



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321103-24

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|-------------------------------------|--|
| <b>Development</b>                  | Subdivision of the existing dwelling to provide a new part two-storey/part single-storey dwelling to the side and rear of the original dwelling and all ancillary works. |
| <b>Location</b>                     | 9 Woodfarm Drive, Palmerstown, Dublin 20, D20 W928.  |
| <b>Planning Authority</b>           | South Dublin County Council  |
| <b>Planning Authority Reg. Ref.</b> | SD24A/0199W  |
| <b>Applicant(s)</b>                 | Elizabeth Mahon  |
| <b>Type of Application</b>          | Permission   |
| <b>Planning Authority Decision</b>  | Refuse Permission  |
| <b>Type of Appeal</b>               | First Party  |
| <b>Appellant(s)</b>                 | Elizabeth Mahon  |
| <b>Observer(s)</b>                  | None   |
| <b>Date of Site Inspection</b>      | 17 <sup>th</sup> January 2025  |
| <b>Inspector</b>                    | Aoife McCarthy   |

## **1.0 Site Location and Description**

- 1.1. The subject site has a stated area of 0.579 Ha and is located at 9 Woodfarm Drive, Palmerstown, Dublin 20.
- 1.2. The streetscape of Woodfarm Drive and Turret Road (to the north of the site) is characterised by terraces of semi-detached and terraced two storey dwellings, generally with off street parking to the front and gardens to the rear.
- 1.3. The site is accessed from Woodfarm Drive which connects with Turret Road to the north. St. Brigid's National School (NS) is located to the east of Woodfarm Drive with access from Turret Road. The wider area is primarily residential in character with intermittent educational uses.
- 1.4. The site accommodates 1 No. 2 storey 3 bed semi-detached dwelling (No. 9) with storage at attic level. The property includes a side extension at ground and first floor levels on the northern side, (No. 9a) primarily in residential use with office use at ground floor level. The site also accommodates a shed within the rear garden.
- 1.5. The site has a rectangular configuration (c.66.5m in length by c.9.25m in width) across the front (eastern) boundary. The western site boundary is defined by a boundary wall. A vehicular laneway extends from a position to the north of No. 1 Woodfarm Drive to a position to the immediate south of No. 19 Woodfarm Drive, providing a through route around the rear boundaries of these properties. The site is not served by an access to the rear of this property.
- 1.6. The site is within 8km to the southwest of Dublin city centre and c2.2km to the south-east of the Junction 7 of the M50 motorway.

## **2.0 Proposed Development**

- 2.1. The proposed development consists of the subdivision of the existing dwelling and site to provide an additional 2 to 1 storey 2 bed terraced dwelling (c.132m<sup>2</sup> Gross Floor Area (GFA)), to the north and west (rear) of the existing unit (No. 9), with a single storey garage structure with garden room (95.6m<sup>2</sup> GFA) within the rear garden.

- 2.2. The works include a new vehicular access to Woodfarm Drive and from the laneway to the western end of the site. The application includes all ancillary site works.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

- 3.1.1. The Planning Authority issued a Decision to Refuse Permission for the proposed development on the 14<sup>th</sup> October 2024, for two reasons, as summarised below:

1. Having regard to the RES zoning objective which applies to the site, the proposed subdivision of the site, dwelling and garage/garden room building would be at variance with the established character and pattern of development in the area. The proposal would be injurious to the residential amenities of prospective occupants and to the amenities of property in the vicinity.
2. The proposed development would set an undesirable precedent for development of this type in the area.

#### **3.2. Planning Authority Reports**

##### **3.2.1. Planning Report (14<sup>th</sup> October 2024)**

- The South Dublin County Planning Report forms the basis of the decision.
- The report includes a detailed summary of planning history relating to the site and environs.
- The report includes detailed summary of relevant planning policy context including within the *South Dublin County Development Plan 2022-2028* (the Development Plan).
- The proposed development is permitted in principle under the 'RES' zoning objective which applies to the site, subject to compliance with relevant provisions in the Development Plan, including Section 12.6.8 'Residential Consolidation'.
- Having regard to the narrow depth of the dwelling, the proposal is considered to constitute a 'cramped' form of development and would be out of character with the pattern and character of development in the wider area.

- Permission should be refused as both entrances to Woodfarm Drive would be 3m in width; and that insufficient information has been provided to justify the proposed additional access to the rear of the site, notwithstanding the recommendation of the Roads Department.
- The Report concludes that having regard to the provisions of the Plan with respect to infill development, dwelling sub-division and backland development, planning precedent on site, and impact of the proposed development on the established pattern and character of the area, that permission should be refused in this instance.
- The proposed is acceptable in terms of Screening for Appropriate Assessment (AA) and for Environmental Impact Assessment (EIAR).
- The site does not lie within Flood Risk Zone A or B. The report recommends the inclusion of a condition in the event of a grant permission, to accord with Policy G14 Sustainable Drainage Systems and section 12.11.1: Water Management.
- The applicant has submitted a Confirmation of Feasibility from Uisce Éireann with the application. The report recommends the inclusion of a condition in relation to connection agreements and Uisce Éireann in the event of a grant of permission.

