stepside village. Kilgobbin Road is served by the no. 44 and no. 47 bus routes. The Gallops Luas stop is situated circa 1.4km from the site.
- 1.2. The site has a stated area of 0.18 hectares. It has frontage of 15m onto Kilgobbin Road. It extends back c.70m to the west. The site is bounded to the south by the property Sans Souci. Sans Souci a detached dormer bungalow is setback 32m from the roadside boundary.
- 1.3. The property Rath Na nGall adjoins the site to the north. Rath Na nGall is a detached dormer bungalow. A detached dwelling has recently been constructed directly the south of Rath Na nGall. The western boundary of the site adjoins an open space area within the Rectory housing development. The Rectory contains a mix of houses and apartments.

2.0 Proposed Development

- 2.1. Permission is sought for the construction of a residential development. The development will consist of:
 - 6 No. units including 4 No. three storey four bed houses and 1 No. part 2 No. – part 3 No. storey building comprising 2 No. apartment / duplex units (1 No. two bed unit and 1 No. three bed unit), with associated balconies / terraces facing east.
 - Provision of a new access/egress from Kilgobbin Road;
 - 7 No. car parking spaces; bicycle parking;
 - Bin storage; hard and soft landscaping; boundary treatments; public lighting; green roofs;
 - All associated site and development works above and below ground.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued notification of a Grant of permission for the proposed development on the 28th of April 2026 subject to 41 no. conditions.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- 3.2.2. Further Information was requested on the 15/10/2025 in relation to the following;

1. Submit revised plans to address rear garden design, provide complete elevational drawings and a visual impact assessment.
2. In relation to surface water drainage indicate the total storage provision. The applicant is required to confirm that the appropriate permission has been obtained to connect to the public sewer which is located on private lands. Provide fully dimensioned plans and sections of the proposed attenuation storage system.
3. Submit a baseline noise survey to assess the impacts of the demolition and construction phase. A plan for continuous dust, noise and vibration monitoring is required.
4. Submit details referring to transport planning demonstrating the vehicular access/egress complies with the requirements of Section 4.4.5 of DMURS. Provide a 1.8m wide footpath and demonstrate how the development complies with Section 12.4.11 of the Development Plan which refers to Electrically Operated Vehicles.

- 3.2.3. Planner's report dated 23/4/2026 – Following the submission of a response to the further information issued by the Planning Authority on the 16/10/2025 it was considered that the matters were satisfactorily addressed, and a grant of permission was recommended.

3.2.4. Other Technical Reports

- 3.2.5. Transportation Planning: Report dated 14/10/2025 – Further information requested in relation to the provision of satisfactory sightlines at the proposed vehicular

access/egress and details in relation to footpaths and provision of appropriate infrastructure to facilitate EV charging.

- 3.2.6. Transportation Planning Report dated 22/04/2026 as detailed in the report of the Planning Officer dated 23/4/2026 – No objection subject to conditions.
- 3.2.7. Drainage Planning Report dated 29/09/2025 – Further information requested in relation to the surface water drainage details specifically storage calculations, details of proposed attenuation and confirmation that permission was obtained to connect to the public sewer within private lands.
- 3.2.8. Drainage Planning Report dated 21/04/2026 – No objection subject to the attachment of conditions.
- 3.2.9. Environmental Enforcement/Waste Management Department: Report dated 25/09/2025 – No objection. Attachment of conditions recommended.
- 3.2.10. Parks & Landscape Department: Report dated 25/09/2025 – No objection. Attachment of conditions recommended. The conditions refer to (1) A financial contribution in lieu of the provision of public open space (2) Implementation of landscape plans with the addition of new tree pit details suitable for hard landscape areas (3) Tree bond for Tree no. 0985, Tree no. 0959, Tree no. 0961 and Tree group no. 1 (Sycamore) (4) Implementation of Arboricultural Plans (5) Retention of an Arboriculturist (6) Retention of landscape architect.
- 3.2.11. Housing Department: Report dated 16/9/2025 – No objection. Attachment of condition recommended referring to the requirement of the applicant/developer to enter into an agreement in accordance with Part V of the Planning and Development Act, 2000, as amended.

3.3. Prescribed Bodies

- 3.3.1. EHO: Report dated 02/10/2025 – further information requested in relation to the submission of a noise survey.
- 3.3.2. EHO: Report dated 17/04/2026 – The proposal is acceptable subject to the attachment of conditions.

3.4. Third Party Observations

- 3.4.1. The Planning Authority received 10 no. submissions/observations in relation to the application. The main issues raised are similar to those set out in the third party appeals and observations on the appeals.

4.0 Planning History

- 4.1.1. None on site

Adjacent lands

- 4.1.2. Reg. Ref. D25B/0414/WEB - Permission was granted for the (1) the importation of inert fill material (soil) to raise the level of c. 630sq m of the rear garden from its lowest level of 120.19 mOD to a uniform level of 121.8 mOD; (2) the erection of a 1.6 m high paladin fence for c. 28.5 m to the north boundary of the rear garden; and (3) the erection of a 1.8 m high concrete post and panel fence for c. 47.6 m to the southern boundary of the rear garden, and all associated site works. At Rath na nGall, Kilgobbin Road to the north of the appeal site.
- 4.1.3. Reg. Ref. D24A/0600/WEB - Permission was granted for the erection of a single storey three-bedroom dwelling (122sq m), new site boundaries to the sides and rear of the site, a new vehicular access at Kilgobbin Road with wooden gates (c. 1.34 metre high) and piers, and all ancillary site development works. At a site within the former garden of Rath na nGall, Kilgobbin Road. This adjoins the appeal site to the north. (The development has been carried out).

5.0 Policy Context

5.1. Project Ireland 2040 – National Planning Framework – First Revision – April 2025

- 5.1.1. The NPF includes a Chapter, No. 6 entitled ‘People, Homes and Communities’. It sets out that place is intrinsic to achieving good quality of life.
- 5.1.2. National Policy Objective 7 seeks to “deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.”

- 5.1.3. National Policy Objective 8 seeks to “deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.”
- 5.1.4. National Policy Objective 43 seeks “to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”
- 5.1.5. National Policy Objective 45 seeks to “increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.”

