



An
Bord
Pleanála

Inspector's Report ABP-314562-22

Development

Demolition of structures, internal modification /reconfiguration and refurbishment of and extension to Prospect House and renovation and modification of coach house to provide 1 house, the re-opening of a gap between Prospect House and coach house to provide a gated access. Reconstruction of Gate Lodge to provide for 1 house; The provision of 22 apartments in 1 apartment block over basement comprising car, motor bike and bicycle parking spaces; bin stores, plant and storage rooms; Removal of portion of western boundary wall to provide new vehicular & pedestrian access from Stocking Lane to the new apartment block; all associated site development works.

Location

Lands at Prospect House, a Protected Structure, Stocking Lane, Rathfarnham, Dublin 16, D16 E5D0

Planning Authority	South Dublin County Council
Planning Authority Reg. Ref.	SD22A/0271
Applicant(s)	MSJA Ltd.
Type of Application	Permission.
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellants	MSJA Ltd.
Observers	<ul style="list-style-type: none"> • Alan and Alison McQuinn • Prospect Manor Residents Association • Declan and Adrienne O'Rourke • John and Patricia Brennan • Paul Murphy and Nadine Oppermann.
Date of Site Inspection	4 th August 2023.
Inspector	Lucy Roche

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1.0 Site Location and Description

- 1.1. The subject site with a stated area of 0.5113ha, contains 'Prospect House', a detached house located on its own ground on the eastern side of Stocking Lane (north of the M50), Edmonstown, Co. Dublin. Prospect House is a five bay, two-storey over basement house with the front elevation facing north. The house is located towards the east of the appeal site and appears to be in reasonably good condition. Lands to the immediate west of the house comprise a walled garden. The entrance consists of curved walls/ pillars supporting gates and provides access to a driveway leading to the house, located along the northern boundary of the site. The remains of a gate lodge are located within the site, to the south of the driveway. The site boundary consists of a mix of random rubble and stone walls. A second entrance, to the south of the appeal site serves a yard and agricultural type buildings which appear to form part of the original curtilage of 'Prospect House', however this entrance and the land / structures is serves do not form part of the subject site and are not shown with the landholding. The majority of the subject site consists of the private amenity space associated with the house and extensive tree cover is located throughout the site.
- 1.2. As stated, 'Prospect House' faces north and dominates an area of public open space associated with the Prospect Manor residential development. Prospect Manor is a large residential development characterised by two-storey semi-detached houses and which surrounds the subject site to the north, east and south. The lands along this section of Stocking Lane between Scholarstown Road to the north and the M50 to the south, have undergone much residential development in recent times. The prevailing pattern of development in the area is traditional two-storey houses.
- 1.3. Public transport is provided in the form of Dublin Bus route 15B, with peak frequency of every 10 -15 minutes and off-peak frequency of every 15-20 minutes. This route connects the City Centre and Rathmines with Stocking Avenue. Stocking Lane is a relatively narrow, winding road along this section and a cycle/ pedestrian path is provided to the western side of the road with no such provision on the eastern/ subject site side.

2.0 Proposed Development

2.1. The proposed residential development comprises:

- (a) Demolition of some existing structures on site.
- (b) The internal modification /reconfiguration and refurbishment of and extension to Prospect House (a protected structure RPS 340) and the renovation and modification of its associated coach house to provide for a 4-bed dwelling with associated private open space and car-parking provision.
- (c) The re-opening of a gap between Prospect House and its detached coach house to the rear to provide a gated access into the new communal gardens proposed to the west of Prospect House.
- (d) Reconstruction of the Gate Lodge (in ruins) to provide for a 2-bed, single storey dwelling 63.4sqm with associated private open space and car-parking.
- (e) The provision of 1 apartment block (3-storey plus setback penthouse level) to the western side of Prospect House to provide for 22 residential units (11 one-bedroom units and 11 two-bedroom units) over a single storey basement comprising a total of 25 car parking spaces, 2 motor bike spaces and 40 bicycle parking spaces; The basement will also include associated bin stores, plant and storage rooms.
- (f) Removal of a portion of the western boundary wall to provide a new vehicular & pedestrian access from Stocking Lane to the new apartment block.
- (g) All associated hard & soft landscaping, including the provision of a play area and an ESB sub-station & all associated engineering & site development works necessary to facilitate the development.

2.2. The key site statistics and development details are set out in Table 2.1 below.

Table 2.1: Site Statistics and Development Details:	
Site Area	0.5113ha (as stated) Net Developable Area is estimated at c0.48ha (excluding public road)

No. Of Residential Units	24 including renovated and extended Prospect House and reconstructed Gate Lodge			
Gross Floor Area	Existing	429sqm		
	Proposed	Total	c3,325	
		Apartment Block	c2,820 (c1,880sqm over basement c.940sqm)	
		Prospect House	433.25sqm	
	Gate Lodge	71.4sqm		
Demolition	41sqm			
Housing Mix	Refer to table 2.2 below.			
Density	C50units /ha (based on Net developable area of 0.48ha)			
Plot Ratio	0.30 (as stated)			
Height	Four-storey over basement.			
Duel Aspect	16 units (73% of apartments)			
Parking	Car Parking	29 Spaces Comprising 24 underground spaces and 4 in-curtilage parking for Prospect House and Gate Lodge		
	Motorcycle	2 spaces		
	Cycle Parking	40spaces		
Open Space	Communal	1720sqm (34%)		
Access	New vehicular & pedestrian access from Stocking Lane to the new apartment block. Existing entrance retained for Prospect House and Gate Lodge			

2.3. Table 2.2 below provides detail of the proposed housing mix.

Table 2.2 Housing Mix		
Unit Type	No. of units	%
Houses		
2 bed, house (reconstructed gate lodge)	1	4.2
4 Bed House (renovated and extended Prospect House)	1	4.2
Apartments / Duplex / Triplex Units		
1 bed apartment	11	45.8
2 bed apartments	11	45.8

2.4. The following documents were submitted in support of the application:

- Urban Design Statement - Downey Planning
- Landscape Report – Jane McCorkell – Landscape Architect
- Arboricultural Report – Charles McCorkell – Arboricultural Consultancy
- Appropriate Assessment Screening Report – TOBIN Consulting Engineers
- Archaeological Desktop Assessment – Shanarc Archaeology
- Architectural Heritage Impact Assessment – Historic Building Consultants
- Supporting Planning Statement – Downey Planning
- Engineering Services Report – OCSC
- Verified Views & CGI – 3D Design Bureau
- Daylight and Sunlight Assessment Report - #D Design Bureau
- Planning Stage Acoustic Design Statement – Amplitude Acoustics
- Construction & Demolition Waste Management Plan – OCSC
- Outline Construction Management Plan - OCSC

2.5. The following documents have been submitted in support of the appeal:

- A Bat Assessment of Prospect House, Stocking Lane, Rathfarnham, and an Evaluation for Potential Impact of the Proposed Housing on the Bat Fauna – Brian Keeley (2019)
- Engineering Services Report – OCSC
- Architectural Heritage Input to Appeal – Historic Building Consultants

3.0 Planning Authority Decision

3.1. Decision

Kildare County Council did by Order dated the 8th of August 2022 decide to refuse permission for 11no. reasons, which I have summarised as follows:

1. The proposed development due to its height, mass and design would detract from the Protected Structure, would be an irreparable detriment to the setting and visual integrity of the protected structure and would therefore constitute overdevelopment.
2. The lack of a Conservation Report and deficiencies in the Architectural Impact Assessment Report provided.
3. Works carried out on site without the benefit of planning permission / formal approval.
4. Insufficient and inconsistent information regarding the proposed works at the site of the existing gate lodge (ruinous structure).
5. The proposed development is designed and oriented in such a way that single-aspect north-facing units predominate throughout the apartment block contrary to s.28 guidelines ('Sustainable Urban Housing: Design Standards for New Apartments' (2020))
6. (a) Traffic hazard: Both the proposed and existing access have limited visibility splays and as per SDCC Roads Department the addition of another access near an existing one approximately 8m to the south of the site, would be considered a traffic hazard.

(b) The visual link from the Protected Structure (Prospect House, RPS ref. 340) from Stocking Lane would be lost and the removal of a large section of original boundary wall would completely change the overall character of the site and area. No justification has been provided for the removal of a large section of original boundary wall.

7. Lack of information relating to proposals for natural SUDs features to be used on the site. The applicant has also failed to provide a Green Infrastructure Plan or a Green Space Factor calculation.
8. Adequate ecological impact assessment has not been undertaken, including in particular bat surveys for the site.
9. The applicant has provided inconsistent information relating to open space proposals, such that it is unclear if any publicly accessible open space is proposed to be made available on the site.
10. The applicant has not provided a Green Infrastructure Plan, a Green Space Factor calculation, or an assessment/survey of Invasive Species.
11. The applicant is proposing works outside the red line boundary of the Planning Application and without a letter of consent from the landowners (South Dublin County Council) to make the application. These works consist of the installation of surface water and foul drainage pipes to connect to existing pipes in the Prospect Manor estate to the north-east.

