



An
Bord
Pleanála

Inspector's Report ABP-317315-23

Development	Demolition of existing garage and garden shed, construction of 2 houses
Location	12 Brennanstown Vale, Dublin 18, D18W6E5
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D23A/0200
Applicant(s)	Balquis Fatima Bari
Type of Application	Permission
Planning Authority Decision	Grant Permission
Type of Appeal	Third Party
Appellant(s)	Alan and Hilary Nash
Observer(s)	None
Date of Site Inspection	26 th January 2024
Inspector	Joe Bonner

1.0 Site Location and Description

- 1.1. The site of the proposed development, which extends to 0.1538ha, is in the side garden of an existing house, Al Fatima, with a stated overall area of 0.4ha. Brennanstown Vale was originally build as a 12-house development, of which the overall site was the southernmost site. An additional 13 houses have since been built as an eastward's extension of Brennanstown Vale.
- 1.2. The access road marks the northern boundary while an unpaved lane runs along the eastern boundary and separates the site from a house located c20m to the east of the site, with the intervening area containing a mix of trees, hedging and a domestic garage. The Luas green line runs along the southern site boundary while the Carrickmines Luas stop is located c110m west of the site, though access to it would require a walk/drive of c1.25km, due to a lack of direct access thereto from Brennanstown Vale.
- 1.3. The site contains a brick garage c2.5m from the front/northern boundary and a smaller timber shed at the southeastern corner both of which are proposed to be demolished. The ground slopes downhill from the north/roadside towards the rear by c1.2m before dropping by a further metre close to the boundary with the Luas line, which is marked by a solid stone wall. The western boundary is open towards the AL Fatima, while the eastern boundary is a mix of hedging, trees and a fence. The roadside boundary is marked by the existing access gates and a timber picket fence.
- 1.4. The site has c26.5m of road frontage to the north, is 54.5m long along the eastern side and c42m along its western side, while the rear/southern boundary is 37.2m. The existing access to the site is located on the immediate western end of the road frontage and consists of a 4m wide double gate and pillars.
- 1.5. The existing house has a stepped building line and is as close as 2m from the front/northern boundary.

2.0 Proposed Development

- 2.1. The development is described in the public notices as:
 - demolition of an existing detached garage and garden shed.
 - relocation of existing gateway to a new position 8.2m east of current location.

- construction of 2 no. detached 3-storey (2-storey with setback penthouse/attic) 5-bedroom houses of 326 sqm and 366 sqm with green roof and photovoltaic panels.
- construction of 2 no. private garages of 17sqm each and 2 no. garden sheds of 6sqm each.
- provision of bin & bicycle storage.
- associated boundary treatment, drainage and hard and soft landscaping works.

2.1.1. The application was also accompanied by an architect's report.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. On the 18th of May 2023, Dun Laoghaire Rathdown County Council decided to grant permission, subject to the attachment of 16 No. Conditions, including:

- No 2 – Each house to be occupied as a single dwelling unit and not to be sub-divided
- No 3 – SUDS measures to be submitted for each house.
- No 5 – New entrance to be a maximum of 4.0m in width.
- No 6 – Existing entrance to be a closed and kerbs and grass verge to be made good.
- No 7 – New driveway / parking / hardstand areas to have permeable surfacing.

3.1.2. A second letter was issued by the planning authority on the 25th of May 2023 indicating that there was an omission of conditions 17 and 18 from the decision, that has been included in the TII submission on the application but did not part of the planning officers report or recommendation to grant permission. The letter stated that 'these conditions have now been added to your grant of permission. Conditions 17 and 18 refer to

- No 17 – TII's code of practice regarding works proximate to LUAS lines.
- No 18 – A Section 49 Development Contribution.

3.2. Planning Authority Reports

3.2.1. Planning Report

- The planning authority decided to grant permission in accordance with the planning officer's recommendation.

The report included the following comments:

- The site is 1.1km or 14 minutes-walk from the LUAS and while increased densities are encouraged section 4.3.1.1 of the development plan refers to 'Constraints to Higher Densities' where the 'prevailing density should be retained in the interests of visual and residential amenity and sustaining the overall character of the area'. The modest increase in density from 2.48 to 7.45 units per ha as a result of the development is considered acceptable.
- While the building lines are set back from the existing house on site, they adhere to the established building line of neighbouring dwellings to the east.
- The dwellings would be an efficient use of the site. The modern 3 storey design response is acceptable, subject to amendments to the green roofs.
- No overlooking, overshadowing or overbearance issues arise and the houses will not adversely affect residential amenity or the established character of the area.
- Adequate private open space will be provided, and boundary treatments will ensure that the residential amenity of adjacent properties will not be adversely impacted.
- Drainage issues can be addressed by condition, if permission is granted.
- Section 34(13) of the Planning and Development Act is relevant to the reference to a deed of covenant over the lands.
- Third party concerns are noted, including regarding density and overlooking.