5.2. Section 28 Ministerial Guidelines

- 5.2.1. The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.
- Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024)
 - ‘Design Manual for Urban Roads and Streets’ (DMURS) (2019)
 - ‘The Planning System and Flood Risk Management’ (including the associated ‘Technical Appendices’) (2009)
 - Urban Development and Building Heights – Guidelines for Planning Authorities (2018)
 - Design Standards for Apartments, Guidelines for Planning Authorities (2025)

5.3. Climate Action Plan 2025

- 5.3.1. The Climate Action Plan 2025 (CAP25) is the third annual update to Ireland’s Climate Action Plan. It should be read in conjunction with Climate Action Plan 2024.
- 5.3.2. The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead us to meeting our national climate objective of pursuing and

achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

5.4. Dún Laoghaire Rathdown Development Plan 2022-2028

- 5.4.1. The appeal site at Kilgobbin Road, Dublin 18, is located on lands zoned Objective 'A' which has the objective: "to provide residential development and improve residential amenity while protecting the existing residential amenities". 'Residential' development is permitted in principle under this land use zoning objective.
- 5.4.2. The appeal site is located within the zone of potential of Recorded Monument Recorded Monument. (RMP Ref: DU025-106-Old Kilgobbin Church and Graveyard).
- 5.4.3. Chapter 3 refers to the matter of Climate Action. It sets out the detailed policy objectives in relation to climate and the role of planning in climate change mitigation, climate change adaptation and the transition towards a more climate resilient County.
- 5.4.4. Chapter 4 refers to Neighbourhood – People Homes and Place
- 5.4.5. Policy Objective PHP18 - Residential Density: Seeks to increase housing supply and promote compact urban growth through the consolidation and re-intensification of infill / brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12. Additionally, this policy objective seeks to encourage higher residential densities on the proviso proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.
- 5.4.6. Policy Objective PHP20 - Protection of Existing Residential Amenity: Seeks to ensure the residential amenity of existing homes in the Built-Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.
- 5.4.7. Policy Objective PHP27 - Housing Mix: Seeks to encourage the establishment of sustainable residential communities by ensuring that a wide variety of housing and

apartment types, sizes and tenures is provided throughout the County in accordance with the provisions of the Housing Strategy and Housing Need Demand Assessment (HNDA) and any future regional HNDA.

- 5.4.8. Policy Objective PHP42 - Building Design & Height: Seeks to encourage high quality design of all new development. It seeks to ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 in a manner consistent with NPO 13 of the NPF.
- 5.4.9. Chapter 5 refers to the matter of Transport and Mobility. It seeks the creation of a compact and connected County, promoting compact growth and ensuring that people can easily access their homes, employment, education and the services they require by means of sustainable transport.
- 5.4.10. Chapter 12 refers to Development Management
- 5.4.11. Section 12.3.4 refers to Residential Development – General Requirements

5.5. Natural Heritage Designations

- 5.5.1. Wicklow Mountains SAC (Site Code 002122) is located circa 4.5km to the south-west of the appeal site.
- 5.5.2. Wicklow Mountains SPA (Site Code 004040) is located circa 4.9km to the south-west of the appeal site.
- 5.5.3. Knocksink Wood SAC (Site Code 00725) is circa 4.9km to the south of the appeal site.
- 5.5.4. South Dublin Bay SAC (Site Code 000210) is located circa 5.8km to the north-east of the development site.
- 5.5.5. South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is located circa 5.8km to the north-east of the development site.
- 5.5.6. Rockabill to Dalkey Island SAC (Site Code 003000) is located circa 8.32km to the east of the appeal site.
- 5.5.7. Dalkey Island SPA (Site Code 004172) is located circa 8.36km to the east of the appeal site.

6.0 EIA Screening

- 6.1.1. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

7.0 The Appeal

7.1. Grounds of Appeal

Third party appeals have been received from (1) Oliver & Anne Colton & others and (2) Michael & Frances O'Driscoll. The issues raised are as follows;

(1) Oliver & Anne Colton & others

- The appeal site is subject to regular flooding during periods of heavy rainfall. The appeal includes a number of photographs taken from the adjoining site which demonstrate the extent of flooding experienced.
- There are a number of underground streams in the area which have been redirected over the years and now flow into the main drainage system along Kilgobbin Road. The appellants have concerns that these underground watercourses and their connection to the existing road drainage system have not been adequately considered and could create future drainage and flooding problems within the proposed development.
- There is an embankment/bank located to the rear of the site. The appellants have concerns that it is unstable. It is considered that excavation and construction on the site near the bank could create a danger during both during construction and after the occupation of the development.
- It is submitted that the scale and density of the proposed development is excessive and not in keeping with the established character of Kilgobbin

Road. The proposal represents overdevelopment of the site and does not reflect the nature, layout and development pattern of the locality.

- The proposed four houses in the middle of the site with the two duplex units positioned directly onto Kilgobbin Road are considered completely out of character in terms of their scale, design and overall appearance. It is highlighted that in previous appeal decisions the Commission has recognised the sylvan nature and character of Kilgobbin Road. The appellants consider that the proposed development disregards the established character and would seriously damage the ambience, visual setting and natural character of the road and surrounding environment.
- Concern is raised that the houses proposed to be located adjacent to the appellant's property would directly overlook their house and garden resulting in a serious loss of privacy. The appellant's property is a bungalow, they consider that the height and positioning of the proposed houses would result in them being dominant and causing overshadowing.
- It is submitted that the infrastructure on Kilgobbin Road is inadequate. There is only one narrow footpath serving the road which creates difficulties for pedestrians.
- The proposed car parking within the development is considered insufficient and will result in additional on-street parking and traffic congestion in the surrounding area.
- Concern is expressed in relation to the proximity of the proposed development to the historic Kilgobbin graveyard and heritage site. This is an important historical and cultural feature within the area.
- It is respectfully requested that An Coimisiún Pleanála refuse permission for the proposed development for the details outlined in the appeal.

(2) Michael & Frances O'Driscoll

- The appellants state that they fully acknowledge and understand that there is a significant housing shortage in the country and that additional housing is necessary.

- It is submitted that any new development must be properly planned and designed in a manner that does not negatively impact existing residential communities, infrastructure, safety and quality of life for residents. It is considered the proposed development fails to achieve such a balance.
- The proposed development will result in an increase in the number of vehicles using the roads placing additional strain on infrastructure. Kilgobbin Road and other local roads regularly experience congestion and delays particularly during peak hours. It is highlighted that from 4pm onwards Kilgobbin Road has traffic queuing towards Stepside village.
- Concern is raised regarding safety during the construction phase. The movement of heavy construction vehicles, machinery, delivery trucks and contractor traffic through residential roads will create substantial risk for local residents, pedestrians, cyclists and children.
- There is a footpath on one side of the road, which is the side of the proposed development. Concern is expressed that access via the footpath will be restricted during the construction phase.
- It is considered that inadequate car parking has been proposed to serve the development and this will result in overspill car parking occurring on surrounding roads and residential estates.
- It is submitted that the proposed houses are entirely out of character with the existing houses in the area. The scale, density and overall design of the development do not reflect the established nature of the surrounding area. It is considered that the proposed development will have a negative impact on the appearance and character of the area. It is considered that the proposed development represents overdevelopment of the site.
- The area experiences severe problems with flooding. Concern is raised that the development of the lands will exacerbate drainage problems and increase flood risk both for future residents and for neighbouring properties. It is considered that the design of the proposed scheme does satisfactorily address the matter of surface water drainage.

- It is noted that the permission granted by the Council includes a significant number of conditions. The extent and nature of the conditions suggest that substantial concerns have been identified in relation to the suitability and impact of the proposal. The appellants consider that this raises serious questions as to whether the site and development are appropriate without significant redesign.
- It is respectfully requested that the Commission refuse permission for the reasons set out in the appeal.