3.2. Planning Authority Reports

3.2.1. Planning Reports

- The report of the Case Planner has regard to the locational context and planning history of the site, to local and national planning policy, and to the third-party submissions and departmental reports received.
- The assessment of Case Planner's reflects the decision to refuse permission. While the principle of residential development is deemed to be acceptable on this site, the development proposed does not appropriately respond to the protected structure or to the residential context and character of the area and would not complement the historic structures and landscape setting within the

site. The proposed development would be contrary to the policies and objectives of the SDCCDP 2022-2028.

3.2.2. Other Technical Reports

Architectural Conservation:	Requests Additional Information.
Environmental Services:	Requests Additional Information.
Heritage Officer:	Requests Additional Information re the ecology of the site
Housing:	No objection, subject to conditions.
Roads:	Requests Additional Information.
Public Lighting:	No objection, subject to conditions.
Public Realm:	Requests Additional Information.
Waste Management:	No objection, subject to conditions.
Environmental Health:	No objection, subject to conditions.
Water Services:	Requests additional information re: surface water. No issues raised in relation to flood risk.

3.3. Prescribed Bodies

Uisce Eireann:	Requests Additional Information – letter of feasibility.
An Taisce:	Object to application citing previous decisions to refuse permission on the basis of overshadowing of protected structure by the bulk of the adjoining four storey apartment block, its dominant height in a two-storey housing area and the demolition of part of the road boundary wall for a new entrance. These reasons still apply to current application.

3.4. **Third Party Observations:**

The planning authority received a number of third-party submissions during the course of their determination of the application. a summary of the issues raised in set out in the report of the Planning Authority's case planner. The primary issues raised in the submissions are similar those raised in the observations to this appeal which are summarised in Section 8.3 of this report.

4.0 **Planning History**

5.0 **P.A. Ref. SD19A/0312/ ABP Ref. 306282 - 19** refers to a November 2020 decision to refuse permission for internal modifications/ reconfiguration, refurbishments, and extension to provide for 29 apartments on lands at Prospect House, Stocking Lane, Rathfarnham, Dublin 16. The following reasons for refusal were issued:

1. Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural heritage interest which is listed as a Protected Structure in the South Dublin County Development Plan 2016-2022, it is considered that the proposed development, by reason of its overall layout, and its scale, height, massing and design, together with the extensive removal of the front boundary wall along Stocking Lane, would be out of scale with its surroundings, would represent an overdevelopment of the site, would dominate and seriously detract from the architectural character and setting of 'Prospect House', a protected structure with RPS Number 340 referring and of the streetscape generally. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would be contrary to the requirements of HCL Policy 3 Protected Structures of the South Dublin County Development Plan 2016-2022, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the prominent location of the site, to the established built form and character of Stocking Lane and to the existing buildings and boundary walls of Prospect House, protected structure, on the site which are considered to be

of importance to the streetscape, it is considered that the proposed development would be incongruous by reason of its design, bulk and fenestration, which would be out of character with the streetscape and would set an undesirable precedent for further inappropriate development in the vicinity of the site. The design is not considered to justify the demolition of the existing boundary walls of the site and the removal of the gardens in their entirety, which comprise elements of the curtilage of Prospect House, a protected structure. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3. The proposed development, by reason of its inadequate qualitative and quantitative provision of public/communal open space and lack of designated children's play area, would conflict with the provisions of the South Dublin County Development Plan 2016-2022, for the area and with the minimum standards recommended in the "Sustainable Residential Development in Urban Areas: Guidelines for Planning Authorities" published by the Department of the Environment, Heritage and Local Government in 2009 and would constitute an excessive density of development on this site. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4. The results of the 'M50 Motorway Noise Assessment' prepared by Byrne Environmental Consulting Limited, do not demonstrate compliance with Section 11.6.3 (ii) Noise and Policy 7, Environmental Quality of the South Dublin County Development Plan 2016-2022 and Volume 4 of the Dublin Agglomeration Environmental Noise Action Plan 2018– 2023, in that daytime and night time noise levels are outside of the desirable levels expected for residential development. The applicant has not provided sufficient detail as to how sufficient residential amenity is to be provided for future occupants of the proposed units. The proposed development would, therefore, be prejudicial to public health.

6.0 **P.A. Ref. SD18A/0181/ ABP Ref. 302285-18** refers to a March 2019 decision to refuse permission for the construction of 19 units on lands at Prospect House,

Stocking Lane, Rathfarnham, Dublin 16. The following reasons for refusal were issued:

1. Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural interest which is listed as a Protected Structure in the current Development Plan for the area, for which no proposals for its upkeep or maintenance are submitted or proposed, it is considered that the proposed development, by reason of its overall layout, and its scale, height, massing and design, together with the extensive removal of the front boundary wall, would be out of scale with its surroundings, would represent an overdevelopment of the site, would dominate and seriously detract from the architectural character and setting of Prospect House, Protected Structure RPS Number 340, and of the streetscape generally. The proposed development would, therefore, materially and adversely affect the character of this Protected Structure, would be contrary to the requirements of HCL Policy 3 Protected Structures of the South Dublin County Development Plan 2016-2022, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

2. Having regard to the prominent location of the site, to the established built form and character of Stocking Lane and to the existing buildings and boundary walls of Prospect House, protected structure, on the site which are considered to be of importance to the streetscape, it is considered that the proposed development would be incongruous by reason of its design, scale, bulk, fenestration, height and design, which would be out of character with the streetscape and would set an undesirable precedent for further inappropriate development in the vicinity of the site. The design is not considered to justify the demolition of the existing boundary walls of the site, which comprise the curtilage of Prospect House, a protected structure. The proposed development would, therefore, seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.

3. Having regard to the information presented in support of the proposed development, together with the proposed undercroft car park, it is considered that

the proposed development would result in an inappropriate form of development which would preclude access for service vehicles and emergency vehicles. In addition, having regard to the scale of the proposed development and the traffic to be generated by it, together with the proposed layout of the site, it is considered that the additional traffic associated with the proposed development would endanger public safety by reason of traffic hazard and would lead to conflict between road users, that is, vehicular traffic, pedestrians and cyclists.

4. Having regard to the design, bulk and height of the proposed development and its proximity to neighbouring residential properties, it is considered that the proposed development would seriously injure the residential amenities of such neighbouring properties by reason of overlooking and would be overbearing in its context. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

5. The proposed development would not be in compliance with the Sustainable Urban Housing Design Standards for New Apartments Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and local Government in December 2015. The proposed development would, therefore, be contrary to the Ministerial Guidelines issued under section 28 of the Planning and Development Act, 2000, as amended.

7.0 Policy Context

7.1. South Dublin County Development Plan 2022-2028 (SDCDP 2022)

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

Protected Structure:

RPS Ref: 340

Description: House

Road Proposals

Name: Ballyboden Road/Stocking Lane (R115)

Description: Upgrade of existing road

Function: To enhance pedestrian and cycling facilities and exploit the tourist potential of the route

7.1.1. Policies and Objectives:

The Planning Authority Case Officer has listed a long list of policies and objectives from the county development plan that they considered relevant to this development. I note the following as of relevance:

Policy NCBH1: Overarching: - Protect, conserve, and enhance the County's natural, cultural and built heritage, supporting its sensitive integration into the development of the County for the benefit of present and future generations.

Policy NCBH19: Protected Structures: - Conserve and protect buildings, structures and sites contained in the Record of Protected Structures and carefully consider any proposals for development that would affect the setting, special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.

Policy NCBH25: Placemaking and the Historic Built Environment: - Ensure that historic buildings and built environments are sensitively incorporated within development and regeneration schemes, taking advantage of their intrinsic attributes including character, visual amenity, sense of identity and place.

Policy NCBH26: Climate Change, Adaptation and Energy Efficiency in Traditional and Historic Buildings: - Secure the identification, protection and conservation of historic items and features of interest throughout the County including street furniture, boundary walls, surface finishes, roadside installations, items of industrial heritage and other stand-alone features of interest.

Policy GI1: Overarching: - Protect, enhance, and further develop a multifunctional GI network, using an ecosystem services approach, protecting, enhancing, and further developing the identified interconnected network of parks, open spaces, natural features, protected areas, and rivers and streams that provide a shared space for amenity and recreation, biodiversity protection, water quality, flood management and adaptation to climate change.

7.2. National Guidance.

7.2.1. National Planning Framework – Project Ireland 2040

The National Planning Framework (NPF) recommends compact and sustainable towns/ cities and encourages brownfield development and densification of urban sites. Policy objective NPO 35 recommends increasing residential density in settlements.

7.2.2. Sustainable Residential Development in Urban Areas (Cities, Towns & Villages) (DoEHLG, 2009) and its companion, the Urban Design Manual - A Best Practice Guide (DoEHLG, 2009).