DLRCC - AA and EIAR Screening Report

- 3.2.2. Lists the following Natura 2000 sites, their 'Features of Interest' and 'Conservation Objectives':

- 1) South Dublin Bay SAC; 2) South Dublin Bay and River Tolka Estuary SPA; 3) Dalkey Islands SPA; 4) Rockabill to Dalkey Island SAC; 5) Ballyman Glen SAC; 6) Knocksink Wood SAC; 7) Wicklow Mountains SAC; 8) Wicklow Mountains SPA.
- It also refers to non-Natura 2000 sites that may have a role in the maintenance of the species at favourable conservation status in SPA's.
- It concluded that there are no known direct pathways including hydrological or hydrogeological links to any Natura 2000 sites and that AA was not required as there would be no adverse impact on any Natura 2000 site, either direct, indirect or in combination with any other project.
- The planning officer concluded that neither EIA screening nor EIA was required.

3.2.3. Other Technical Reports

- **Drainage Planning** – 27th of April 2023 – Recommend further information regarding SUDS measures and permeable surfaces.
- **Transportation Planning** – No objection subject to conditions.
- **Cherrywood Development Agency Project Team** – the site lies outside but abuts of the planning scheme/SDZ boundary, which lies on the south side of the Luas line. A link between the development and the SDZ would be welcome, but none exists or is proposed in the development plan or the Planning Scheme. The proposed development will have no impact on the Cherrywood Planning Scheme.

3.3. Prescribed Bodies

- Irish Water – 28th of April 2023 – Recommended further information regarding the requirement to engage with Irish Water through a pre-connection enquiry to determine feasibility of connection.
- TII – 20th of April 2023 – No objection subject to conditions regarding compliance with TII code of engineering practice and a Section 49 development contribution.

3.4. Third Party Observations

- 3.4.1. Three third party observations were received by the planning authority in respect of the application, from 1) Tony McGovern and Orla O'Brien (No 13 Brennanstown Vale); 2) Barry Moore (No 10 Brennanstown Vale) and 3) the appellant Alan Nash,

Sonas, No 19 Brennanstown Vale, c135m to the northeast of the application site.

The observations addressed the following:

- The density would be 13.3 dwellings per ha. While it may seem low, it is excessive in the context of prevailing density and is a significant overdevelopment of the site.
- It is out of keeping with character of houses on the road, evident by proximity to boundaries (2.4m) and the separation distance between the proposed houses.
- A restrictive covenant of title prevents construction of further houses and the subdivision of the site as proposed could not legally be implemented. A person shall not be entitled solely by reason a grant of permission to carry out a development.
- Negative impact on flora and fauna in Brennanstown Vale which is home to bats, badgers, hedgehogs, frogs, birds, foxes, squirrels and others.
- Brennanstown Vale is a private road, unsuitable for multi-dwelling development.
- The contemporary/modern design would be visually incongruous and contrary to the Frank Lloyd Wright vision of low-density housing on generously sized sites. It would be out of character and compromise the integrity of the rest of the development. It represents a jarring and unfortunate mix of styles.
- The site area is stated to be 4000sqm but according to the property register it is only 3100sqm.

4.0 Planning History

Application Site

- **P.A. Reg. Ref. 93B/0237** – Retention permission granted on the 30th of June 1993 for modifications to the façade of the existing house. (The house was the end house of a cul-de-sac, hence the now redundant turning circle in front of the site).
- **P.A. Reg. Ref. 91A/1989** – Approval granted on the 14th of May 1992 for a house, septic tank and driveway following O.P.P under P.A. Reg. Ref. 86/1640.
- **P.A. Reg. Ref. 86/1640** – Outline permission granted by the board on the 10th of June 1987 for an access road and 12 houses including on the application site.

No 10 Brennanstown Vale (to the immediate west of the site)

- **P.A. Reg. Ref. D13B/0118** – Permission granted on the 4th of July 2013 for a two-storey extension to the rear and side of the existing house, conversion of the existing attic to storage area with roof lights, new dormer window to the rear main roof.

No 13 Brennanstown Vale (to the immediate east of the site)

- **P.A. Reg. Ref. D18B/0189** – Permission granted on the 19th of July 2018 for a single storey bay window/domestic extension to the rear.