### 3.2.2. Other Technical Reports

- **Roads Department (3<sup>rd</sup> September 2024):** No objection subject to 2 no. conditions;
  1. The vehicular access shall be limited to a width of 3.5m for both permitted and proposed accesses.
  2. The application to submit details of discussions with public realm in resolving tree conflict in tree conflict with access point.

### 3.3. Prescribed Bodies

3.3.1. None.

### 3.4. Third Party Observations

3.4.1. None.

## 4.0 Planning History

### 4.1. Subject Site

- 4.1.1. **P.A. Reg. Ref.: SD25B/0006W** – An application has been lodged on the 7<sup>th</sup> January 2025 for permission for a single storey garden room and store to the rear of existing 2 storey terraced dwelling, including all associated ancillary site development works. A decision is due on this application by the 3<sup>rd</sup> March 2025.
- 4.1.2. **P.A. Reg. Ref.: SD03B/0307** – Permission granted in September 2003 for extension at ground and first floor levels to provide new family flat, including conversion of attic for storage and roof lights to front and rear.
- 4.1.3. **P.A. Reg. Ref.: S01A/0554** – Permission refused in October 2001 for the demolition of an existing flat roof side extension and provision of two-storey house to rear of site, with additional gate and driveway to front boundary.
- 4.1.4. **P.A. Reg. Ref.: S00A/0613; ABP Ref.: PL06S.122193:** – Permission refused by SDCC in October 2000 and subsequently by An Bord Pleanála in June 2001 for the demolition of an existing flat roof side extension and provision of a two-storey mews house to the rear of site, with additional gate and driveway to front boundary.
- 4.1.5. The reasons of refusal relate to the proposed backland development, with associated rear garden parking, provision of a narrow vehicular access between two existing houses, would conflict with the established pattern and character of development in the area and would be contrary to the provisions of Paragraph 3.4.12 of the *1998 South Dublin County Development Plan*. The proposed development would, seriously injure the amenities of the area and of adjacent property and set an undesirable precedent for similar development in the vicinity.
- 4.1.6. The application was also refused as it was considered that the proposed dwelling fronting onto a lane which forms part of a substandard network, would set an undesirable precedent for further mews lane housing in the absence of a comprehensive plan for upgrading this lane network.
- 4.1.7. **P.A. Reg. Ref.: S00B/0108** – Permission granted in June 2000 for retention of porch to front entrance, provision of extension works including additional bedroom to side of property with covered side passage, external WC, kitchen extension, conservatory and 2 no. garden sheds.

4.1.8. **P.A. Reg. Ref.: S00A/0123** – Permission refused in April 2000 for provision of a two-storey detached mews dwelling with studio/ workshop to rear of site including 2 no. off-street car parking spaces to rear.

4.1.9. The proposed development was refused for 3 no. reasons. Two of these related to proposed use of a network of lanes which were considered to constitute a substandard road network. The Planning Authority also considered that the proposal would establish an undesirable precedent for the further development of mews lane housing proposals utilising this network of substandard lanes.

#### 4.2. **Relevant Planning History in the Wider Area**

4.2.1. The following relevant planning history within the immediate environs of the site are noted:

4.2.2. **P.A. Reg. Ref.:SD24A/0159W** – 59 Turret Road, Palmerstown: Permission granted in November 2024 for the construction of a two storey three-bedroom semi-detached dwelling to the side of the existing dwelling including new rear access to the new and existing dwellings from existing northern boundary wall, off street parking and all ancillary works.

4.2.3. **P.A. Reg. Ref.:SD22B/0030** – 7 Woodfarm Drive, Palmerstown: Permission granted in July 2022 for retention of garage and extension to rear and construction of a front porch and extension to garage; first floor extension over existing garage with dormer windows to front, and conversion of garage to granny flat.

4.2.4. **P.A. Reg. Ref.: SD18A/0245; ABP Ref. PL06S.302657**– 24 Glenpark Close, Palmerstown - Permission refused by SDCC in August 2018 and subsequently granted by An Bord Pleanála in December 2018 for the construction of a single storey detached two bed dwelling, with off street parking and all associated site works.

4.2.5. **P.A. Reg. Ref.: SD06A/0855; ABP PL 06S.221212** – 37 Palmerstown Avenue, Palmerstown – Permission refused by SDCC in December 2006 and subsequently by An Bord Pleanála in May 2007, for works including the construction of 2-3 storey detached three bed end of terrace house to the side of the existing terraced house.

## 5.0 Policy and Context

### 5.1. Project Ireland 2040 National Planning Framework (NPF)

- 5.1.1. The first National Strategic Outcome expected of the National Planning Framework is compact growth. Effective densities and consolidation of urban areas is required to minimise urban sprawl and is a top priority. Relevant provisions of the NPF include the following:
- 5.1.2. **National Policy Objective 3a** - Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.
- 5.1.3. **National Policy Objective 35** -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 and increased building heights.