These Guidelines promote higher densities in appropriate locations. A number of urban design criteria are set out, for the consideration of planning applications and appeals. Quantitative and qualitative standards for public open space are recommended. Increased densities are to be encouraged on residentially zoned lands, particularly city and town centres, significant 'brownfield' sites within city and town centres, close to public transport corridors, infill development at inner suburban locations, institutional lands and outer suburban/greenfield sites. Higher densities must be accompanied in all cases by high qualitative standards of design and layout.

7.2.3. Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (DoHPLG, 2023).

These guidelines provide for a range of information for apartment developments including detailing minimum room and floor areas.

7.2.4. The following guidance / policy documents are also relevant:

- Architectural Heritage Protection - Guidelines for Planning Authorities (DoAHG, 2011 updated).
- Design Manual for Urban Roads and Streets (DMURS).
- Regional Spatial & Economic Strategy (RSES) 2019 – 2031.

7.3. **National Inventory of Architectural Heritage (NIAH).**

Prospect House is listed in the NIAH (RegNo.11216032 as being of regional importance

Description: Detached five-bay two-storey over basement house, c.1820. Smooth rendered front wall, slate hung to sides and rear. Single-pane timber sash windows. Timber panelled door with flanking side lights and timber surround, all under wide plain fanlight. Approached by flight of steps. Hipped slate roof with two central rendered chimney stacks. Two-storey smooth rendered section to rere. Gateway entrance with small ruinous lodge to west.

Appraisal Although surrounded by modern housing, this handsome Georgian house retains much original fabric including its many outbuildings. The open parkland to the front allows a fuller appreciation of its imposing presence, offering a suggestion of its former dominance in the landscape.

7.4. **Natural Heritage Designations**

The site is not located within any designated site. The closest designated European Site is the Glenasmole Valley SAC (site code 001209) located approximately 6 km to

the southwest. The Dodder Valley pNHA (site code 000991) is located approximately 3km to the west of the site.

7.5. EIA Screening

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, therefore, is not required. (See completed Form 2 - EIA Preliminary Examination on file).

8.0 The Appeal

8.1. Grounds of Appeal

The applicant has engaged the services of Downey Planning to prepare a first party appeal against the decision of South Dublin County Council to refuse permission for the proposed residential development. The grounds of appeal can be summarised as follows:

- The scale of the proposed development and its position, set back from the driveway and behind the frontage of the main house and the choice of material finishes, will provide for a viable development that minimises impact on the character and setting of the protected structure.
- The proposed scheme protects the visual integrity of Prospect House while providing much needed housing.
- The proposed development will restore and reuse the gatehouse and Prospect House as single-family dwellings, with the coach house to be reused as part of the amenity for Prospect House.
- The proposed development is the appropriate scale, massing, and orientation for the site. Appropriate separation distances have been achieved to ensure that there is no direct overlooking onto existing properties. The scheme is compliant with BRE guidelines on sunlight / daylight factor as well as EU and British daylight standards.

- The setting of the apartment block has been carefully selected in order to preserve the view of Prospect House and not obscure its west elevation.
- The building design respects the natural topography and elevation of the site. The proposed building height is of a similar ridge height to that existing units at Prospect View. The proposed development will not dominate existing developments nor the protected structure.
- The proposed development is in line with government policy relating to compact growth.
- The national government is in the process of publishing a new national policy on architecture and guidance relating to protected structures to encourage the use of such properties for repurposing and or refurbishment of residential accommodation.
- In relation to the proposed works on the protected structure, the first-party appellants engaged the services of Rob Goodbody of Historic Building Consultants to expand on the documentation submitted as part of the application.
- Works carried out on the interior of Prospect House, in the form of a fire alarm system, were carried out by others prior to the acquisition of the property by the first party, who had no control over these works. As part of the subject application, it is proposed to return the house to a single dwelling and restore its original form.
- It is proposed to refurbish the gate lodge where possible and to extend it to provide an adequate size for modern dwelling. The Board is invited to refer to Historic Building Consultants document for information on the works.
- The proposed development is fully compliant with the apartment guidelines. The 6no. north facing single aspect units (24% of the overall scheme) face onto high quality open space and pass the Daylight/Sunlight analysis.
- It is considered that the appropriate visibility splays for the entrance have been demonstrated and are achievable in line with the requirements set out in DMURS. The proposed entrance is optimally located to minimize the length of the existing wall which will need to be removed and which has significant

heritage value. The existing entrance is too narrow to accommodate any additional scale of development on site. In order to achieve development on site the only option is to remove a portion of the wall. Perfect

- Submission from OCSC outlines proposals for SuDS measures, anything further can be dealt with by way of condition. In line with green space factor requirements extensive green roof space has been incorporated into the design.
- A bat survey was undertaken as part of a previous application. A bat derogation licence was obtained, and a bat roost was removed. A copy of the survey and derogation licence has been submitted with the appeal. As Prospect House is now occupied it is unlikely that bats are roosting within the house.
- In respect of open space, as detailed in the submission from Jane McCorkell Landscape, the proposal does not include for the provision of public open space. A contribution in lieu of this provision is expected.
- A Green Infrastructure Plan and Green Space Factor Calculation have been submitted in support of this appeal.
- A letter of consent from South Dublin County Council can be obtained after gaining planning permission.

8.2. Planning Authority Response

None Received

8.3. Observations

Five Observations have been received from residents of the local area (Prospect Manor), namely:

- Prospect Manor Residents Association
- Paul Murphy and Nadine Oppermann
- Alan and Alison McQuinn
- John and Patricia Brennan

- Declan and Adrienne O'Rourke

The issues raised have been grouped and can be summarised as follows:

- The development, due to its height, scale and massing is out of context within its surroundings and would represent overdevelopment of the site.
- Stated density at 41units/ha is misleading. The actual density of the proposed 22no apartments on a site area of 0.277ha is c79units/ha. The proposal is in breach of statutory guidelines which state 35-50 dwellings per hectare.
- The proposal does not comply with zoning objective to protection and/or improve residential amenity.
- Proposed development is taking place on site of a protected structure. The proposed four storey over basement apartment block would dominate and seriously detract from the structures architectural character and setting.
- Proposed apartment block will be taller than the protected structure and will have an overbearing impact on, the protected structure.
- The proposal involves internal modification/ reconfiguration and extension of Prospect House. This endangers the protected structure.
- The proposal will have an overbearing impact on Stocking Lane – a country lane.
- Development design does not take account of natural slope of the land.
- The proposal will have a negative impact on the residential amenity and privacy of adjoining properties by way of overlooking, overbearing / visual intrusion, loss of light / overshadowing, noise and light pollution, odour from bin store. The proposal would result in a reduction in the value of adjoining properties.
- Lack of verified views.
- Proposed development will contribute to existing congestion and traffic safety issues on Stocking Lane
- The proposed entrance is a traffic hazard.
- The area is poorly served by public transport.

- Removal of over 20 trees will have a negative impact on the landscape and on local wildlife / biodiversity. Existing trees should be protected from damage and illegal felling.
- The proposal includes for the laying and the connection of foul and surface water sewers into the existing sewers in the Prospect Manor estate. This will involve the crossing of the existing strategic public water mains and will result in a major risk to the public water supply. It may also result in damage to the main green in Prospect Manor.
- Existing surface water sewers are not designed to cater for surface water runoff from outside the Prospect Manor estate. This proposal will cause significant risk of flooding.
- Negative Impacts during construction – noise, dust, structural damage.
- Lack of local services and amenities.
- The application and documents submitted appear to omit several key details and are misleading in certain aspects that makes understanding the proposed development's structure, appearance and impact on the surrounding area and residents very difficult.
- The application has been submitted and is under consideration without due notice given to the surrounding residents and we have not had sufficient time to consider and review the relevant documents.
- Newspaper notice included with the application is illegible.

9.0 **Assessment**

9.1. **Introduction**

- 9.1.1. Having examined the application details and all other documentation on file and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are those cited in the reasons for refusal. The impact of the proposed development on existing residential amenity, the amenity afforded to future occupants and appropriate assessment also merit consideration. I propose to consider these issues under the following headings:

- Nature and Scale of Development Proposed.
- Impact on Built Heritage
- Impact on the Character and Setting of Prospect House.
- Impact On Residential Amenity
- Amenity – Future Occupants
- Public Open Space
- Access Arrangements
- Drainage and Green Infrastructure
- Other Issues
- Appropriate Assessment

9.1.2. I have noted the history of this site and have had full regard to the fact that 'Prospect House' is a protected structure. I was unable to enter the grounds/ house on the day of the site visit; however, having inspected the area and having reviewed the information / documentation submitted with the application and appeal I am satisfied that I am sufficiently informed regarding the status of 'Prospect House' and the impact it has on its surroundings.