7.2. Applicant Response

A response to the third party appeals has been submitted by Thornton O'Conner Town Planning on behalf of the applicant Glencarra Stepside Limited. The issues raised are as follows;

- It is contended in the appeals that the proposed development would place additional pressure on the local road network and that the quantum of car parking proposed is inadequate. Concern was expressed that it would result in overspill parking and adverse impacts on traffic conditions and road safety.
- In response to these matters the first party state that the car parking provision is adequate and in accordance with the maximum provisions of the Compact Settlement Guidelines SPPR 3. In peripheral locations a maximum of 2 no. car parking spaces per unit applies. Therefore, the provision of 7 no. car parking spaces including 1 no. accessible space for 6 no. units is appropriate for this location.
- It is highlighted that the report of the Planning Officer in response to the submitted further information stated that the proposed new vehicular access/egress onto Kilgobbin Road complies with the visibility splay requirements of DMURS.
- The report of the Planning Officer also noted compliance with Section 12.4.11 of the Development Plan in relation to electrically operated vehicle infrastructure.

- As set out in the report of the Planning Officer the Transportation Planning Section raised no objection to the proposed development subject to conditions.
- It is highlighted in the appeal response that the site is well served by public transport including the Gallops Green Luas Stop and nearby bus services. The site is in close proximity to the amenities of Stepside Village including shops, services, parks and restaurants.
- The appeal submitted by Oliver & Anne Colton & others stated that the proposal would impact access to their properties during the construction phase.
- In response to the matter, it is stated that while short-term disruption is an inevitable consequence of any construction project such impacts are transient in nature and can be appropriately managed through the implementation of standard construction management measures. It is also confirmed that a public liaison officer will be appointed to provide a point of contact for local residents to address any issues which may arise during the construction phase.
- The appeals purport that the proposed development is incompatible with the existing character of the area and that it would represent overdevelopment of the site. Both the appeals include concerns regarding the scale and density of the proposed development.
- It is highlighted that the report of the Planning Officer sets out that the Planning Officer considers that the proposed development accords with objective PHP19 of the Development Plan by providing increased residential density on an underutilised infill site within an established built-up area, while respecting the surrounding residential context. The report of the Planning Officer stated that overall, the proposed development is considered to comply with Policy PHP19, Section 12.3.7.7 and the criteria of Section 12.3.7.5 and represents an appropriate form of infill development within the existing residential area.

- The report of the Planning Officer states that they are satisfied that the proposal achieves an appropriate level of visual harmony in terms of scale, massing and external finishes.
- It is submitted that overall, the appellants assertions regarding the scale and density are unfounded.
- In relation to the matter of design integration it is set out in the report of the Planning Officer that the dwellings do not adversely affect the character of the surrounding residential area. The Planning Officer confirmed in their report that the apartment block contributes positively to the streetscape and does not result in any residential amenity impacts.
- The first party assert that the proposal will significantly enhance Kilgobbin Road. The opening up of the site combined with the low wall boundary treatment and landscaping will activate the streetscape and improve the public realm by connecting the development with the public.
- In relation to the matter of separation distances and safeguarding of amenities of neighbouring residents it is set out in the report of the Planning Office that the layout and orientation of the buildings ensure that minimum separation distances achieve safeguarding the amenities of neighbouring residents and minimising potential impacts arising from overbearing or loss of privacy.
- A significant separation distance of 31.6m exists between the application site boundary and the appellant's property boundary at Innis Ciuil to the north.
- SPPR1 sets out a minimum separation distance of 16m from the previous requirement of 22m. The only instance of opposing windows occurs within the proposed development between the duplex unit B2 and the proposed dwelling to the west. A separation distance of 19.3m is maintained between these windows.
- The protection of the residential amenity of existing homes was a key consideration in the design of the proposed development which was thoroughly assessed by the Council.
- Flood risk is raised in both appeals. The matter of drainage and land stability is raised in one of the appeals.

- Contrary to the appellant's assertions, Dun Laoghaire Rathdown Co. Council acknowledged and carefully considered the flooding and drainage issues associated with the site, both in relation to the proposed development and the construction phase.
- The Commission is referred to the Site Specific Flood Risk Assessment section of the Planner's report which states "it is noted that following the request for further information during the flood event of January 2026, instances of surface water ponding were observed within the site. However, as the flooding mechanism is pluvial in nature and not associated with fluvial flood zones, it is considered that the risk can be appropriately addressed through site specific mitigation measures relating to levels, overland flow routing and surface water management. Accordingly, a condition requiring a pluvial flood risk mitigation strategy is attached in the interests of proper planning and sustainable development."
- The Planning Authority determined that the identified pluvial flood risk is not associated with fluvial flood zones and can be satisfactorily managed through appropriate mitigation measures.
- In the assessment of response to further information request Item 2 the Planning Authority considered the drainage matters had been satisfactorily addressed.
- It is highlighted that condition no. 8, 9, 10, 11 and 12 attached by the Planning Authority relate primarily to ensuring that the drainage infrastructure is constructed and maintained in accordance with approved design and relevant standard.
- It is highlighted that of particular importance is condition no.14 which requires the preparation of a Pluvial Flood Risk Mitigation Strategy.
- It is submitted that it is evident that matters relating to flood risk and drainage were comprehensively assessed by the Council during the application process. The Planning Authority considered the submitted Site Specific Flood Risk Assessment report, the further information response and the

recommendations of the Drainage Planning Section and concluded that the proposed development is acceptable subject to appropriate conditions.

- The potential impact on the nearby Old Kilgobbin Church and Graveyard was raised in the grounds of one of the appeals.
- The Commission is referred to the Archaeological section of the Planner's report which states "a portion of the rear of the site lies within the curtilage of a Recorded Monument (RMP Ref: DU025-106-Old Kilgobbin Church and Graveyard). While no specific archaeological submissions were received from prescribed bodies such as An Taisce, NPWS, the Heritage Council or the Arts Council it is noted that the RMP site is screened by mature vegetation and the Old Kilgobbin Church is located approximately 56.7m from the site boundary. The proposed works are similar in nature to those permitted on the adjacent site (Reg. Ref. D25B/0414/WEB), where the rear boundary wall was extended without archaeological objection. Given the separation distance, existing screening and absence of archaeological concerns raised, it is considered that the proposed development would not result in any adverse archaeological impacts.
- Therefore, it is evident that the potential impacts of the proposed development on the Old Kilgobbin Church and Graveyard was fully considered by the Planning Authority as part of their assessment. Having regard to the separation distance between the site and the Record Monument, the existing mature screening and absence of objections from the relevant prescribed bodies and the finding of the Planning Authority it was concluded that the proposed development would not give rise to adverse archaeological impacts.
- In conclusion, it is submitted that the proposed residential scheme is appropriate for the subject site and fully complies with the policies in the Development Plan. The proposed residential scheme has sought to deliver much needed housing in an attractive form whilst respecting the residential amenity of the existing community.
- The scheme is well served by public transport, services facilities and amenities and provides a proportionate level of car parking which encourages

walking and cycling in line with sustainable transport policy objectives and contributes to the reduction of traffic related emissions.