### 5.2. Sustainable Residential and Compact Settlement Guidelines for Planning Authorities, 2024

- 5.3. The Sustainable Residential and Compact Settlement Guidelines for Planning Authorities, 2024 (the Compact Settlement Guidelines) set out national planning policy and guidance in relation to the creation of settlements that are compact, attractive, liveable and well designed. There is a focus on the renewal of settlements and on the interaction between residential density, housing standards and placemaking to support the sustainable and compact growth of settlements.
- 5.3.1. Development standards for housing are set out in Chapter 5, including SPPR 1 in relation to separation distances (16m between opposing windows serving habitable rooms above ground floor level), SPPR 2 in relation to private open space (2-bed 30m<sup>2</sup>; 3 bed 40 m<sup>2</sup>), SPPR 3 in relation to car parking (1.5 spaces per dwelling in accessible locations) and SPPR 4 in relation to cycle parking and storage.
- 5.4. **Delivering Homes, Sustaining Communities and accompanying best Practice Guidelines – Quality Housing for Sustainable Communities, 2007**
- 5.4.1. The purpose of these Guidelines is to assist in achieving the objectives for delivering homes, sustaining communities contained in the Government statement on housing policy which focuses on creating sustainable communities that are socially inclusive.

5.4.2. Development standards for housing are set out in Table 5.1 and include target overall gross floor area (70m<sup>2</sup>); minimum area requirements for main living room (13m<sup>2</sup>), aggregate living area (28m<sup>2</sup>), aggregate bedroom area (20 m<sup>2</sup>) internal storage (3m<sup>2</sup>) for a 2 bed/3 person 2 storey dwelling.

5.4.3. Table 5.1 specifies an overall gross floor area (92m<sup>2</sup>); min. space requirements for main living room (13m<sup>2</sup>), aggregate living area (34m<sup>2</sup>), aggregate bedroom area (32m<sup>2</sup>), internal storage (5m<sup>2</sup>) for 3 bed/5 person 2 dwelling.

#### 5.5. **Section 28 Guidelines**

5.5.1. The following section 28 Ministerial Guidelines have also been considered in this assessment;

- The Planning System and Flood Risk Management, Guidelines for Planning Authorities, 2009 (Flood Risk Guidelines).
- Sustainable Residential Development in Urban Areas, Guidelines for Planning Authorities, 2009, the accompanying Urban Design Manual: A Best Practice Guide, 2009 (Sustainable Residential Development Guidelines).

#### 5.6. **South Dublin County Development Plan 2022-2028**

5.6.1. The South Dublin County Development Plan 2022-2028 (the Development Plan) is the relevant development plan for this proposal.

#### 5.7. **Land Use Zoning**

5.7.1. The site is subject to land use zoning “Existing Residential (RES)” which has the objective “to protect and/or improve residential amenity”.

#### 5.1. **Development Plan – Quality of Residential Development**

5.1.1. The CDP includes the following relevant policies and objectives:

**Policy H10: Internal Residential Accommodation:** Ensure that all new housing provides a high standard of accommodation that is flexible and adaptable, to meet the long-term needs of a variety of household types and sizes.

**H10 Objective 2:** To support the design of adaptable residential unit layouts that can accommodate the changing needs of occupants, through extension or remodelling subject to the protection of residential amenity.



**Policy H11: Privacy and Security:** Promote a high standard of privacy and security for existing and proposed dwellings through the design and layout of housing.

**Policy H11 Objective 3:** To ensure that private open spaces, where it consists of gardens, are enclosed within perimeter blocks behind the building line and that they are subdivided by suitably robust boundary treatments of a sufficient height and composition to provide adequate privacy and security. In limited circumstances, some discretion may be provided for where the configuration of the space can provide for private and secure space, to a high quality, elsewhere on the site than behind the building line.

## 5.2. **Development Plan – Residential Consolidation in Urban Areas**

5.2.1. The CDP includes the following relevant policies and objectives:

**Policy H13: Residential Consolidation:** Promote and support residential consolidation and sustainable intensification at appropriate locations, to support ongoing viability of social and physical infrastructure and services and meet the future housing needs of the County.

**H13 Objective 2:** To maintain and consolidate the County's existing housing stock through the consideration of applications for housing subdivision, backland development and infill development on large sites in established areas, subject to appropriate safeguards and standards identified in Chapter 12: Implementation and Monitoring.

**H13 Objective 5:** To ensure that new development in established areas does not unduly impact on the amenities or character of an area.

**H13 Objective 6:** To support the subdivision of houses in suburban areas that are characterised by exceptionally large houses on relatively extensive sites where population levels are generally falling and which are well served by public transport, subject to the protection of existing residential amenity.

### **Infill Sites**

5.2.2. Development on Infill Sites will be assessed by a range of policies including the following:

- Be guided by the Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities DEHLG, 2009 and the companion Urban Design Manual;
- Significant site features, such as boundary treatments, pillars, gateways, and vegetation should be retained, in so far as possible, but not to the detriment of providing an active interface with the street;
- Subject to appropriate safeguards to protect residential amenity, reduced public open space and car parking standards may be considered for infill development, dwelling sub-division, or where the development is intended for a specific group such as older people or students. Public open space provision will be examined in the context of the quality and quantum of private open space and the proximity of a public park. Courtyard type development for independent living in relation to housing for older people is promoted at appropriate locations. Car parking will be examined in the context of public transport provision and the proximity of services and facilities, such as shops;
- All residential consolidation proposals shall be guided by the quantitative performance approaches and recommendations under the '*Site Layout Planning for Daylight and Sunlight*' (2nd edition): A Guidelines to Good Practice (BRE 2011) and BS 8206-2: 2008 – '*Lighting for Buildings – Part 2: Code of Practice for Daylighting*' and / or any updated guidance.
- It should be ensured that residential amenity is not adversely impacted as a result of the proposed development.