9.2. **Nature and Scale of Development Proposed**

9.2.1. The proposed development is located on lands zoned for residential development (Objective RES) under the South Dublin County Development Plan 2022-2028 (SDCDP 2022). The objective for the RES zoning is to protect and improve residential amenity. Residential is listed as a use class that is permitted in principle within this zoning. The subject site comprises a protected structure and its curtilage. While new development within the curtilage of protected structures is permissible in principle, any such development should not be at the expense of the character / or established setting of the protected structure or, as per the zoning objective, the residential amenity of adjoining properties. These issues shall be considered in more detail later in this report.

9.2.2. In terms of density, the proposal would allow for a total of 24 residential units on a net development area of 0.48ha (estimated), this equates to a net residential density

of c50units / ha, which I consider to be acceptable in this context. Observers note that if taken in isolation, the proposed apartment scheme (the apartment block and its proposed curtilage) would have a density closer to c80units/ha which they consider excessive and contrary to national guidance. In response, I note that national, regional, and local policy promotes more compact, higher density development within established built-up areas. The current proposal represents a relatively small-scale infill development on zoned and serviced lands within the built-up area, I would have no objection in principle to a higher density development in this area; notwithstanding, I agree with the opinion expressed by the Planning Inspector under ABP306282-19, that the issue of density is not the critical consideration in this case, but impact on the immediate and surrounding area and how does the development integrate into its setting.

9.3. Impact on Built Heritage

- 9.3.1. The proposed development site encompasses the curtilage of a protected structure, Prospect House (RPS Ref: 340). The property is listed in the National Inventory of Architectural Heritage (NIAH Ref: 11216032) as being of regional architectural interest. In accordance with the Planning & Development Act, 2000 as amended, a protected structure includes the interior, land lying within the curtilage and any other structures lying within that curtilage and their interiors and all fixtures and features which form part of the interior or exterior of any structure. It is the stated policy of South Dublin County Council, Policy NCBH19- Protected Structures, *'to conserve and protect buildings, structures and sites contained in the Record of Protected Structures and to carefully consider any proposals for development that would affect the setting, special character or appearance of a Protected Structure including its historic curtilage, both directly and indirectly.'* The objectives of the Plan in this regard seek to ensure the protection of all such structures including their curtilages and to ensure that all development proposals are sympathetic to its special character and integrity and are appropriate in terms of architectural treatment, character, scale, and form.

- 9.3.2. From the site visit and supporting documentation, it appears that there are a number of important elements to this site, namely, the house and its associated outhouses, the gateway entrance and avenue; the gate lodge (in ruins), the walled gardens to the west of the house and the roadside boundary wall (which also defines the western edge of the walled garden). These features are described in more detail in the Architectural Heritage Impact Assessment submitted with the application and in the response document, prepared by Historic Buildings Consultants, submitted with the appeal.
- 9.3.3. The proposal involves works to Prospect House and the adjacent coach house to provide for a four-bed dwelling. No works to the existing gateway entrance or to the avenue are proposed under this application; both features are to be retained to serve Prospect House and the Gate Lodge, which is to be 'reconstructed' to provide for a separate two-bed dwelling. A section of the existing roadside boundary wall is to be demolished to provide for new vehicular and pedestrian accesses. The main element of the proposal, the element I consider most likely to impact on the character and setting of the protected structure, is the four-storey apartment building which is proposed within the confines of the walled garden.

Prospect House and Coach House

- 9.3.4. The proposal to renovate Prospect House and the adjacent Coach House to provide for a single four bed dwelling is welcome. The proposal includes for the construction of a contemporary style single storey extension to the side and rear of the house, this proposed addition will read clearly in contrast to the protected structure and is I consider acceptable, in principle. The Coach house, which is located to the south (rear) of Prospect House is to be used for storage. In accordance with the document from Historic Building Consultants submitted in support of the appeal, the works to the Coach House are minimal and include the conversion of a doorway leading into the walled garden, to a window, and the provision of damp proofing and dry lining. While I consider the renovation / extension of Prospect House and adjacent Coach House to be acceptable in principle; the proposal as presented would involve works/ changes to the original built fabric of a protected structure and as such I consider it necessary and appropriate that all proposed works to the protected structure are set

out in the documentation lodged and carefully considered in line with Policy NCBH19.

- 9.3.5. An Architectural Impact Assessment (AIA) was submitted with the application. I note the concerns of the South Dublin County Council Architectural Conservation Officer in relation to lack of detail provided in the AIA on the level and scope of the works required to the protected structure and its associated structures (Refusal Reason #2 relates). The Architectural Conservation Officer states the need for a Conservation Report, to include a room-by-room account, a method statement and schedule of works, along with an overall assessment of impact on the proposed works and mitigation for same. While I note that some detail is provided within AIA, I agree that the information contained within this document is limited and is lacking in detail. In the absence of a full and detailed description and methodology of all works proposed / required, including works relating to the insertion of services, ventilation etc., I cannot be certain that the proposed development will not negatively impact on the interior and overall character of the protected structure.
- 9.3.6. In addition to the above, I note the concerns of the Architectural Conservation Officer in relation to alleged works that have been carried out to Prospect House (the fitting of fire alarms and lighting, upgrading of services) without the benefit of planning permission. (Refusal Reason No.3 relates). In accordance with the details provided in the First Party Appeal, said works were carried out prior to the applicant's acquisition of the property. The applicant is proposing to remove the services as part of the works and to make good all damage to the walls and surfaces arising from the use of fixings and running services through the walls; however, the nature and extent of the works carried out to the structure is unclear and no detail has been provided on the specifications or methodology of the proposed remedial works, this is a concern given the nature of the structure as a protected structure. On the planning status of these works, I note that the carrying out of works without the benefit of planning permissions is matter of Enforcement which falls under the jurisdiction of the planning authority thus need not concern the Board for the purpose of this appeal.

Gate Lodge

- 9.3.7. The existing Gate Lodge, to the south of the avenue, is in a ruinous condition. The proposal seeks to 'reconstruct' the lodge to provide for a single storey 2-bed dwelling. While there would appear to have been some confusion regarding the exact nature of the works originally proposed to the gate lodge, I refer the Board to Page 5 of the Architectural Urban Design Statement submitted with the application, which indicates that the proposal as original presented to the planning authority included for the demolition of the ruinous lodge and the construction of a new structure, partially on the existing footprint.
- 9.3.8. The applicant's failure to justify the demolition of this structure and to incorporate any of its original structural elements into the new build were issues of concern raised by the planning authority in their assessment of the application and in their decision to refuse permission (Refusal Reason #4 relates). In response to the issues raised, the applicants have stated their intention to refurbish (where possible) and extend the Gate Lodge. A brief outline of the proposed works is provided by Historic Building Consultants on Page 20 of their document submitted with the appeal. As per the details provided the proposed works include (inter alia) the removal of ivy, the removal of slate for reuse, the clearing out of the lodge and the removal of rotten timbers.
- 9.3.9. The proposal to refurbish the Gate Lodge for habitable use is welcome, however, I note the ruinous nature of this structure and I am not satisfied that sufficient information is available on the condition of this structure or on the nature and extent of the works proposed / required to restore it to a habitable condition. In the absence of such information, I cannot be certain that the proposed works are appropriate and sympathetic to the original gate lodge structure or that they would not negatively affect the setting and special character of the protected structure. I note that the structure is described as being in an 'extremely poor condition' and I am concerned that it would be at risk of collapse. Should the structure not be suitable for restoration, justification for its demolition (rather than retention in situ) would be required.

Walled Garden

- 9.3.10. The walled garden to the immediate west of Prospect House encompasses an area of c0.3ha. The garden is currently covered in long grass and interspersed with fruit trees. The wall structure incorporates the western elevations of both Prospect House and the Coach House, both structures have windows which directly overlook the gardens. A door in the rear/western elevation of the Coach House opens directly into the garden area, it is proposed to remove this door and to replace it with a window. A gap in the wall between Prospect House and detached coach house is to be reopened to provide a gated access to the new communal garden area. The proposed works are I consider acceptable in principle.
- 9.3.11. The proposal includes for the construction of a four-storey over basement apartment block within the confines of the walled garden. The Walled Garden is I consider an important feature of Prospect House, contributing to its character and landscape setting. Therefore, While I accept that the lands within the walled garden are the most obvious location for new development within what remains of the historic curtilage of Prospect House, any such development should, I consider, respond appropriately to the setting and special interest of Prosect House. This issue is considered in more detail in Section 9.4 of this report.

Roadside Boundary Wall:

- 9.3.12. New vehicular and pedestrian accesses are proposed off Stocking Lane to serve the proposed apartment block. The proposed works will necessitate the demolition of part of the roadside boundary wall, a feature of Stocking Lane. It is contended in the first-party grounds of appeal that in order to achieve any development on this site it will be necessary to provide for a new access as the present entrance is too narrow to cater for any development and has inadequate sightlines. While I accept that this may be the case, the demolition of the boundary wall or part thereof would alter the character of the protected structure and the streetscape along Stocking Lane and should therefore be carefully considered and justified. Any demolition should be kept to a minimum and the remaining wall retained and protected against damage during construction. In accordance with the details submitted in the First-party Grounds of

appeal, the proposed entrance is optimally located to to minimize the length of the existing wall which will need to be removed while also achieving visibility in both directions.