7.3. Planning Authority Response

- The Commission is referred to the previous Planner's Report.
- It is considered that the grounds of appeal do not raise any new matter which, in the opinion of the Planning Authority, would justify a change of attitude to the proposed development.

7.4. Observations

Observations to the appeals have been submitted from (1) Paul & Katherine Roche (2) Denis & Hilary Madigan (3) Lei & Yan Can (4) Liz Donnelly (5) Brian Stapleton (6) Mary & Brian Maher and Others (7) Rachel Senior (8) James and Sandra Doyle (9) David Jones (10) Liam and Bernie Farrell (11) Vanessa Ryan (12) Colm and Alma Griffin and (13) Helen O'Meara. The issues raised are as follows;

(1) Paul & Katherine Roche

- Concern is raised in relation to traffic generation, road safety and car parking. The generation of construction traffic is also raised.
- It is submitted that the scale and density of the proposed development is not in accordance with the character of the area.
- Concern is raised in relation to surface water drainage.

(2) Denis & Hilary Madigan

- It is submitted that the proposed development is out of character with the existing development along Kilgobbin Road.
- The matters of traffic generation, road safety and car parking are raised.
- It is submitted that the height and scale of the proposed development should be revised to take account of the character of the area.

(3) Lei & Yan Can

- Concern is raised in relation to construction traffic and safety.

- It is submitted that the proposed development would generate additional traffic and lead to congestion. Concern is raised regarding car parking provision.
- It is considered that the development would represent overdevelopment of the site.
- Concern is expressed in relation to surface water drainage and flood.

(4) Liz Donnelly

- Concern is raised in relation to construction traffic and safety.
- The matters of car parking and traffic generation are raised.
- The development is considered out of character with the surrounding development.
- Concern is expressed in relation to surface water drainage and flood.

(5) Brian Stapleton

- The observation raises concern in relation to surface water drainage and potential flooding. It is stated that surface water runoff is generated from two graveyards which regularly flood. Surface water runoff flows through the site and out onto the Kilgobbin Road.
- Concern is expressed that this surface water flood would occur from the graveyard and flood the proposed dwellings.
- It is noted that there are general problems with saturated ground and runoff in the Kilgobbin area. It is highlighted that surface water run-off from the elevated lands at Kilgobbin Heights flows onto Kilgobbin Road during periods of heavy rainfall.

(6) Mary & Brian Maher and Others

- The observers acknowledge and understand that there is a significant housing shortage in the country and that additional housing is necessary. However, any new development must be properly planned and designed in a manner that does not negatively impact existing residential communities, infrastructure, safety and quality of life for residents.

- The proposed development will generate additional traffic which will place additional strains on the road infrastructure. It is highlighted that Kilgobbin Road experiences congestion from 4pm onwards with traffic queuing to access Stepside Village.
- Concern is raised in relation to the construction phase and the disruption which would result from heavy construction vehicles, machinery, delivery trucks and contractor traffic. It is highlighted that there is only a footpath along the western side of Kilgobbin Road. It is considered that construction works on the site would cause disruption and block the use of the footpath to the front of the site.
- It is considered that inadequate car parking has been provided within the proposed scheme and this will generate overspill parking on the nearby roads and residential estates.
- The proposed houses are considered entirely out of character with the existing residential development in the area. The scale, density and overall design of the development do not reflect the established nature of the surrounding community. It is considered that the proposed scheme represents overdevelopment of the site.
- Concern is raised in relation to surface water drainage and flood risk.
- The decision to grant permission for the proposed scheme by the Council includes a significant number of conditions. It is considered that the extent and nature of the conditions indicate that there are substantial issues in relation to the suitability and impact of the proposal and therefore it raises serious questions as to whether the site and development are appropriate without significant redesign.

(7) Rachel Senior

- It is submitted that the proposed development would add to the traffic congestion in the area.
- It is stated that the footpath provision along Kilgobbin Road is wholly inadequate. There is a footpath on one side of the road only. It is on the side of the proposed development.

- The matter of localised surface water flooding is raised.
- It is submitted that the density and scale of the development is out of character with the existing pattern of development in the area.

(8) James and Sandra Doyle

- The issue of surface water drainage and flood risk are raised. It is highlighted that during January and February 2026 significant volumes of surface water accumulated on the site after periods of heavy rainfall. The topography of the site results in it acting as a natural collection point for surface water runoff from the surrounding higher ground.
- Concern is expressed that the surface water drainage strategy submitted with the application does not adequately account for the volumes of surface water which the observers have seen on the site during the recent high rainfall events.
- It is submitted that the proposed development is visually out of character with the surrounding built environment. The area is characterised by low density residential properties which are predominantly detached and semi-detached set out generous plots with mature landscaping and generous setbacks from the road.
- It is considered that the scale, massing and density of the development is wholly disproportionate to the surrounding context.

(9) David Jones

- It is submitted that the density of the proposed development is excessive and inappropriate for the site context.
- Kilgobbin Road is characterised by a mix of single and two-storey dwellings. It is considered that the proposed three-storey houses are wholly out of scale with the established built form of the area.
- The report of the Planning Officer relies on the Compact Settlement Guidelines 2024 to justify the density of the 40 units per hectare and classifying the location as a 'suburban/urban extension' on the basis that it is within approximately 100m of a bus stop. It is submitted that this classification

does not adequately reflect the actual physical and planning context of the site. The zoning objective 'A' is applicable to the site it is the objective to provide for residential development while protecting existing residential amenities. It is submitted that a density of 40 units per hectare with three-storey buildings on a constrained site of 0.18 hectares fails to adequately protect existing amenities.

- Inadequate public open space is proposed. A financial contribution in lieu of the required 15% public open space was recommended by the Parks and Landscape Section of the Council. It is submitted that the under provision of public open space is a clear indication that the proposed development represents overdevelopment of the site.
- It is submitted that the usability of rear gardens may be limited due to steep gradients.
- The issues of surface water drainage and flood risk are raised. It is highlighted that the Drainage Planning Section raised four items of further information in relation to drainage. Concern is raised in relation to the surface water drainage details provided and details contained in the Site Specific Flood Risk Assessment.
- It is highlighted that the Transportation Planning Section of the Council in their report found that the applicant had not demonstrated that the visibility splays at the proposed vehicular access and egress comply with the requirements of Section 4.4.5 of the DMURS. Concern is expressed that a traffic hazard would arise.
- The location of the proposed new access point creates a conflict between vehicles crossing the footpath and pedestrians walking to and from the bus stop in the vicinity.
- The proposed development provides 7 no. car parking spaces with six for residents and one for visitors. This is considered insufficient to serve the proposed development and will result in overspill car parking.