### **Backland Development**

5.2.3. The design of development on back land sites should meet the criteria for infill development in addition to the following criteria:

- Avoid piecemeal development that adversely impacts on the character of the area and the established pattern of development in the area;
- Appropriate standards for Daylight and Sunlight as referenced above;
- Access for pedestrians and vehicles should be clearly legible and, where appropriate, promote mid-block connectivity.

### **Dwelling Sub-Division and Upper Floors**

- Dwelling sub-division and 'over the shop' accommodation should accord with the relevant guidelines and standards contained in this Development Plan relating to apartments and contribute positively to the established character and amenities of the area.
- A separate, distinctive point of entry with an identifiable address should also be provided. Dwelling sub-divisions should preserve the established character and amenities of the area.
- At the discretion of the Planning Authority and subject to appropriate safeguards to protect residential amenity, reduced internal space, open space and car parking standards may be considered in exceptional circumstances for dwelling subdivisions or 'over the shop' accommodation, subject to compensating amenity features that maintain the residential amenities of the development and / or the area.

### **5.3. Development Plan – Residential Standards**

- 5.3.1. The section of the Plan includes design standards relating to Residential Consolidation relating to infill sites, backland development, dwelling sub-division and upper floors.
- 5.3.2. Section 12.6.7 sets out that all new housing must comply with or exceed the minimum floor area standards contained in the Quality Housing for Sustainable Communities Guidelines, DEHLG (2007), or as may be superseded, by housing standards as set in this section of the Development Plan.
- 5.3.3. The Plan includes a target of 92m<sup>2</sup> GFA and 60m<sup>2</sup> of private open space for 3 bed houses. The Plan also specifies a target of 1.5 car parking spaces for 3 bed houses within Zone 2.
- 5.3.4. With respect to extensions, the Plan sets out that design of extensions should have regard to the permitted pattern of development in the immediate area, alongside the South Dublin County Council House Extension Guide (2010).

### **5.4. South Dublin County Council Housing Extension Design Guide (2010)**

- 5.4.1. These guidelines provide design guidance on housing extensions.

## **5.5. Natural Heritage Designations**

- 5.5.1. The closest site to the subject site is the Liffey Valley pNHA (Site Code: 000128) located c.442m to the southeast of the subject site.
- 5.5.2. The closest European site to the subject site is the Rye Water Valley SAC (Site Code: 001398) located 9.5km to the west.

## **5.6. EIA Screening**

- 5.6.1. Having regard to the nature, size and location of the proposed development, and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, or EIA determination, therefore, is not required. (Forms 1 and 2, Appendix 1 refer).

## **6.0 The Appeal**

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

- 6.1.1. A first party appeal has been lodged by and on behalf of the Applicant, which includes the letter of application as issued to South Dublin County Council on behalf of the Applicant, dated 19<sup>th</sup> August 2024. The grounds of the appeal can be summarised as follows:

- The proposal will provide 2 no. sites from a large, underutilised serviced site.
- The development accords with County Development Plan policies H13 (relating to residential consolidation) objectives 1,2, 3, 5 and 6.
- The proposed garage/garden room is not essential to the family's accommodation requirements and the appellant would welcome the reduction in scale or its omission, by way of condition.
- A shortfall in social space by 1m<sup>2</sup> within the rear dwelling could be addressed through redesign, taking account of an oversupply of private open space requirements of the Development Plan in the form of a rear garden.
- The rooms within the proposed dwelling are considered to be functional, comfortable and spacious, rather than 'cramped', as described by the planning authority.

- The proposed development is considered to set a positive precedent with respect to the provision of housing within rear gardens in established residential areas.
- The proposed boundary wall to the rear and north of the existing dwelling could be reduced from 2.9m to 2.5m. This wall at 2.9m is considered no higher than a standard garden shed.

## **6.2. Planning Authority Response**

- 6.2.1. The Planning Authority sets out that the issues raised in the first party appeal have been addressed in the Chief Executive Order, refusing permission for the proposed development.

## **6.3. Observations**

- 6.3.1. None.

## **6.4. Further Responses**

- 6.4.1. None received.

## **7.0 Assessment**

7.1. Having examined the application details and all other documentation on file, including the report of the local authority, having inspected the site and having regard to the relevant local and national policies and guidance, I consider the main considerations relating to the appeal in this case are:

- Principle of Development
- Compliance with Development Plan
- Vehicular Access

### **7.2. Principle of Development**

7.2.1. The proposed development seeks permission for the subdivision of a site and dwelling, and provision of an additional 2 and 2 storey terraced 2 bed dwelling, as a side extension to the existing dwelling on site. I note that the site is located on lands which are subject to 'Existing Residential (RES)' under the Development Plan, the objective of which is "to protect and/or improve residential amenity". Residential use is a use which is Permitted in Principle under this zoning objective.

7.2.2. Having regard to the pattern of development and the applicable zoning designation, I am satisfied that the principle of an additional dwelling is acceptable at this location. The matter which needs to be ascertained is whether the proposed development is acceptable on the subject site, having regard to the design and layout, access, impact on amenities of adjoining residents, and the sustainable planning and development of the area. The following section has had regard to these assessment considerations, with reference to the South Dublin Development Plan 2022-2028.