9.4. Impact on the Character and Setting of Prospect House.

9.4.1. As previously noted, the proposal includes for the construction of a four-storey over basement apartment block within the confines of the walled garden to the west of Prospect House. The Board will be aware that planning permission was previously refused for the construction of an apartment scheme at this location (ABP Ref: 306282 –19), in part on the grounds that the proposal would dominate and seriously detract from the architectural character and setting of the protected structure and would be out of character with the streetscape. The scheme now under consideration seeks to address the previous reasons for refusal.

9.4.2. An Urban Design Statement was included with the application, this document sets how the design and layout of the scheme has evolved in response to the concerns raised in the assessment of ABP Ref: 306282 –19. The scale of the apartment building has been reduced from that previously proposed and its form, design and material finishes simplified. The apartment block has been set back further within the site, away from the avenue and behind and at an angle to Prospect House. The Urban Design statement, under the heading 'Design Evolution' states that '*Within views from the adjacent open space and the site itself, the proposed block would have a subservient relationship with Prospect House due to its siting, scale and appearance and would also screen ad-hoc residential development to the rear thereby improving the setting of the protected structure*'. However, having reviewed the plans and particulars submitted with the application and appeal (including verified views) and having inspect the site I am not satisfied that this is the case. I refer again to the report of the Councils Architectural Conservation Officer which expresses serious concerns regarding the proposed development. It is submitted that the proposed development remains to be inappropriate in terms of scale, height, mass, and overall design which allows the proposed new build to be the dominate structures on the site. I tend to agree with this assessment.

- 9.4.3. The proposed development would see the introduction of a new four storey over basement structure to the side of the Prospect House. The structure is presented in a single block, c50m in length and c12.45m high. While an attempt has been made to reduce the bulk/scale of the structure through the introduction of three protecting panels to the front elevation, each of similar scale and proportion to the Prospect House, in my opinion the overall height, mass, form and expanse of the apartment block would overwhelm Prospect House.
- 9.4.4. The design of the structure is that of a modern apartment building. While I would have no objection in principle to contemporary style architecture within this setting, the design as presented appears to me to be somewhat generic, and I fail to see how it relates, in terms of architectural features, material finishes etc to the character and/or setting of the protected structure. In my opinion the proposed apartment scheme reads as a separate standalone development rather than a development that has been designed to 'fit' within the historic curtilage of a protected structure. In my opinion the design of the scheme does not justify the demolition of part of the existing roadside boundary wall a feature of Prospect House and the streetscape along Stocking Lane.
- 9.4.5. It was evident during site inspection the primary view of Prospect House is from the north, within Prospect Manor. While the existing two storey development to the rear (south) is visible, in part, within this view, Prospect House is clearly the dominant structure. In my opinion, the proposed apartment building, due to its height, scale, form, design, and proximity to Prospect House, and notwithstanding the screening provided by mature trees, would become the dominant structure within this view and as a result would detract unduly from the character and setting of Prospect house.
- 9.4.6. In conclusion, I consider that the proposed development would be contrary to Policy NCBH19- Protected Structures and I recommend that permission be refused on this basis.

9.5. Impact on Existing Residential Amenity

- 9.5.1. Observers have raised concerns in relation to the impact of the proposal on the residential amenities of neighbouring properties to the south (Prospect View) by way of overlooking, overbearing / visual intrusion, loss of light / overshadowing, noise and light pollution and odour from the bin store. Concerns relating to the impact of the development during construction and depreciation in property value are also raised.
- 9.5.2. The proposed four storey over basement apartment structure has been positioned c4.5m from the southern site boundary and is shown to be constructed to a ridge level of 119.65m. The sites southern boundary backs onto a private laneway that is c5-6m in width and bounded on both sides by high walls. The closest residential properties, No's 30 and 32 Prospect View, are located to the immediate south of the laneway; both properties are orientated so that their side (north) elevation addresses the lane and appeal site. The side /north elevation of both No's 30 and 32 Prospect View incorporates a small window at first floor level, these windows likely serve non-habitable spaces such as bathrooms stairways or landings. Ground floor windows in the north elevation are located behind the boundary wall which provides screening. In accordance with the details provided No's 30 and 32 Prospect View are constructed to ridge levels c118.86 and c118.40 respectively.
- 9.5.3. Having regard to the height of the proposed apartment block relative to neighbouring properties, its location to the north of Prospect View, and the separation distances available I do not foresee any significant impacts in terms of overbearing, overshadowing or loss of light. In this regard I note that the application was accompanied by a Daylight and Sunlight Assessment Report, which concludes that neighbouring residential properties will experience an imperceptible level of effect to the daylight and sunlight received.
- 9.5.4. In terms of potential overlooking, the proposed apartment block incorporates extensive glazing to its southern elevation which is likely to result in levels of both perceived and direct overlooking. However, having regard to the prevailing pattern of development in the area, the height, and orientation of the proposed development, the separation distances available and the screening provided by existing boundary walls, the extent of new overlooking resulting from the proposed scheme is, I consider, unlikely to be significant. There is potential for direct overlooking of areas

of private open space from proposed upper floor balconies in both the west and east elevations of the apartment block. The impact of overlooking could however be mitigated through the provision of suitable screening to southern elevations. This issue may be addressed by way of condition in the event of a grant of permission and if deemed necessary by the Board.

9.5.5. The development of the appeal site for residential use as proposed should not in my opinion result in levels of noise or light pollution beyond what would normally be deemed appropriate within built-up residential areas. The proposed bin store is located internally at basement level and should not give rise to excessive odour or nuisance.

9.5.6. While I accept that the construction phase of a development is likely to give rise to nuisance (noise, dust, construction traffic etc) this would be for a limited duration, and it is standard practice to impose conditions that seek to ensure that the associated nuisances are controlled to lessen amenity impact.

9.5.7. The observers raise a concern that the development of this site as proposed would result in a depreciation in the value of their properties. However, having regard to the assessment and conclusions set out above I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

9.6. Residential Amenity for Future Occupants:

9.6.1. Apartment Guidelines:

Having regard to the nature of the proposed residential development as an apartment scheme, I consider it appropriate to assess the design details of the proposed apartment units having regard to the requirements of the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, updated 2023. A Housing Quality Assessment has been submitted with the application. Compliance with the apartment standards is also considered in Section 8 Detailed Design of the Urban Design Statement.

Apartment Mix (SPP1):

The proposed development provides for the construction of 11 No. one-bedroom units and 11 No. two-bedroom units. As the proposed scheme includes no more than 50% one-bedroom units the proposal accords with Specific Planning Policy Requirement No. 1.

Apartment Floor Areas (SPPR3):

SPPR3 requires minimum apartment floor areas as follows:

- 1 bedroom apartment Minimum 45m²
- 2-bedroom apartment Minimum 73m²

The Housing Quality Assessment (HQA) submitted with the application indicates that all apartment floor areas meet this requirement. In addition, the guidelines require that the majority of all apartments in any proposed scheme of 10 or more apartments exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10%. In schemes of 10 up to 99 units it is acceptable to redistribute the minimum 10% additional floor space requirement throughout the scheme.

Unit Mix:	Number	Cumulative Floor Area
50% 1-bed units	11	11 x 45sqm = 495sqm
50% 2-bed units	11	11 x 73sqm = 803sqm
Total 100%	Total 22	Total 1,298sqm
Total Minimum required Floor Area		1,427.8sqm (1,298sqm + 10%)

The 22no apartment units proposed within this scheme have a combined floor area of 1431.45sqm which exceeds the required minimum floor area of 1,427.8sqm. the proposal is therefore compliant with SPPR3.

Dual Aspect Ratio (SPPR4):

The amount of sunlight reaching an apartment significantly affects the amenity of its occupants and therefore it is a specific planning policy requirement that in more central and accessible urban locations the minimum number of dual aspect apartments to be provided in any single apartment scheme will be 33% whereas in suburban or intermediate locations the foregoing requirement is increased to 50%. The planning authority in their assessment of the application raised concerns regarding the number of 1-bed single aspect apartments proposed within this scheme (Refusal Reason #5 relates). Following consideration of the plans submitted, I am satisfied that 13 or 59% of the 22 units proposed are dual aspect, therefore I am satisfied that the proposal accords with SPPR4 of the Guidelines. Furthermore, I note that all proposed single aspect north facing apartments face onto a large area of open space which will contribute to the amenity value of the units.

Floor to Ceiling Height (SPPR5):

The floor-to-ceiling height of the ground floor levels apartments is shown at 2.7m in accordance with the requirements of SPPR5.