(10) Liam and Bernie Farrell

- The issues of surface water drainage and flood risk are raised. The accumulation of surface water on the site during the winter months in 2026 is highlighted.
- It is considered that the scale and density proposed are out of character with the surrounding area and that the scheme constitutes overdevelopment of the site.
- It is submitted that the proposed development will significantly increase vehicular traffic on Kilgobbin Road and the surrounding roads. It is highlighted that the area experiences traffic congestion from 4pm with traffic queuing to access Stepside Village.
- Concern is expressed that during the construction phase there will be disruption and restriction to access on the footpath adjacent to the site.

(11) Vanessa Ryan

- The issue of traffic generated by the proposed development is raised. It is highlighted that the existing roads are subject to congestion.
- Concern is raised in relation to construction traffic and delays and disruption to traffic and pedestrians.
- It is considered that inadequate car parking has been proposed to serve the scheme.
- The matters of surface water drainage and flooding is raised.
- The proposal is considered to represent over development of the site and would be out of character with existing surrounding development.

(12) Colm and Alma Griffin

- Concern is raised in relation to surface water drainage and flood risk. It is highlighted that significant volumes of surface water accumulated on the site during January and February 2026. The issue of surface water from the site entering the public road is raised.
- It is considered that the surface water drainage proposals submitted with the application does not adequately take account of the volume of water which would be generated on the site.

- The design of the proposed scheme is considered out of character with the surrounding existing properties in the area. It is highlighted that the area is characterised by low density residential development. It is predominantly detached and semi-detached properties within generous plots with generous setbacks from the road.
- It is considered that the proposed scheme departs from the established pattern of development in the area. It is considered that the scale, massing and density of development is wholly disproportionate to the surrounding context.

(13) Helen O'Meara

- Concern is raised in relation to the level of additional traffic which the proposed development would generate and the capacity of the existing road network to accommodate it. The matter of existing congestion in the area was raised.
- The issue of disruption to vehicular and pedestrian movement in the area arising during the construction phase is raised.
- Concern is raised in relation to surface water drainage.
- It is considered that the proposed development is out of character with the existing development in the area.

8.0 Assessment

Having examined the application details and all other documents on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues in this appeal to be considered is as follows:

- Policy Context
- Design and impact on residential amenity
- Access and traffic
- Surface water drainage and flooding

- Other matters

8.1. Policy Context

- 8.1.1. The appeal site at Kilgobbin Road, Dublin 18 is located on lands zoned Objective 'A' under the provisions of the Dun Laoghaire-Rathdown County Development Plan 2022-2028. The objective seeks "to provide residential development and improve residential amenity while protecting the existing residential amenities". Accordingly, 'Residential' development is permitted in principle under this land use zoning objective.
- 8.1.2. In relation to the national policy context the proposed development comprises a residential infill development in the suburban area of Kilgobbin Co. Dublin which would be in accordance with the following National Policy Objectives of the National Planning Framework- First Revision (2025). NPO 7 seeks the delivery of 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth. NPO 8 seeks the delivery of at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth. NPO 43 seeks to prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location. NPO 45 seeks to Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site based regeneration, increased building height and more compact forms of development.
- 8.1.3. The site has an area of 0.18 hectares and the proposed scheme comprises a total of 6 no. residential units, 4 no. houses and 2 no. apartment/duplexes. The proposed density of the scheme is equivalent to 40 units per hectare.
- 8.1.4. In relation to the provisions of the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024). Section 3.3.1 of the Sustainable Residential refers to Cities and Metropolitan (MASP) Areas. Table 3.1 refers to density ranges for the Dublin and Cork City and Suburbs. In relation to Suburban/Urban Extension locations it sets out that it is a policy and objective of

these Guidelines that residential densities in the range 40 dph to 80 dph (net) shall generally be applied at suburban and urban extension locations in Dublin and Cork and that densities of up to 150 dph (net) shall be open for consideration at 'accessible' suburban/urban extension locations. The subject site located at Kilgobbin Road, Dublin 18, would constitute a suburban/urban extension location within the context of its location circa 1.4km from the Gallops Luas stop and circa within 100m of bus stops serving the bus routes no's 44 and 47.

- 8.1.5. Policy PHP18 of the Development Plan refers to Residential Density and it seeks to increase housing supply and promote compact urban growth through the consolidation and re-intensification of infill / brownfield sites having regard to proximity and accessibility considerations, and development management criteria. The proposed development which entails the development of 6 no. dwelling units constitutes a scheme which provides for the consolidation of an infill site. It is set out under this policy that the design of schemes should be of high quality and that cognisance of the requirement to protect the existing residential amenities, and the established character of the surrounding area should be had while also balancing the need to provide for high quality sustainable residential development. In relation to these issues, they will be addressed in the subsequent sections of this report.
- 8.1.6. Accordingly, I would conclude that the density of the scheme at 40 units per hectare is appropriate and in accordance with the provisions of the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024) and the Dún Laoghaire-Rathdown County Development Plan 2022-2028.

8.2. Design and impact upon residential amenity

- 8.2.1. The proposed development comprises a small infill scheme within a site zoned Objective 'A' residential. The infill nature of the appeal site means any development should fully respect the character and context of the area.
- 8.2.2. The grounds of appeal and the observations to the appeals set out that the design and scale of the proposed development is not in keeping with the surrounding residential development. Specific concern is raised in relation to the height of the proposed development and the setback from the public road.

- 8.2.3. In response to the matter the first party highlighted that the report of the Planning Officer stated that they considered that the proposal achieves an appropriate level of visual harmony in terms of scale, massing and external finishes. It was further set out in their report that it was considered that the dwellings do not adversely affect the character of the surrounding residential area and that the proposed apartment block contributes positively to the streetscape.
- 8.2.4. In relation to the design of the scheme, the proposed apartment building contains two units is and three-storey with the second-floor setback from the front building line. This reduces the visual scale of the building within the streetscape. The building would be setback circa 7m from the public road. I note that it would be roughly in line with the front building line of the properties north including no. 157 Kilgobbin Road. Accordingly, I would consider the siting and setback of the proposed apartment building acceptable. The 4 no. proposed dwellings are located to the western end of the site and as such well setback from the roadside site boundary. In relation to the design of the dwellings, they are semi-detached and 2½ storey. As such the height and design of the dwellings are appropriate to the suburban context of the site and I note that there are a mix of house types in the surrounding area.
- 8.2.5. Having inspected the site and viewed the submitted drawings and photomontages I would concur with the assessment of the Planning Authority that the design and scale of the proposed development is acceptable in relation to the site context and that the development can be satisfactorily integrated into the streetscape.
- 8.2.6. The grounds of appeal raised the matter of overlooking and overshadow. It was set out the proposed dwellings would overlook and overshadow the appellant's property 'Innis Ciuil' to the north. In response to the matter the first party highlighted that a significant separation distance of 31.6m exists between the application site boundary and the appellant's property boundary at 'Innis Ciuil' to the north. Having reviewed the proposed site layout of the scheme relative to the existing surrounding properties, I consider having regard to the proposed siting of the new dwellings, the relative separation distances to the existing dwellings to the north, south and east and design of the proposed development that it would not result in any undue overlooking or overshadowing of the neighbouring residential properties.