No 21 Brennanstown Vale (Site to immediate northwest)

- **PL 06D.239164 (P.A. Reg. Ref. D11A/0155)** - Permission Refused by the board on the 14th of September 2011 for a two-storey detached dwelling with bedroom/bathroom accommodation within roof space for the following reason:

Having regard to the location of the site at a prominent corner, to the size of the site and the proximity to boundaries and the scale of the proposed development it is considered that the proposed development would seriously injure the residential amenity of adjoining properties, would lead to depreciation of the value of property in the vicinity, would set precedent for further similar development and would, therefore, be contrary to the proper planning and sustainable development of the area.

Sites to northwest - adjacent to Brennanstown Vale

The two sites referred to below include part of the road directly north of the application site and an area outside of but along the northern boundary of the existing house on the site. It is a wayleave for the connection to foul and surface water services directly adjacent to the northeastern corner of the application site.

- **ABP-304995-19 (P.A. Reg. Ref. D18A/1187)** - Permission granted by the board on the 8th of November 2019 for 'demolition of a two-storey house and for the construction of 8 no. apartments and 22 no. duplex units' on a site c140m to the northwest of the application site. The density of the development is 75 units per ha compared to a prevailing density of 3-5 units per ha in the wider area.
- **P.A. Ref. D16A/0260 and ABP Ref. PL.06D.247822** – Permission granted on the 15th of May 2017 for 39 no. apartments and 7 no. houses on a site c lands to the north of the application. The density is c60 units per hectare and uses the same

wayleave as ABP-304995-19 to connect to piped services immediately north of the current application site.

Side garden of No 5 Brennanstown Vale (c130m north of the application site)

- **P.A. Reg. Ref. D21A/1020** – Permission granted on the 24th of February 2022 in the side garden of No 5 for a detached 3 storeys 5-bedroom dwelling (374sqm) on a site of 0.757ha (757sqm). The development has not yet commenced.
- **P.A. Reg. Ref. D21A/1021** – Permission granted on the 24th of February 2022 in the side garden of No 5 for a detached 3 storeys 5-bedroom dwelling (366sqm) on a site of 0.888ha (888sqm). The development has not yet commenced.

Site No 24 Brennanstown Vale (c125-200m northeast of the application site)

- **P.A. Reg. Ref. D05A/0801** – Permission granted on the 7th of December 2005 for 2 houses on a site of 0.23316ha. The houses have been built.

5.0 Policy Context

5.1. Dun Laoghaire Rathdown Development Plan 2022-2028

- 5.1.1. The relevant Development Plan is the Dun Laoghaire Rathdown Development Plan 2022-2028, which came into effect on 21st April 2022.
- 5.1.2. The application site and the properties to the north, east and west are all zoned 'Objective A' with a stated objective *'to provide residential development and improve residential amenity while protecting the existing residential amenities.'* 'Residential' is 'Permitted in Principle' on lands zoned Objective A. The Luas line to the immediate south and all other lands to the south are located within the boundary of the Cherrywood SDZ.
- 5.1.3. Policy PHP18 'Residential Density' seeks to increase housing supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria, while providing high quality design and ensuring a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development'.

- 5.1.4. 'As a general rule the minimum default density for new residential developments' in A zoned areas 'shall be 35 units per hectare (net density), but 'this density may not be appropriate in all instances but should be applied particularly in relation to 'greenfield' sites or larger 'A' zoned areas'.
- 5.1.5. Section 4.3.1.2 - PHP19: Existing Housing Stock – Adaptation states:
- It is a Policy Objective to: Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.
- 5.1.6. Policy Objective PHP20: Protection of Existing Residential Amenity states:
- It is a Policy Objective: to ensure the residential amenity of existing homes in the Built-Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.
- 5.1.7. Policy Objective PHP42: Building Design & Height states:
- It is a Policy Objective to 1) Encourage high quality design of all new development. 2) Ensure new development complies with the Building Height Strategy for the County as set out in Appendix 5 (consistent with NPO 13 of the NPF).
- 5.1.8. Chapter 12 Development Management includes Section 12.3.7.5 'Corner and Side Gardens', sets out thirteen criteria to which regard will be had in assessing applications that would subdivide the curtilage of an existing house. (I refer the Board to Section 7.7 of the assessment in this regard).
- 5.1.9. Section 12 also addresses density, open space, access and parking and access.
- 5.1.10. Section 12.3.7.7 'Infill', which is referred to in 12.3.7.5 states:
- New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/ gateways, trees, landscaping, and fencing or railings. This shall particularly apply to those areas that exemplify Victorian era to early mid-20th century suburban 'Garden City' planned settings and estates that do not otherwise benefit from ACA status or similar.
- 5.1.11. Policy Objective EI6: '**Sustainable Drainage Systems**' states:

- It is a Policy Objective to ensure that all development proposals incorporate Sustainable Drainage Systems (SuDS).