Apartments to Stair / Lift Core Ratios (SPPR6):

Specific planning policy requirement (SPPR6) requires a maximum of 12 apartments per floor per core may be provided in apartment schemes. The proposal satisfies the requirements of the Guidelines in this regard.

Storage:

The Guidelines set a minimum storage space requirement of 3sqm for one-bedroom apartments and 6sqm for 2-bed apartments, and state that storage should be additional to kitchen presses and bedroom furniture but may be partly provided in these rooms. In such cases this must be in addition to minimum aggregate living/dining/kitchen or bedroom floor areas.

As per the details provided, 2-bed units, No's 5, 11 and 18 fall short of this requirement with storage areas ranging between 5.7sqm and 5.9sqm. Furthermore, within each of these units 0.4sqm of storage is provided within the combined living/dining/kitchen area however this space is not provided in addition to the minimum aggregate living/dining/kitchen floor area. The deviation in the standard for internal storage is relatively minor however should the Board deem it necessary

ancillary storage for these units could be provided at basement level. This may be addressed by way of condition in the event of a grant of planning permission.

Private Amenity Space:

The Guidelines require the provision of adequate private amenity space in the form of gardens or patios / terraces for ground floor apartments and balconies at upper levels. In this respect I would advise the Board that a one-bedroom apartment is required to be provided with a minimum amenity area of 5m² whilst two-bedroom apartment is to be provided 7m² of private amenity space. Consideration must also be given to certain qualitative criteria including the privacy and security of the space in question in addition to the need to optimise solar orientation and to minimise the potential for overshadowing and overlooking. From a review of the submitted drawings, I am satisfied that private open space provision for each of the apartment units meet or exceeds the minimum requirements of the Guidelines.

Communal Amenity Space:

As per the Guidelines, the proposed apartment scheme would require a minimum area of 132sqm of communal open space. The proposed scheme (as amended – please refer to Open Space Plan, Drawing NoPP195 CP 01 submitted with the appeal) incorporates proposals for provision of 1283sqm of open space which equates to 25% of the overall site area. The majority of this space is located within the confines of the walled garden to the north of the apartment block. The plans for this area include for the provision of a play area. This space would I consider provide for a sufficiently high level of amenity for the users of same.

Aggregate Floor Areas / Dimensions for Certain Rooms:

The guidelines require minimum aggregate floor area for living/dining /kitchen rooms and bedrooms as follows:

Type	Aggregate Bedroom FA	Aggregate living/dining/Kitchen
One Bedroom	11.4sqm	23sqm
Two Bedroom	24.4sqm	30sqm

As per the details provided within the Housing Quality Assessment, apartments units 4, 8, 11, 15 and 18 fall short of these requirements. However, in all cases the deviation in standard is minor, less than 1sqm and all units exceed the minimum overall floor area standard.

Communal Facilities

The proposed scheme includes for the adequate provision of refuse storage, car parking (25spaces including 3 electric charging points and 1 disabled parking space) and Cycle Parking (40 spaces) at basement level. The basement is accessible to all apartment via a centrally located lift and stair core.

Conclusion

On the basis of the foregoing, it is my opinion that the proposed apartment scheme accords substantially with the requirements of the 'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities, 2020' and would provide for a satisfactory level of residential amenity for the future occupants.

9.6.2. Residential Amenity - Prospect House and Gate Lodge

The Housing Quality Assessment submitted with the application indicates that both Prospect House and Gate Lodge have been designed to exceed the standards set out in Quality Housing for Sustainable Communities (2007).

9.6.3. Internal Noise

The proximity of the development site to the M50 and the lack of information regarding traffic noise levels and the impact of same on the proposed residential development was considered to be a significant issue in the assessment of the previous application on this site (ABP Ref: 309282-19) and was cited as a reason for refusal by the Board. An Acoustic Design Statement was submitted with this application. A Stage 1 Initial Site Noise Risk Assessment and a Stage 2 Full Assessment, in line with advice on Professional Practice Guidance (ProPG)- Planning and Noise, were undertaken. In accordance with this document, interior

noise levels for the whole development are predicted to comply with interior noise level criteria from BS8233 and ProPG provided that the construction requirements outlined in Section 7 of the report are implemented. Sleep disturbance due to the predicted internal noise levels is unlikely to occur. The main external amenity area and the majority private balconies and terraces are predicted to comply with the desirable external amenity noise level criteria the report concludes that the future residents of this scheme would have a suitably quiet amenity space. The findings and conclusions of this report are I consider reasonable, and I note that neither the Environmental Health Officer or the planning authority case planner raised any issue or objection in relation to this issue.

9.7. Public Open Space

- 9.7.1. The South Dublin County Development Plan 2022-2028 includes standards for public open space provision. As set out in Table 8.2 of the plan, a minimum of 10% of the site area is required for new residential development on lands zoned RES. The plan allows for a financial contribution in lieu of all, or part of, the public open space requirement in certain circumstances and at the discretion of the Council.
- 9.7.2. As previously noted, the proposed scheme (as amended) incorporates proposals for provision of 1283sqm of open space, this equates to c25% of the overall site area, exceeding all quantitative open space standards. It has been clarified in the grounds of appeal that the open space proposed within this scheme is 'communal' open space and not 'public' open space i.e., this area is not publicly accessible, therefore the proposal would not strictly accord with the requirements of the SDCDP in terms of public open space provision (Refusal Reason #9 relates). As detailed in the document prepared by Jane McCorkell Landscape and submitted with the appeal, the applicants expect that a contribution in-lieu of public open space provision will be made by way of a condition in the event of a grant of permission. This option is open to the Board in the event of a grant of permission.

9.8. Access Arrangements

- 9.8.1. The appeal site is located on Stocking Lane, a highly trafficked regional road (R115). Stocking Lane at the location of the proposed development site, has a speed limit of 50km/h and a solid white line. The design of the road incorporates traffic calming including a raised table to southwest corner of the site. Stocking Lane is served by footpath and cycle lane on its western edge only, the appeal site which is located on the eastern side of Stocking Lane is not directly served by pedestrian facilities. Stocking Lane is on a bus route, the closest bus stop is c50m to the south of the appeal site.
- 9.8.2. The Roads Section of South Dublin County Council in their report to the Planning Authority (14th July 2022) raises concerns in relation to the proposed access arrangements, most notably the limited visibility splays at the vehicular entrances due to retention of high boundary walls along Stocking Lane, and the proximity of the proposed access to an existing access on an adjoining site to the south. Concerns relating to the proposed access arrangements for fire tenders and refuse vehicles are also noted.
- 9.8.3. The appeal site is currently served by an existing vehicular access, located in the northwest corner of the site. This entrance consists of curved wall/pillars splayed to a width of c11m and flanked by four mature trees. The entrance gates are set back c7m from the roadside edge. Sightlines are somewhat restricted. This entrance is to be retained to serve two residential units (Prospect House and Gate Lodge). Having regard to the established and historic residential use of the site and the nature and scale of development proposed, I do not anticipate a significant increase in traffic turning movements at this entrance, therefore I am satisfied that this aspect of the proposed development would not result in a traffic hazard.
- 9.8.4. A second vehicular entrance is proposed in the southwest corner of the site, to the north of a raised table and approximately 13m to the north of an existing access serving a c0.1ha plot of land comprising a yard and outbuildings. This proposed entrance is to serve the proposed apartment block (22no. units) and leads directly to the basement car park.

- 9.8.5. The sightline assessment drawing (No. S627-OCSC-XX-XX-DR-C-0101) submitted with the appeal, details visibility splays of 49m in both directions. Sightlines are taken from a reduced setback (X Distance) of 2.0m and are not impeded by the retained sections of boundary wall. As per Table 4.2 of the Design Manual for Urban Roads and Streets (DMURS), stopping sight distances (SSD's) of 49m are deemed appropriate for roads with a design speed of 50km/h and on a bus route. Section 4.4.5 of the DMURS permits sightlines to be assessed from a distance of 2m from the edge of the major carriageway where vehicle speeds are slow and flows on the minor arm are low. The grounds of appeal justify the application of a reduced setback in this case on the presence of the existing traffic calming measures (raised tables) on Stocking Lane which result in low vehicle speeds in the vicinity of the proposed entrance and on the low level of traffic generated by the proposed development. I consider this to be a reasonable assumption. On the basis of the above, I am satisfied that it has been demonstrated that adequate sightline distances are available and can be achieved in line with the requirements of DMURS.
- 9.8.6. With respect to the proximity of the proposed entrance to the existing entrance to the South, it is noted in the grounds of appeal that there is no standard regarding the suitable proximity of entrances in DMURS. The grounds of appeal further note that both the existing and proposed entrances will cater to very low traffic levels of traffic, that the entrances are separated by an existing raised table / proposed pedestrian crossing which will act as an improved traffic calming measure and that traffic exiting via these entrances will be from a stopped position at the edge of the carriageway meaning vehicle speeds when they join the road will be very low.
- 9.8.7. A swept path analysis for both refuse collection and fire tender vehicles has been provided (OCSC Drawing no: S627- OCSC-XX-XX-DR-C-0103). As proposed, refuse collection vehicles will reverse into the site from Stocking Lane and then drive out from the development, thereby negating the need to reverse onto the public road. The Roads Section of South Dublin County Council in their report to the planning authority stated that this manoeuvre should be avoided, particularly at pedestrian crossing locations.