### **7.3. Compliance with Development Plan**

7.3.1. As set out above, the proposed development includes the subdivision of a dwelling and the wider site, the principle of which, in my view, is supported by Policy H13, H13 Objectives 2 and 6 of the Development Plan.

7.3.2. The proposed development relates to the provision of an adaptable two and single storey dwelling within an established residential estate. Proposed House B has been designed to meet the future anticipated housing needs of the applicant. The unit includes standard bedroom accommodation which meets the design standards of the

Delivering Homes, Sustaining Communities and accompanying best Practice Guidelines – Quality Housing for Sustainable Communities, 2007, and, in this context, remains potentially adaptable to alternate residential housing need requirements in the future. In my view, the proposed development is therefore considered to accord with Policy H10 and Objective H2 of the Development Plan (relating to the provision of adaptable residential units).

*Residential Development in Urban Areas*

- 7.3.3. From a review of the drawings, in my view, the proposed development includes components which constitute development within infill and backland sites, the subdivision of a dwelling and an extension to an existing dwelling. I note that the proposed development includes a series of site-specific design considerations as summarised below:
- the retention of existing boundary treatments;
  - compliance with the Compact Settlement Guidelines with respect to private open space and car parking requirements;
  - the provision of a separate point of entry to the additional dwelling.
- 7.3.4. In addition, the proposed development includes modifications to the front elevation, introducing, in my opinion, an acceptable contemporary design, which retains the established rhythm and style of existing elevations including roof profile of House A and the wider terrace.
- 7.3.5. From a review of the drawings and site visit, I consider that by reason of siting, scale and design, the proposal will not result in adverse impacts with respect to overshadowing, ensuring the protection of residential amenity of House A and B and properties within the wider environs of the site. This is with the exception of the proposed garage with garden room to the western end of the site (as discussed below).
- 7.3.6. In this context, the Planner's Report sets out that, having regard to site configuration including the narrow depth at the eastern end of the site, that the proposed development would appear as "a cramped" form of development; and would detract from the symmetry and character of the terrace and would not integrate satisfactorily with the existing pattern of development in the area.

- 7.3.7. Planning precedent as noted within the Planner's Report includes reference to, *inter alia*, larger sites, which can more readily facilitate the provision of additional dwelling(s) within infill/backland sites (P.A. Reg. Ref. SD18A/0245; ABP Ref. PL03S.302657; P.A. Reg. Ref.: SD06A/0855; ABP PL06S.221212 refer.)
- 7.3.8. I note that the proposal includes the redesign of the existing two storey built form fronting to Woodfarm Drive, with a 1m wide glazed corridor linking to the principal area of the house. In my opinion, the configuration of this section of the house, provides an acceptable functional internal layout. Overall, the structure extends beyond the established building line for c.25m. The extension has an upper height of 3.1m on the northern boundary, with a mono pitch roof increasing to 3.9m to the south of the structure. The proposal includes a new northern boundary wall of 2.9m stepping down to 2m to the western end of the site.
- 7.3.9. Overall, whilst the proposed development does not reflect the precise pattern of development within the wider area; in my opinion, the site-specific design measures ensure the provision of a dwelling with acceptable levels of amenity, whilst also generally meeting/exceeding relevant quantitative design standards.
- 7.3.10. With respect to No.11 to the south, the layout includes a setback of 2m at the closest position, increasing to c.6m across the width of the rear garden for House A.
- 7.3.11. Boundary treatments on the southern side of the site (adjacent to No. 7 Woodfarm Drive) are noted at 1.8m would further enhance the amenity of these areas of private open space. Having regard to the above, I am satisfied that the proposed development would not adversely impact the amenities of the adjoining properties to the north and south, by way of overbearing impact, overlooking and overshadowing.
- 7.3.12. The Planner's Report notes that House B would extend, at a height of 2.65m, across the full width of the private amenity space for House A, and at a height of 2.9m for a depth of 4m, along the eastern boundary of this private amenity space; and that this would have an undesirable visual impact on the quality of the amenity space for House A.
- 7.3.13. In this context, I note that this private amenity space exceeds the minimum space requirements within the Sustainable Compact Guidelines and would, in my opinion, provide a well configured south-facing area of private amenity space. I am therefore



satisfied that the proposed private amenity space would be acceptable for the prospective residents.

- 7.3.14. The proposed development consisting of the sub-division of an existing dwelling and the construction of a single storey to the newly erected unit, located on the northern boundary of the site, with a south-facing rear garden, which, in my opinion, successfully maximises the quality of this amenity space for prospective residents of House B.
- 7.3.15. Overall, whilst the commentary of the Council is noted, in my opinion, the layout and design of House B would provide a suitable design proposal, successfully taking account of site-specific considerations. I also consider that that scale and design of the proposal will provide acceptable levels of residential amenity to prospective residents within House A and B, and of the properties within the wider area, subject to conditions as specified below.
- 7.3.16. In conclusion, I therefore consider that the proposed development accords with Policy H10, H10 Objective 2, Policy H11, H11 Objective 3, Policy H13, H13 Objectives 2, 5 and 6.