5.1.12. Section 12.4.8.3 3 '**Driveways/Hardstanding Areas**' states that 'each driveway, parking and hardstanding area shall be constructed in accordance with SuDS and include measures to prevent drainage from the driveway entering onto the public'.

5.1.13. Section 12.8.11 '**Existing Trees and Hedgerows**' states that new developments shall, also have regard to objectives to protect and preserve trees and woodlands, identified in the development plan.

5.1.14. Policy Objective OSR7: '**Trees, Woodland and Forestry**'

- It is a Policy Objective to implement the objectives and policies of the Tree Policy and the forthcoming Tree Strategy for the County, to ensure that the tree cover in the County is managed, and developed to optimise the environmental, climatic and educational benefits, which derive from an 'urban forest', and include a holistic 'urban forestry' approach.

5.1.15. Policy Objective GIB18: '**Protection of Natural Heritage and the Environment**' refers to the protection and conservation of environment including, Natural 200 sites, pNHAs and Ramsar sites (wetlands) - as well as non-designated areas of high nature conservation value known as locally important areas which also serve as 'Stepping Stones' for the purposes of Article 10 of the Habitats Directive.

5.2. **Supplementary Development Contribution Scheme**

5.2.1. The site lies within the boundary of the LUAS line B1Section 49 Supplementary Development Contribution Scheme. A contribution rate of €351,774.00 per Gross Site Hectare applies.

5.3. **Guidelines**

5.3.1. Relevant Guidelines are:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024.
- Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes, Sustaining Communities (DEHLG, 2007).
- Urban Development and Building Heights - Guidelines for Planning Authorities, 2018

5.4. Natural Heritage Designations

- 5.5. The nearest European sites to the appeal site are Rockabill to Dalkey Island SAC (Site Code: 003000) c5.2km to the east and offshore and Knocksink Wood SAC (Site Code: 000725) c5.3km to the southwest.

5.6. EIA Screening

- 5.6.1. See completed Forms 1 and 2 in Appendix 1.
- 5.6.2. Having regard to the limited nature and scale of the proposed development in a serviced urban area and the absence of any connectivity to any sensitive location, I have concluded at preliminary examination stage that there is no real likelihood of significant effects on the environment arising from the proposed development having regard to the criteria set out in Schedule 7 to the Planning and Development Regulations 2001 (as amended). I conclude that the need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A third-party appeal has been submitted on behalf of Alan Nash, who submitted an observation in respect of the application, and Hilary Nash. The appeal sets out some historic context to the development of Brennanstown Vale and states that the character of the area is larger detached individually designed dwellings on large plots. They consider that the grounds of appeal provide substantive and forceful arguments which collectively must lead to a conclusion that permission should be refused.
- 6.1.2. The grounds of the appeal can be summarised as follows:

Incongruous form of development

- The proposed 3 storey houses will be incongruous to the existing pattern of large 2 storey houses with pitched roofs houses on large sites. They will be visible from the access road.

- Out of character with the area & Contrary to infill / corner/ side garden site policy
- The planning officer concluded that the building line is acceptable, but it is behind the building line to the east, is not in visual harmony with Brennanstown Vale and is contrary to policies 12.3.7.5 and 12.3.7.7 of the development plan. The proximity of the proposed houses to each other and to the existing house on the site is not consistent with the character of the area.

Negative impact on residential amenity of No 12

- A window in House No 1 would overlook the severely truncated and remaining private open space at No 12 and will also overlook house No 2.

Negative impact on sylvan setting and biodiversity of the area

- No assessment of trees to be removed has been provided and the failure of the planning authority to seek further information in this regard calls into question the assessment of the application.
- A review of aerial photography indicates that the development will result in a serious reduction in green infrastructure and biodiversity corridors.
- No assessment of whether the trees could be potential bat roosts, contrary to Section 12.7 Policy Objectives OSR7 and GIB18 of the development plan. Bats are protected under Irish and European law.

Restrictive Covenant

- A restrictive covenant in Brennanstown Vale expressly allows for the construction of only a single house on each site, to ensure it maintains its intrinsic character and reflects the development of Foxrock as a Garden Suburb in the mid-19th Century.
- Breaking the covenant would set an undesirable precedent.
- A grant of permission alone does not permit a person to carry out development.