- 9.8.8. In terms of fire tender access, the submitted swept path analysis drawing demonstrates how fire tender vehicles can enter and exit the site without reversing onto the public road. This maneuver necessitates vehicles crossing an area of open space. To accommodate fire tenders, the applicants are proposing to incorporate a 'hydrolineo paving concept' into the design of the open space. (Refer to Hard Landscape Plan, Drawing No: PP195-02 for details).

Conclusion

- 9.8.9. Having regard to the location of the proposed entrance on a highly trafficked regional road, adjacent to a proposed pedestrian crossing and proximate to an existing entrance and having regard to the proposed access arrangements for refuse collection which necessitate vehicles reversing into the site from the regional road, I am concerned that the traffic turning movements generated by the development in the vicinity of the proposed entrance would interfere with the free flow and safety of traffic on Stocking Lane and I recommend that permission be refused on this basis.

9.9. Drainage and Green Infrastructure

- 9.9.1. The failure of the applicants to provide adequate information relating to proposals for natural SuDS features to be used on the site and the failure to provide a Green Infrastructure Plan and Green Space Factor calculation where issues raised in the planning authority's assessment of the application (Refusal Reasons #7 and #9 relate). In relation to the provision of natural SuDS features, the applicant is now proposing to incorporate a green roof into the design of the apartment block. While such a proposal may be acceptable, in principle, detailed design specification would be required for agreement by the Planning Authority in advance of any works. This may be addressed by way condition in the event of a grant of permission.
- 9.9.2. The documentation submitted in support of the appeal includes a Green Infrastructure Plan and Green Space Factor Calculation (GSF). GSF is a measurement that describes the quantity and quality of landscaping and green infrastructure across a defined spatial area. This measurement comprises a ratio that compares the amount of green space to the amount of impermeable 'grey' space in

a subject site. As a planning tool, this ratio is used to assess both the existing green cover within a site and the impact of new development, based on the quantity and quality of new green space provided. The Green Space Factor Calculation submitted in support of this appeal indicates that the proposed scheme (as amended to include the green roof) achieves a score of 0.52 which exceeds the minimum required score of 0.5 within the RES zoning, the proposal is therefore acceptable in this regard. In light of the above I do not recommend that the Board uphold Refusal Reasons #7 and #9 of the Planning Authority's decision; however, in the event of a grant of permission, I would recommend that the Board include conditions requiring the submission of detailed design of all proposed SuDS and green infrastructure features for agreement with the Planning Authority.

9.10. Ecology

- 9.10.1. A Bat Assessment has been submitted as part of the appeal documentation. The survey was undertaken in 2019 as part of a previous application and found some evidence of bat activity on site including a bat roost for a single soprano pipistrelle in a gap under a hanging slate, on the southern side of Prospect House. In accordance with the details set out in response to the grounds of appeal, a Derogation Licence from the Department of Culture, Heritage, and The Gaeltacht (2019), was received that the bat roost removed under supervision of a bat specialist. A copy of a Derogation Licence has been submitted with the appeal. The Bat Assessment includes a detailed section on 'Proposed Mitigation'.
- 9.10.2. The proposed development will require the removal of one tree of moderate quality (B Category); 20 trees and four groups of low quality (C Category); and one tree of poor quality (U Category). Observers are of the opinion that the removal of trees, in particular fruit trees, from the site would have a negative impact on local ecology. The trees identified for removal are not uncommon or unusual species. A number of existing mature trees on site are to be retained and the landscaping plan includes proposals for additional tree planting. On this basis, I consider that the removal of trees to facilitate the appropriate development of this site can be justified.

9.10.3. I note from the document prepared by Jane McCorkell Landscape and submitted in support of the appeal that at the time of the initial survey, no invasive species were identified on site.

9.11. **Other:**

9.11.1. Works Outside Redline Boundary

As detailed in Refusal Reason 11, the applicant is proposing works (the installation of surface water and foul drainage pipes) on lands outside the red line boundary. It would appear from the information available that the lands in question are within the control of South Dublin County Council. The applicant proposes to liaise with the Council to obtain the necessary consents in the event of a grant of permission. This approach is considered reasonable. The applicant is aware that, as per section 34(13) of the Planning and Development Act 2000 (as amended) *'a person shall not be entitled solely by reason of a permission under this section to carry out any development.'*

9.11.2. Impact of Development on Public Open Space within Prospect Manor

In addition to the issue addressed under 9.13.1 above, Observers have expressed concerns regarding the impact of construction works on the area public open space to the north of the site, serving Prospect Manor. This is I consider a matter for the service provider, most likely Irish Water and South Dublin County Council. I am satisfied that measures can be taken to ensure that open space remains available, and that any area impacted upon by the development can be reinstated.

9.11.3. Lack of Local Services / Amenities

I am satisfied that the area is sufficiently serviced to accommodate a development of the nature and scale proposed. The area is serviced by a regular bus service and the scale of development proposed is not sufficient to overwhelm existing bus services. Walking and cycle infrastructure is available within the immediate area and the proposed scheme facilitates the provision of a link between the proposed

development site and existing facilities which should encourage a greater modal shift away from private car use. The development of this site as proposed is unlikely to overwhelm retail, education, and social services in the area.

10.0 Appropriate Assessment

10.1. The applicants submitted an Appropriate Assessment Screening Report as part of the planning documentation on the 14th of June 2022. The screening report was prepared by TOBIN Consulting Engineers. The report includes a description of the proposed development and receiving environment. The report concludes with a finding of no likely significant effects on any European site. A Stage 2 Appropriate Assessment is not required.

10.2. The Screening report notes that there are no European sites located within or adjacent to the proposed development site. Eleven European sites are located within a 15-kilometre radius of the site as detailed below:

European Site (code)	List of Qualifying interest (QI) /Special Conservation Interest (SCI)	Approx. Distance from proposed development (Km)	Conservation objectives
SAC			
Wicklow Mountains (002122)	<p>Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110]</p> <p>Natural dystrophic lakes and ponds [3160]</p> <p>Northern Atlantic wet heaths with Erica tetralix [4010]</p> <p>European dry heaths [4030]</p> <p>Alpine and Boreal heaths [4060]</p> <p>Calaminarian grasslands of the Violetalia calaminariae [6130]</p> <p>Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]</p> <p>Blanket bogs (* if active bog) [7130]</p>	4km	To maintain or restore the favourable conservation status of habitats and species of community interest.

	<p>Siliceous scree of the montane to snow levels (<i>Androsacetalia alpinae</i> and <i>Galeopsietalia ladani</i>) [8110]</p> <p>Calcareous rocky slopes with chasmophytic vegetation [8210]</p> <p>Siliceous rocky slopes with chasmophytic vegetation [8220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p><i>Lutra lutra</i> (Otter) [1355]</p>		
Glenasmole Valley (001203)	<p>Semi-natural dry grasslands and scrubland facies on calcareous substrates (<i>Festuco-Brometalia</i>) (* important orchid sites) [6210]</p> <p><i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) [6410]</p> <p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p>	4.7km	To maintain or restore the favourable conservation status of habitats and species of community interest.
Knocksink Wood (000725)	<p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p>Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0]</p> <p>Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i>, <i>Alnion incanae</i>, <i>Salicion albae</i>) [91E0]</p>	9km	To maintain or restore the favourable conservation status of habitats and species of community interest.
South Dublin Bay (000210)	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p><i>Salicornia</i> and other annuals colonising mud and sand [1310]</p> <p>Embryonic shifting dunes [2110]</p>	8.1km	To maintain or restore the favourable conservation status of habitats and species of community interest.
Ballyman Glen (000713)	<p>Petrifying springs with tufa formation (<i>Cratoneurion</i>) [7220]</p> <p>Alkaline fens [7230]</p>	11.5km	To restore the favourable conservation condition of habitats listed for this SAC
North Dublin Bay (000206)	<p>Mudflats and sandflats not covered by seawater at low tide [1140]</p> <p>Annual vegetation of drift lines [1210]</p> <p><i>Salicornia</i> and other annuals colonising mud and sand [1310]</p>	12.6km	To maintain or restore the favourable conservation status of habitats and species of community interest.