#### *Quantitative Design Standards*

- 7.3.17. From a review of the application, I note that House B generally meets or exceeds standards as specified within the Quality Housing for Sustainable Communities Guidelines (2007) and the Development Plan. In this context, the aggregate living area falls below the 28m<sup>2</sup> standard, by 1m<sup>2</sup>. In my opinion, this is marginal provision below this standard, and acceptable in this instance, having regard to, *inter alia*, Policy H13 of the Development Plan, which allows for reduction in standards when assessing the subdivision of a dwelling.
- 7.3.18. House A also accords in full with the quantitative standards within the 2007 Guidelines and the Development Plan.
- 7.3.19. In addition, both units exceed the requirements for private open space provision (30m<sup>2</sup> for a 2 bed and 40m<sup>2</sup> for a 3-bed house) as prescribed within the Compact Settlement Guidelines, noting that these SPPRs take precedence over the corresponding standards within the Development Plan. In conclusion, I am satisfied that both dwellings accord in full with the relevant quantitative design standards.

## **Garage with Garden Room**

- 7.3.20. The proposed development includes a garage with garden room (95.6m<sup>2</sup> GFA), at the western end of the site, with direct pedestrian and vehicular accesses to the laneway. The structure extends across the full width of the property, and has a mono pitch roof, with a max height of 5m, adjacent to the laneway.
- 7.3.21. In my view, this structure is excessive in size and scale, specifically, having regard to the pattern of development adjacent to the laneway. The first party appeal sets out that structure is not critical to the housing needs of the Applicant and would welcome it's reduction in scale or omission. The structure is primarily for car storage purposes, with a small garden room opening to the rear garden of House A.
- 7.3.22. There are in addition, issues with the proposal to utilise this rear laneway relating to sightlines, as discussed below. In this context, I therefore recommend that, in the event that the Board decide to grant permission for the proposed development, a condition of permission is attached requiring the omission of this structure.

## **7.4. Access and Car Parking**

- 7.4.1. The application includes the subdivision of the existing driveway to Woodfarm Drive, to provide separate vehicular access to the additional property. From a review of the drawings, in my opinion, these accesses provide adequate sightlines to facilitate safe entry and exit from the properties.
- 7.4.2. As noted above, the Roads Department sets out that the proposed vehicular accesses to Woodfarm Drive should be limited to a maximum of 3.5m, noting the proposed vehicular accesses at dimensions of 3.693m (House A) and 3m (House B) in width. From a review of the file, I note that whilst the existing entrance is 3.693m in width, both proposed accesses would be 3m wide.
- 7.4.3. Notably, the Planner's Report infers that both proposed accesses at 3m in width, contributes to the reason for refusal of permission for the proposed development, without elaborating specifically as to the rationale for this conclusion. In this context, the report of the Roads Department considers the width of the access to House A at 3m to be acceptable in principle. I therefore consider that, the provision of both accesses at 3m, to also be acceptable with respect to visibility entering and exiting this specific site. In this context, in the event that the Board decide to grant

permission for the subject proposal, I recommend the inclusion of a condition limiting the width of the access to no less than 3.0m and no greater than 3.5m, for clarity.

- 7.4.4. As discussed below, I consider the scale of the proposed garage with garden room to the rear of the site, to be excessive in scale in this instance; and therefore, I am excluding the associated car parking from this assessment. The proposed development includes 3 no. car parking spaces within the reconfigured off-street parking off Woodfarm Drive, with 2 no. spaces for House A and 1 No. space for House B.
- 7.4.5. Overall, the proposed provision accords with the Sustainable Compact Guidelines of 1.5 spaces per dwelling within Accessible Locations. Notwithstanding, given the small size of House B unit comprising a two-bed dwelling, I am satisfied that this quantum of car parking spaces is acceptable in this instance.
- 7.4.6. As noted within the Roads Department report, there are a number of street trees and public utility poles at the proposed additional access to House B.
- 7.4.7. In this context, the Report recommends that prior to the commencement of development the applicant enter discussions with Public Realm with respect to resolving tree conflict with the access points. I concur with this assessment, and in the event the Board decide to grant permission, also recommend the inclusion of a condition to this effect.
- 7.4.8. The application includes a 4m wide vehicular and pedestrian access to the rear of the property from the adjoining laneway to the west, leading to the proposed garage with garden room structure. In this context, the Roads Department, considers this to be acceptable, on the basis that there is an existing access to the garage at the rear of the property. As noted within the Planner's Report, there is no evidence of a permitted access from this property to this laneway; and as such, the proposal constitutes an additional vehicular access to the rear of the site.
- 7.4.9. Further, the report of the Planning Authority refers to planning precedent which has considered the use of the subject laneway and wider network to constitute the use of a substandard road network (Reg. Refs. S01A/0554, S00A/0613; ABP Ref.: PL06S.122193 and S00A/0123 refer); whilst noting the proposed development does not intend to utilise this as the primary access, but as an additional access to the proposed garage with garden room.