- 8.2.7. The grounds of appeal refer to an embankment/bank located to the rear of the site. The appellants raised concerns regarding the stability of the bank during excavation and construction on the site. The proposed development if permitted will be subject to a Construction and Environmental Management Plan which will address the matter of site stability.
- 8.2.8. An observation to the appeals refers to the issue of public open space within the scheme and states that inadequate public open space is proposed. They consider that the under provision of public open space is a clear indication that the proposed development represents overdevelopment of the site. Section 12.8.3 of the Development Plan refers to Public Open Space, table 12.8 sets out that for residential development in the existing built-up area a minimum of 15% of the site area be provided as public open space. It is stated under Section 12.8.3 of the Plan that in relation to public open space provision that it is acknowledged that in certain instances it may not be possible to provide the required standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the quantum of public open space to be provided will be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same. On overall sites of less than 0.25 ha, the Council may also consider levying a contribution in lieu of public open space. Accordingly, having regard to the site size of 0.18 hectares and the infill nature of the proposed scheme and the relative proximity of the site to Fernhill Park and Gardens circa 500m from the site, I would consider that the provisions of Section 12.8.3 are applicable in this instance.
- 8.2.9. The Parks and Landscaping Department in their report dated 25/09/2025 recommended the attachment of a condition requiring a financial contribution in lieu of the provision of public open space. Accordingly, should the Commission decide to grant permission for the proposed development, I would recommend the attachment of a condition requiring a financial contribution in lieu of the provision of public open space.

8.3. Access, parking and traffic

- 8.3.1. The proposal entails the development of a total of 6 no. residential units comprising four houses and two duplex apartments. Vehicular access is proposed onto Kilgobbin Road to the east of the site. The grounds of appeal have raised concern regarding the design of the proposed vehicular entrance, the additional vehicular traffic the scheme would generate and the impact it would have on the existing roads in terms of traffic safety. Concern was raised in relation to traffic impacts during the construction phase. The issue of a shortfall of car parking was also raised.
- 8.3.2. The proposed access arrangement comprises the development of a new vehicular access/egress on Kilgobbin Road. The grounds of the third party appeals and observations to the appeals expressed that the road experiences existing traffic queuing and the proposed development will generate car trips in and out of the site which would result in a traffic hazard.
- 8.3.3. In relation to the proposed entrance as part of the further information request the applicant was required to submit details demonstrating the vehicular access/egress complies with the requirements of Section 4.4.5 of DMURS. Drawing No. 100-62-S09 AI 'Proposed Site Sightlines onto Kilgobbin Road' submitted to the Planning Authority on the 01/04/2026 indicates that sightlines of 45m are provided to the north and south at the entrance at a setback of 2.4m onto Kilgobbin Road which has a speed limit of 50km per hour. Accordingly, this revised plan of the proposed sightlines indicates that the required sightlines as per the requirements of DMURS have been provided.
- 8.3.4. It is raised in the grounds of appeal that Kilgobbin Road is only served by one narrow footpath. In relation to this matter, I note that Kilgobbin Road is served by a footpath along the western side of road and while there is no footpath on the eastern side of the road in the vicinity of the site, from Kilgobbin Heights to Stepside village there is a footpath along both sides of the road.
- 8.3.5. Regarding the level of traffic which the scheme would generate once built and occupied, the proposal is a small-scale infill residential scheme of 4 no. dwellings and 2 no. two duplex apartments with 7 no. car parking spaces proposed, therefore having regard to the scale of the scheme it will generate a relatively low level of new traffic onto the existing local network. The Transport Planning section of the Council

raised no concerns in relation to the level of traffic that the proposal would generate and I note their report dated the 22nd of April 2026 which confirmed that following the submission of a response to further information that there were no objections to the proposal subject to the attachment of conditions.

- 8.3.6. The grounds of appeal raised concerns regarding the level and nature of traffic which would be generated during the construction of the scheme. The first party in response to this highlighted that while short-term disruption is an inevitable consequence of any construction project such impacts are transient in nature and can be appropriately managed through the implementation of standard construction management measures. A Construction Management Report prepared by SCD Consulting was submitted with the application. It details that a Site-Specific Traffic Management Plan will be prepared by the Traffic Consultant for the project and may be subject to obtaining any necessary road opening licences from Dun Laoghaire Rathdown County Council and their agreement on Haulage vehicle movements. The report also sets out that a Liaison Officer will be appointed to deal with any complaints in relation to onsite procedures.
- 8.3.7. Accordingly, subject to the management of the construction traffic in line with a Construction Traffic Management Plan, I consider that the construction of the proposed scheme would not unduly impact upon the surrounding road network.
- 8.3.8. The grounds of appeal raised the matter of the quantum of car parking proposed within the scheme and concern was expressed that overflow car parking would be generated in the surrounding area including adjacent housing estates.
- 8.3.9. Car parking standards are set out in Section 12.4.5. of the Development Plan. Four parking zones are designated within the County. Supplementary Map T2 indicates the areas. The site at Kilgobbin Road, Dublin 18 is located within zone 3 as illustrated on Map T2. Table 12.5 of the Development Plan sets out the car parking standards for the different land uses within the different zones. In relation to zone 3 the requirements for dwellings with one and two bedrooms is 1 per unit and for three bedrooms and above is 2 per unit. The requirements for apartments are 1 per one bedroom unit, 1 per two-bedroom unit and 2 per three-bedroom unit.
- 8.3.10. The proposed of 6 No. residential units comprises 4 No. four bed houses and 1 No. No. two bed unit and 1 No. three bed unit. Accordingly, in terms of the provisions of

Table 12.5 of the Development Plan which set out maximum car parking standards the scheme would generate the requirement for 11 no. car parking spaces. A total of 7 no. car parking spaces are proposed to serve the scheme. Therefore, there would be a shortfall of 4 no. car parking spaces in terms of the maximum car parking standards set out in the Development Plan.

8.3.11. The first party in their appeal response in relation to the matter of car parking submitted that the car parking provision is adequate and in accordance with the maximum provisions of the Compact Settlement Guidelines SPPR 3 in which in peripheral locations a maximum of 2 no. car parking spaces per unit applies. SPPR 3 of the Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024) refers to Car parking and part (iii) refers to intermediate and peripheral locations, it states that the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. Accordingly, on the basis of the SPPR3 a maximum provision for the scheme would be 12 no. spaces per dwelling. It is set out under SPPR3 that applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision. The first party in the appeal response have highlighted that the site is well served by public transport including the Gallops Green Luas Stop and nearby bus services and that the site is in close proximity to the amenities of Stepside Village.