	<p>Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) [1330]</p> <p>Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410]</p> <p>Embryonic shifting dunes [2110]</p> <p>Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]</p> <p>Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]</p> <p>Humid dune slacks [2190]</p> <p><i>Petalophyllum ralfsii</i> (Petalwort) [1395]</p>		
Rockabill to Dalkey Island (003000)	<p>Reefs [1170]</p> <p><i>Phocoena phocoena</i> (Harbour Porpoise) [1351]</p>	14km	To maintain the favourable conservation status of habitats and species of community interest.
SPA			
Wicklow Mountains SPA (004040)	<p>Merlin (<i>Falco columbarius</i>) [A098]</p> <p>Peregrine (<i>Falco peregrinus</i>) [A103]</p>	4km	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:
South Dublin Bay and River Tolka Estuary (004024)	<p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Sanderling (<i>Calidris alba</i>) [A144]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179]</p> <p>Roseate Tern (<i>Sterna dougallii</i>) [A192]</p> <p>Common Tern (<i>Sterna hirundo</i>) [A193]</p>	8km	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA

	Arctic Tern (<i>Sterna paradisaea</i>) [A194] Wetland and Waterbirds [A999]		
North Bull Island (004006)	Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Shelduck (<i>Tadorna tadorna</i>) [A048] Teal (<i>Anas crecca</i>) [A052] Pintail (<i>Anas acuta</i>) [A054] Shoveler (<i>Anas clypeata</i>) [A056] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Golden Plover (<i>Pluvialis apricaria</i>) [A140] Grey Plover (<i>Pluvialis squatarola</i>) [A141] Knot (<i>Calidris canutus</i>) [A143] Sanderling (<i>Calidris alba</i>) [A144] Dunlin (<i>Calidris alpina</i>) [A149] Black-tailed Godwit (<i>Limosa limosa</i>) [A156] Bar-tailed Godwit (<i>Limosa lapponica</i>) [A157] Curlew (<i>Numenius arquata</i>) [A160] Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]	12.7km	To maintain the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA
Dalkey Island (004172)	Roseate Tern (<i>Sterna dougallii</i>) [A192] Common Tern (<i>Sterna hirundo</i>) [A193] Arctic Tern (<i>Sterna paradisaea</i>) [A194]	14km	To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA

Assessment of Likely Significant Effects.

10.3. With regard to direct impacts, the application site is not located with or adjacent to any SAC or SPA therefore there is no risk of habitat loss, fragmentation or any other direct impacts. I am satisfied having regard to the nature and scale of the proposed

development, its location in a serviced urban area, the separation distance between European sites, the intervening uses, the absence of direct source – pathway – receptor linkages, that no appropriate assessment issues arise in relation to the European sites listed above.

- 10.4. Any potential indirect impacts on European Sites from the development would be restricted to the discharge of surface or foul water from the site. Wastewater will connect to the mains urban sewer network which will drain to Ringsend Wastewater Treatment Plant for processing prior to discharge to Dublin Bay. The Ringsend WWTP is currently being upgraded; the first stage of the upgrade works was completed in December 2021 facilitating an additional population equivalent of 400,000 persons. The facility is currently operating under an EPA licencing regime that was subject to AA Screening. While further upgrade of the plant is planned / underway, the additional discharge from the proposed development would equate to a very small percentage of the overall licenced discharge and would not therefore have a significant impact on the water quality within Dublin Bay. While there are no watercourses on the site or in its vicinity which would provide a pathway for accidental discharge or spills to European sites, surface water connects to the public surface water network and flows to the River Dodder, approx. 3km downstream from the site. This then then flows to the river Liffey and subsequently into Dublin Bay. Having regard to the separation distance and indirect nature of the surface water connection, any silt or other pollutants entering the surface water network are likely to settle, be dispersed, or diluted within the public drainage networks prior to discharge into Dublin Bay. The indirect pathway of surface water discharge or foul water flows to Ringsend WWTP are not therefore considered likely to result in a significant effect on the Natura 2000 network. In relation to in-combination effects with other plans or projects, I note that future developments in the area are likely to be residential in nature and are unlikely to give rise to cumulative impacts on any European sites in the vicinity.

Conclusion

- 10.5. Having regard to the nature and scale of the proposed development on fully serviced lands, to the intervening land uses and distances from other European sites, and lack of direct connections with regard to the source – pathway – receptor model, it is

reasonable to conclude on the basis of the information on file, which I consider adequate in order to issue a screening determination, that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on the above listed European sites or any other European site, in view of the said site's conservation objectives and a Stage 2 Appropriate Assessment is not therefore required.

11.0 Recommendation

11.1. I recommend that permission for this development proposal be refused for reasons outlined below.

12.0 Reasons and Considerations

1.	Having regard to the existing character and the prevailing pattern of development and the presence of a structure on site of architectural interest which is listed as a Protected Structure in the current Development Plan for the area, it is considered that the proposed apartment scheme, by reason of its scale, mass, height and design; its proximity to Prospect House and its siting within the historic walled garden, would not represent an appropriate or sympathetic design response to the existing setting; would dominate and seriously detract from the character of 'Prospect House', a protected structure and would not justify the removal of part of the existing roadside boundary wall. The proposed development would, therefore, materially, and adversely affect the character of this Protected Structure, would be contrary to the requirements of Policy NCBH19 Protected Structures of the South Dublin County Development Plan 2022-2028, would seriously injure the visual amenities of the area and would be contrary to the proper planning and sustainable development of the area.
2.	Having regard to the nature of the proposed development which comprises works to and within the curtilage of a protected structure, Prospect House (RPS Ref: 340) and having regard to the lack of information on the nature

	<p>and extent of the works carried out to the structure to date and in relation to the proposed works to Prospect House and associated structures and having regard to the lack of information on the extant condition of the gate lodge which is proposed for refurbishment, the Board is not satisfied, on the basis of the information submitted that the proposed development would not negatively affect the setting, special character or appearance of the Protected Structure, its associated structures and/or historic curtilage. The proposed development would therefore be contrary to proper planning and development.</p>
3.	<p>Having regard to the location of the proposed entrance on a highly trafficked regional road, adjacent to a proposed pedestrian crossing and proximate to an existing entrance and having regard to the access arrangements for refuse collection which necessitate vehicles reversing into the site from the regional road, it is considered that the proposed development would endanger public safety by reason of serious traffic hazard because the traffic turning movements generated by the development in the vicinity of the proposed entrance would interfere with the free flow and safety of traffic on Stocking Lane. The proposed development would therefore be contrary to proper planning and development.</p>

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

Lucy Roche
 Planning Inspector

17th November 2023

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	314562-22		
Proposed Development Summary	A residential development of 24 units within the grounds of Prospect House, a protected structure, comprising 22no. apartments, works to Prospect House and its associated coach house to provide for a 4-bed dwelling and the reconstruction of the Gate Lodge (in ruins) to provide for a 2-bed dwelling. See section 2.0 of this report for further details.		
Development Address	Lands at Prospect House, a Protected Structure, Stocking Lane, Rathfarnham, Dublin 16, D16 E5D0		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			
No	✓	The development involves 24 no. residential units on an overall site of c. 0.5ha. It is therefore considered that it does not fall within the above classes of development and does not require mandatory EIA.	Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
			Conclusion
No		N/A	No EIAR or Preliminary

				Examination required
Yes	✓	<p>Item (10)(b) of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:</p> <p>Construction of more than 500 dwelling units</p> <p>Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, "business district" means a district within a city or town in which the predominant land use is retail or commercial use.)</p>		Proceed to Q.4

4. Has Schedule 7A information been submitted?		
No	✓	Preliminary Examination required
Yes		Screening Determination required


Inspector: _____

Date: _____

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	314562-22	
Proposed Development Summary	A residential development of 24 units within the grounds of Prospect House, a protected structure, comprising 22no. apartments, works to Prospect House and its associated coach house to provide for a 4-bed dwelling and the reconstruction of the Gate Lodge (in ruins) to provide for a 2-bed dwelling. See section 2.0 of this report for further details.	
Development Address	Lands at Prospect House, a Protected Structure, Stocking Lane, Rathfarnham, Dublin 16, D16 E5D0	
The Board carries 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.		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<ul style="list-style-type: none"> • The site is located within an established residential area which is on a bus route. • The site is served by public mains water and sewerage. • The removal of topsoil and small amounts of C&D waste will be managed in accordance with the submitted Waste Management Plan. • Localised construction impacts will be temporary. • The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from other housing in the area. 	no
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<ul style="list-style-type: none"> • This is a relatively small-scale development which is not exceptional in the context of the existing built-up urban environment. • This is a built-up area. There are no significant cumulative considerations having regard to other existing and/or permitted projects? 	No

<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<ul style="list-style-type: none"> • There are no ecologically sensitive locations in the vicinity of the site. • The site is not within a European site. any issues arising from the proximity/connectivity to a European Site can be adequately dealt with under the Habitats Directive. • The proposed scheme comprises works to and within the curtilage of Prospect House, a protected structure. An Architectural Impact assessment report has been submitted and this issue can be adequately dealt with under the planning assessment. 	
13.0 Conclusion		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Schedule 7A Information required to enable a Screening Determination to be carried out</p>	<p>There is a real likelihood of significant effects on the environment.</p> <p>EIAR required.</p>
		

Inspector: _____

Date: _____

DP/ADP: _____

Date: _____