- 7.4.10. The Planner's Report concludes that insufficient information has been supplied to justify the provision of this access to the rear of the structure, and that permission should be refused on this basis. I disagree with this conclusion.
- 7.4.11. I note that the planning applications on site, which have been refused permission as referenced above, all include the provision of a two-storey dwelling adjacent to the laneway, with vehicular access from the laneway and from the front of the property.
- 7.4.12. In my view, the previous applications differ significantly in scale to the subject proposal comprising a two-storey component within the established built form fronting to Woodfarm Drive, reducing to a single storey extension within the rear garden; thereby ensuring the proposed development will not result in adverse residential and visual impacts to the subject site, adjoining properties and wider area.
- 7.4.13. Whilst the application includes a garage within the rear garden for storage purposes, as noted above, I consider that the omission of this structure would significantly enhance the residential amenity of the prospective unit and adjoining properties.
- 7.4.14. In addition, from a review of the Access and Egress drawings as submitted with the application, in my view, sightlines to this laneway, particularly to the east, are excessively angled, their use presenting a traffic hazard in this instance.
- 7.4.15. With respect to the principle of utilising this laneway, whilst the route is not fully upgraded, in my opinion, it is of a sufficient standard to provide secondary access to the rear of this site. This is particularly the case, having regard to the range of policy support at local and national level, supporting the principle of residential consolidation in urban areas.
- 7.4.16. In summary, as noted above, in my opinion, sightlines from this rear access would be restricted, particularly to the east, constituting a potential traffic hazard at this location. In this context, I also consider the omission of the proposed garage within the eastern end of the site, would improve the residential amenity of the proposed and adjoining dwellings. In the event that the Board concur with this position, I recommend the inclusion of a condition requiring the omission of the rear access to this laneway.
- 7.4.17. In conclusion, I am satisfied that, subject to conditions that the proposed development would not give rise to risk to public health by reason of traffic hazard.



## **8.0 AA Screening**

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 (as amended).
- 8.2. The proposed development comprises Permission for the subdivision of an existing dwelling to provide a new part two-storey/part single-storey dwelling to the side and rear of the original dwelling and all ancillary works at 9 Woodfarm Drive, Palmerstown, Dublin 20.
- 8.3. The closest European Site to the subject site is the Rye Water Valley/Carlton SAC, located c.8km to the west.
- 8.4. No nature conservation concerns were raised in the planning appeal.
- 8.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion relates to:
- The limited extent of works forming part of this project, within an established residential development.
  - The distance of the project to the closest European Site.
  - The screening determination as prepared by the local planning authority.
- 8.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

## **9.0 Recommendation**

- 9.1. I recommend that planning permission should be granted, for the reasons and considerations set out below, and subject to the attached conditions.

## 10.0 Reasons and Considerations

Having regard to the site size and configuration, to the nature and scale of the proposed development and pattern of development in the area and provisions of the *South Dublin County Development Plan 2022-2028*, including the 'RES' zoning objective relating to the subject site, Policy Objective H13 (Residential Consolidation in Urban Areas) of the *South Dublin County Development Plan 2022-2028*, it is considered that, subject to the conditions below, the proposed development would not cause adverse impacts on the residential or visual amenities of the area or of property in the vicinity and would not endanger public safety by reason of traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 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 received by the planning authority on the 19<sup>th</sup> August 2024, 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. The proposed development shall be amended as follows:
  - (a) The proposed garage and garden room to be omitted.
  - (b) The proposed entrances (pedestrian and vehicular) to the rear of the property to be omitted from the proposed development.

(c) The entrance aprons shall be dished and widened to the full width of the proposed widened driveway entrances and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense. A Method Statement for the dishing of the entrance to No.9 Woodfarm Drive shall be submitted to the planning authority prior to commencement.

(d) The 2 no. vehicular access points to Woodfarm Drive shall no less than 3m and no greater than 3.5m in width.

(e) Prior to commencement the applicant shall submit details of discussions with Public Realm in resolving Tree conflict with access point.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of orderly development, visual and residential amenity, pedestrian safety and to preserve urban trees.

3. 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.

4. The house shall be used as a single dwelling unit and shall not be subdivided by way of sale or letting (including short-term letting) or otherwise nor shall it be used for any commercial purposes.

**Reason:** In the interest of residential amenity.



5. Front boundary walls shall suitably capped and finished in a material that matches the external finish of the dwellings.

**Reason:** In the interest of residential and visual amenity

6. All public services to the proposed development, including electrical, information and communications technology (ICT) telephone and street lighting cables and equipment shall be located underground throughout the entire site. There shall also be provision for broadband throughout the site in accordance with the Planning Authority's policy and requirements.

**Reason:** In the interest of visual amenities of the area, the proper planning and sustainable development of the area.

7. Drainage arrangements including the attenuation and disposal of surface water, shall comply with the requirements of the relevant Section of the Council for such works and services.

(a) Surface water generated by the development hereby permitted shall be attenuated by way of above-ground SuDs systems.

(b) If above-ground SuDs systems are not feasible, surface water may be infiltrated within the site by means of a soakaway that is certified to BRE Digest 365 standard by a suitably qualified person carrying professional indemnity insurance. If this is not feasible, this must be demonstrated alternative proposals shall be agreed in writing and same implemented thereafter.

(c) Any areas of parking and hardstanding areas shall be constructed in accordance with the recommendations of the Greater Dublin Strategic Drainage Study for sustainable urban drainage systems (SUDS) i.e. permeable surfacing. Where unbound material is proposed for hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

(d) There shall be complete separation of the foul and surface water drainage systems, both in respect of installation and use. Foul and surface water drainage plans showing all manholes shall be submitted for the public record.

(e) Prior to the commencement of development, the applicant or developer shall enter into water and/or wastewater connection agreement(s) with Uisce Éireann.