8.3.12. In relation to the matter of public transport provision in the area the Gallops Green Luas Stop is situated approximately 1.4km from the site and the Kilgobbin Road is served by bus routes no. 44 and no. 47 with the number 44 being a cross-city route therefore the proximity to public transport would I consider provide for consideration of car parking under the maximum set out for intermediate and peripheral locations under SPPR 3. The proposed 7 no. car parking spaces within the scheme provides for one per dwelling unit. I note that this would represent a shortfall of 4 no. spaces in terms of the maximum requirements set out in the Development Plan as per Table 12.5. On the basis that the under provision is 4 no. car parking spaces and that 7 no. car parking spaces are proposed to serve the 6 no. residential units, I do not consider that this constitutes a material contravention of Table 12.5 of the

Development Plan having regard to the fact that it refers a maximum requirement for car parking and in terms of the shortfall not representing a significant under provision with each proposed dwelling unit being served by one car parking space.

- 8.3.13. In conclusion, having regard to the details set out above, I am satisfied with the proposed vehicular access arrangements and car parking.

8.4. Surface water drainage and flooding

- 8.4.1. The issues of surface water drainage and flood risk is raised by the appellants and observers to the appeals.
- 8.4.2. A Site Specific Flood Risk Assessment (SSFRA) prepared by SCD Consulting Engineers was submitted with the application. It is identified in the SSFRA that the site is located within Flood Zone C for coastal flood risk. In relation to fluvial flooding and groundwater flooding it was concluded in the SSFRA that there is no risk of flooding arising from those sources.
- 8.4.3. Regarding the matter of pluvial flooding, it is detailed in the SSFRA that a review of the pluvial risk maps produced by the OPW on www.floodinfo.ie was carried out and for all scenarios the site appears to be low risk. It was concluded that there does not appear to be pluvial flooding evident near the site for the 1.0% AEP event flooding. The nearest 1.0% AEP Event Flooding occurred adjacent to the Carrickmines stream modelled as part of the Eastern CFRAM Study and approximately 1.5 km away from the appeal site. It is set out in the SSFRA that pluvial flood risk is therefore not considered to be significant.
- 8.4.4. The Planning Authority in their assessment of the proposed development did not have specific concerns in relation to flood risk arising from coastal, fluvial or groundwater sources.
- 8.4.5. As part of the further information requested on the 15/10/2025 the applicant was required to address matters concerning surface water drainage. Specifically, they were required to clearly set out the allowable outflow based on positively drained areas, indicate the total storage provision on the drainage drawings, including the volume provided by the blue roof system and provide fully dimensioned plans and sections of any proposed attenuation storage system. A response to these matters was prepared by SCD Consulting Engineers and submitted to the Planning Authority

on the 01/04/2026. It is detailed in their response that interception storage will be provided for by way of permeable paving & other SuDs features, located in the driveways in the front of the proposed houses & roof zones. The total site for drainage is 1,495m² and the total area discharging into the drainage system is 1,130 m². The proposed SuDs features provide interception storage within permeable paving of 6.01m³ and storage within blue roof of 0.39m³. The proposed interception provides for 5mm to be retained permanently on site. The attenuation volume required for the site as calculated by SCD Consulting Engineers is 39m³.

- 8.4.6. The Drainage Planning Section in their report dated 21/04/2026 assessed the further information and were satisfied that a conservative approach to the storage requirements of surface water on the site had been taken and the revised details and proposal submitted were acceptable.
- 8.4.7. In relation to the matter of high rainfall events experienced during January 2026 the report of the Drainage Planning Section noted that instances of surface water ponding were observed within the site. It was concluded in the report that as the flooding mechanism is pluvial in nature and not associated with fluvial flood zones, that the risk can be appropriately addressed through site-specific mitigation measures relating to levels, overland flow routing and surface water management. Therefore, the Drainage Planning Section were satisfied that potential pluvial flood can be managed within the development subject to the attachment of a condition requiring that a pluvial flood risk mitigation strategy be provided prior to commencement of development.
- 8.4.8. Having regard to the revised proposals to accommodate surface water generated within the scheme on site including blue roofs, permeable paving and attenuated storage, I am satisfied that surface water generated on the site will not result in surface water flooding onto the adjoining public road or surrounding properties. Furthermore, having regard to the contents of the Site Specific Flood Risk Assessment (SSFRA), I am satisfied that the proposed development will not give rise to any undue flood risk subject to the inclusion of a condition requiring that a pluvial flood risk mitigation strategy be provided.

8.5. Other matters

- 8.5.1. The appeal site is located within the zone of potential of Recorded Monument (RMP Ref: DU025-106-Old Kilgobbin Church and Graveyard). The grounds of appeal raised concerns in relation to potential impacts on Old Kilgobbin Church and Graveyard.
- 8.5.2. In their appeal response the first party highlighted that the that Old Kilgobbin Church is located approximately 56.7m from the site boundary and that existing mature tree planting screens the church and graveyard from the appeal site. The first party further noted that the proposed works are similar to those permitted under Reg. Ref. D25B/0414/WEB. Under Reg. Ref. D25B/0414/WEB permission was granted for the importation of inert fill material to raise the level of c. 630sq m of the rear garden of Rath Na nGall the property to the north of the appeal site.
- 8.5.3. I note that the Planning Authority did not attach a condition referring to archaeology. Accordingly, having regard to the separation distance between the appeal site and Old Kilgobbin Church and graveyard, I am satisfied that the proposed development would not result in any adverse archaeological impacts.

9.0 AA Screening

- 9.1. I have considered case PL-501375-DR-26 in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.2. The closest European Sites, part of the Natura 2000 Network, is Wicklow Mountains SAC (Site Code 002122) which is located circa 4.5km to the south-west of the appeal site. Wicklow Mountains SPA (Site Code 002122) is located 4.9km to the south- west of the development site. Knocksink Wood SAC (Site Code 00725) is circa 4.9km to the south of the appeal site.
- 9.2.1. South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) is located 5.8km to the north-east of the development site. South Dublin Bay SAC (Site Code 000210) is located approximately 5.8km to the north-east of the development site. Rockabill to Dalkey Island SAC (Site Code 003000) is located circa 8.32km to the east of the appeal site. Dalkey Island SPA (Site Code 004172) is located circa 8.36km to the east of the appeal site.

- 9.3. The proposed development comprises a residential development of four houses and two duplex apartments with associated works.
- 9.4. No streams/watercourses are identified on site.
- 9.5. 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.
- 9.6. The reason for this conclusion is as follows:
- The nature and scale of the proposed development and the location of the site on developed serviced lands.
 - The absence of any ecological pathway from the development site to the nearest European Site.
 - Location-distance from nearest European site.
 - Taking into account the screening report by the Planning Authority
- 9.7. 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.
- 9.8. 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 in the suburban area of Kilgobbin, Co. Dublin. It is situated to the north of Stepside. It is within the Ovaca-Vartry (Catchment ID 010) Water Framework Directive catchment area, and in the Dargle_SC_010 (Sub-catchment id 10_5). The nearest river waterbody to the site is the Carrickmines stream which is located c. 135m north of the site which flows into the Irish Sea at Killiney Bay.
- 10.2. The proposed development will consist of a residential development of four houses and two duplex apartments with associated works. No third-party concerns were raised in relation to water deterioration.

10.3. I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seeks 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.

- Scale and size of proposed development
- Separation to nearest water body
- Connection to public water, sewer and drainage

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. I recommend that permission be granted.

12.0 Reasons and Considerations

- 12.1.1. Having regard to the zoning objective for the site as set out in the Dún Laoghaire Rathdown Development Plan 2022 – 2028, the National Planning Framework – First Revision (2025), Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (2024), Design Standards for Apartments, Guidelines for Planning Authorities (2025), and the overall scale, design and height of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would respect the existing character of the area and would be acceptable in terms of traffic and pedestrian safety and convenience and would have no adverse impact in terms of surface water drainage and would not increase flood risk in the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

13.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 1st day of April 2026 as except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. Prior to the commencement of development the developer shall enter into a Connection Agreements with Uisce Éireann (Irish Water) to provide for a service connections to the public water supply and/or wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

3. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the

disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

4. Prior to commencement of development the developer shall submit a pluvial flood risk mitigation strategy for the written agreement of the planning authority.

Reason: In the interest of the proper planning and sustainable development of the area.

5. Details of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.

6. Prior to the commencement of development, the developer shall submit details of the boundary treatment for the written agreement of the Planning Authority.

Reason: In the interest of visual amenity and the proper planning and development of the area.

7. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;
- (b) Location of areas for construction site offices and staff facilities;
- (c) Details of site security fencing and hoardings;
- (d) Details of on-site car parking facilities for site workers during the course of construction;
- (e) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) Measures to obviate queuing of construction traffic on the adjoining road network;
- (g) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

- (i) Provision of parking for existing properties during the construction period;
- (j) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (k) Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (l) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil;
- (m) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.
- (n) A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be available for inspection by the planning authority;

Reason: In the interest of amenities, public health and safety and environmental protection

8. The internal road network serving the proposed development including turning bays, junctions, parking areas, footpaths, and kerbs shall comply with the detailed construction standards of the planning authority for such works and design standards outlined in Design Manual for Urban Roads and Streets (DMURS).

Reason: In the interest of amenity and of traffic and pedestrian safety.

9. Public lighting shall be provided in accordance with a scheme which shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. Such lighting shall be provided prior to making available for occupation of any residential unit.

Reason: In the interests of amenity and public safety.

10. The landscaping scheme shown on drawing number 01-Rev 3, as submitted to the planning authority on the 1st day of April, 2026 shall be carried out within the first planting season following substantial completion of external construction works.

- (i) A tree protection plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.
- (ii) All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of residential and visual amenity.

11. Proposals for an estate/street name, house/apartment numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, all estate and street signs, and house/apartment numbers, shall be provided in accordance with the agreed scheme. The proposed name shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name.

Reason: In the interest of urban legibility and to ensure the use of locally appropriate placenames for new residential areas.

12. 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. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

13. All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

14.

(a) A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

(b) This plan shall provide for screened communal bin stores, the locations and designs of which shall be included in the details to be submitted.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

15. Prior to commencement of development, a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) shall be prepared and submitted to the planning authority for written agreement. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.

Reason: In the interest of reducing waste and encouraging recycling.

16. All of the car parking spaces serving the residential units shall be provided with electronic connections to allow for the provision of future electronic vehicle charging points. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with the planning authority prior to commencement of development.

Reason: In the interest of sustainable transportation.

17. Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Coimisiún Pleanála for determination.

Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

18.

- (a) Prior to the commencement of the development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house or duplex unit), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant residential units permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of

social and/or affordable housing, including cost rental housing.

(b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each of the residential units for use by individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing.

(c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit.

Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.

19. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

20. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company or such other security as may be accepted in writing by the planning authority, to secure the protection of the trees on site and to make good any damage caused during the construction period, coupled with an agreement empowering the planning authority to apply such security, or part thereof, to the satisfactory protection of any tree or trees on the site or the replacement of any such trees which die, are removed or become seriously damaged or diseased within a period of [three]

years from the substantial completion of the development with others of similar size and species. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To secure the protection of trees on the site.

21. The developer shall lodge to Dún Laoghaire Rathdown County Council the total sum of €202,500.00 ($€7,500,000 \times 0.027$) as a contribution in lieu of not providing the 15% public open space requirement.

Reason: It is considered reasonable that the payment of a contribution be required in respect of the provision of the Community & Parks facilities & Recreational amenities benefiting development in the area of the Planning Authority and that is provided, or that is intended will be provided, by or on behalf of the Local Authority.

22. The developer shall pay to the planning authority a financial contribution of € 52,625.39 (fifty two thousand six hundred and twenty five euro and thirty nine cent) in respect of the extension of Luas Line B1 – Sandyford to Cherrywood in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

23. 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.

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

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

Siobhan Carroll
Planning Inspector

14th of August 2026

Appendix 1: Form 1 EIA Pre-Screening

Case Reference	PL 501375-DR-26
Proposed Development Summary	Residential development of four houses and two duplex apartments with associated works.
Development Address	0.18 Ha site at & including part of Kilgobbin Road, Dublin 18 bounded by Rath Na nGall, Sans Souci, The Rectory development (D24A/0600/WEB).
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?	☒ Yes, it is a 'Project'. Proceed to Q.2.
	☐ 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)?	
☐ 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	
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?	
☐ 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)	Class 10(b)(i), Schedule 5 Part 2 EIA is mandatory for developments comprising over 500 dwelling units or urban development over 10 hectares in size or 2 hectares if the site is regarded as being within a business district. The proposal is significantly below this threshold being 6 no. residential units and the site has an area of 0.18 hectares which is sub threshold.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	Screening Determination required (Complete Form 3)
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ **Date:** _____

Appendix 2: Form 2 - EIA Preliminary Examination

Case Reference	PL 501375-DR-26
Proposed Development Summary	Residential development of four houses and two duplex apartments with associated works.
Development Address	0.18 Ha site at & including part of Kilgobbin Road, Dublin 18 bounded by Rath Na nGall, Sans Souci, The Rectory development (D24A/0600/WEB).
This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/ proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	The development has a modest footprint, comes forward as a standalone project. It does require demolition of the existing derelict dwelling on the site. It does not require the use of substantial natural resources or give rise to significant risk of pollution or nuisance. The development, by virtue of its type, does not pose a risk of major accident and/or disaster, or is vulnerable to climate change. It presents no risks to human health.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural	The development is removed from sensitive natural habitats, centres of population and designated sites and landscapes of identified significance in the County Development Plan. There are no protected species/habitats on site.

resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	Having regard to the modest nature of the proposed development, its location removed from sensitive habitats/features, likely limited magnitude and spatial extent of effects, and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion	
Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.

There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)