**Reason:** In the interest of public health and surface water management.

8. The number of the proposed dwelling shall be 9A Woodfarm Dive, and shall be placed on the completed house prior to its occupation in a manner so as to be clearly legible from the public road. In the event that this number already exists no development shall take place under this permission until the applicant, owner or developer has lodged with the Planning Authority;

- (a) a street name and dwelling/unit number plan to resolve any possible conflict and,
- (b) this has been acknowledged as acceptable in writing by the Planning Authority. Following receipt of an acknowledgement of acceptability, the agreed number/name shall be placed on the completed house prior to occupation in a manner so as to be clearly legible from the public road. The applicant is advised that the development number or name should:
  - (i) avoid any duplication within the county;
  - (ii) reflect the local and historical context of the approved development;
  - (iii) comply with Development Plan policy, the guidelines on naming and numbering of the Department of the Environment, Heritage and Local Government,
  - (iv) have regard to the Guidelines issued by the Place Names Commission (An Coimisiún Logainmneacha) and;
  - (v) preferably make exclusive use of the Irish language.

The applicant, owner or developer is advised to consult with Naming and Numbering section of the Planning Authority in advance of lodging the required plan.

**Reason:** In the interests of the proper planning and sustainable development of the area and compliance with the Councils' Development Plan.

9. 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 Bord 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, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

---

Aoife McCarthy  
Planning Inspector

30<sup>th</sup> January 2025



# Form 1

## EIA Pre-Screening

|  |  |  |                |
|--|--|--|----------------|
| <b>An Bord Pleanála</b><br><b>Case Reference</b>   | ABP-321103-24  |  |                |
| <b>Proposed Development Summary</b>  | Subdivision of the existing dwelling to provide a new part two-storey/part single-storey dwelling to the side and rear of the original dwelling and all ancillary works. |  |                |
| <b>Development Address</b>   | 9 Woodfarm Drive, Palmerstown, Dublin 20.  |  |                |
| <b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b><br>(that is involving construction works, demolition, or interventions in the natural surroundings) |  | <b>Yes</b>   | X              |
|  |  | <b>No</b>  |                |
| <b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>  |  |  |                |
| <b>Yes</b>   | X  | Class 10(b)(i)   | Proceed to Q3. |
| <b>No</b>  |  |  |                |
| <b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>  |  |  |                |
| <b>Yes</b>   |  |  |                |
| <b>No</b>  | X  | <ul style="list-style-type: none"> <li>Construction of more than 500 dwelling units</li> </ul> | Proceed to Q4  |

| 4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]? |   |  |   |
|---|---|--|---|
| Yes   | X | Class 10(b)(i) Construction of more than 500 dwelling units. The proposed development includes 1 no. dwelling. | Preliminary examination required (Form 2) |

| 5. Has Schedule 7A information been submitted? |   |  |
|--|---|--|
| No   | X | Pre-screening determination conclusion remains as above (Q1 to Q4) |
| Yes  |   | Screening Determination required                                   |

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

Date: 30<sup>th</sup> January 2025

## Form 2

### EIA Preliminary Examination

|   |  |
|---|--|
| <b>An Bord Pleanála Case Reference</b>  | ABP-321103-24  |
| <b>Proposed Development Summary</b>   | Subdivision of the existing dwelling to provide a new part two-storey/part single-storey dwelling to the side and rear of the original dwelling and all ancillary works.   |
| <b>Development Address</b>  | 9 Woodfarm Drive,<br>Palmerstown, Dublin 20.   |
| <p><b>The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p> |  |
| <p><b>Characteristics of proposed development</b></p> <p>(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).</p>  | <p>The proposed development relates to a single residential unit 1 and 2 storey dwelling within an established residential area. The proposed development will not require extensive use of natural resources during construction phase.</p> <p>The development would include all ancillary drainage works. Waste during the construction and operational phases would be managed by a contractor. No deep exaction works would be required.</p> |
| <p><b>Location of development</b></p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g.</p>   | <p>The site is located within a built up/established area, located within 1km of Palmerstown village and, 1.5km to the west of the M50.</p> <p>The site is not located within or in immediate proximity to any protected areas. The closest European site is Rye Water</p>   |

|  |   |   |
|--|---|---|
| wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).   |   | Valley SAC, located 9.5 km to the west of the site.<br><br>There is no potential for significant ecological impacts as a result of the proposed development.  |
| <b>Types and characteristics of potential impacts</b><br>(Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation). |   | Potential impacts are limited to impacts during the construction phase such as noise, dust and nuisance. These impacts would be short term and the potential impacts would be unlikely to have significant effects on environmental parameters.<br><br>There is no potential for significant effects on the environmental factors as listed in section 171A of the Act. |
| <b>Conclusion</b>  |   |   |
| <b>Likelihood of Significant Effects</b>   | <b>Conclusion in respect of EIA</b>   | <b>Yes or No</b>  |
| There is no real likelihood of significant effects on the environment.   | EIA is not required.  | <b>Yes</b>  |
| 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. | <b>No</b>   |
| There is a real likelihood of significant effects on the environment.  | EIAR required.  | <b>No</b>   |

**Inspector:**

**Date: 30<sup>th</sup> January 2025**

**DP/ADP:** \_\_\_\_\_

**Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)