Drainage

- The drainage department was not happy and sought further information.
- Irish Water has queried the feasibility of connection to public water and wastewater supplies, adding doubt to the ability to implement a grant of permission

6.2. Applicant Response

6.2.1. The applicant responded to the grounds of appeal as follows:

- The appellants are not located immediately adjacent to the site but are concerned that the development might set an undesirable precedent. It will be virtually impossible to see the proposed houses from the appellant's home. There are no additional entrances proposed as the existing secondary entrance to the existing house would be relocated, which although not necessary, will provide a better solution for the two sites.
- Two houses have been permitted in the side garden of No 5 Brennanstown Vale and there is no reason to speculate why they have not yet been built.
- Building lines are not a defining characteristic of the Brennanstown Vale or wider Foxrock area with houses scattered in an undisciplined manner along twisting roads.
- While the houses immediately east have a relatively uniform building line, the existing house on the site is built forward of that building line and should be considered a special case.
- The houses are placed in a logical position and to move them closer to the front boundary would make them more prominent.
- The appellant's hypothetical building line is inappropriate. The applicant used the sweep of the road to define the building line and provides the same depth of front gardens.

Out of Character

- It is not a policy that new houses must mimic existing houses.
- DLRCC has a longstanding policy of encouraging contemporary architecture, with notable examples, including a modern house of more than 1000sqm located c210m to the north of the site.

Contrary to infill policy

- The appellants make non-specific reference to policies 12.3.7.5 'Corner/Side Garden Sites' and 12.3.7.7 'Infill'. The applicant does not consider section 12.3.7.5 applies to large sites such as the application site, which is well landscaped and should have greater flexibility.

- While the houses are large at more than 300sqm, they are not out of context with existing neighbouring houses.
- The houses exceed all development plan standards, would be predominantly finished in red brick, the prevailing material in the area, and would provide a high standard of accommodation, without overlooking neighbours.
- The development fully complies with 12.3.7.7 as it respects the height and mass of adjacent houses, with a setback top floor rather than a traditional pitched roof.

Impact on applicant's own home

- More than 350sqm of garden will remain to the east and c850sqm to the west.
- To assure the continued amenity of the site, only 2 houses were proposed rather than selling to a commercial developer, who may seek a higher density.

Negative impact on Sylvan Setting

- The site perimeter is already well planted and will be reinforced with new planting. The loss of a few small trees will not be significant.
- No evidence of bats has been provided and the site is not a designated site.
- Sections 9.3.1.3. (Policy Objective OSR7) and 8.7.1.1 (Policy Objective GIB18) are not applicable as tree cover will be preserved, not diminished.
- Aerial photos show the area was open pasture until Brennanstown Vale was built.

Restrictive Covenant

- Without evidence, reference to a covenant is just hearsay. It is not a matter for the Board to consider.

Drainage

- The site has 303sq of existing hard paving. The proposed development will include permeable paving and green roofs and will reduce hard surfaces to 80sqm, or c25% of the existing. The site can accommodate soak-pits, if deemed necessary.

Conclusion

- The planning authority promotes contemporary design with cited examples now forming elements of the county's architectural heritage. The proposed houses are in

accordance with Section 4.3.1.2 (PHP19) 'existing housing stock adaptation' that facilitates small scale infill development.

6.3. Planning Authority Response

- The Planning Authority referred the Board to the previous Planner's Report and stated that in its opinion the grounds of appeal do not raise any new matters which, would justify a change of attitude towards the proposed development.

6.4. Observations

- None.

6.5. Further Responses

- None

7.0 Assessment

7.1. Having examined the application details and all other documentation on file, including the information received in relation to the appeal, having inspected the site, and having regard to relevant planning policies, I am satisfied that the main issues in this appeal can be dealt with under the following headings:

- Principle of Development
- Covenant
- Demolition
- Density
- Vehicular Access
- Side / Corner Gardens
- Out of Character
- Bats
- Drainage and Water Supply
- Bins, Bike, Garage and Shed

- Section 49 Development Contribution
- New Issue – Part V

7.2. Principle of Development

- 7.2.1. The application site is zoned 'Objective A' in the Dun Laoghaire County Development Plan 2022-2028, the zoning objective for which is 'to provide residential development and improve residential amenity while protecting the existing residential amenities.' Residential development is 'Permitted in Principle' under this zoning objective, and I am satisfied that the principle of two house on the site is acceptable, subject to a number of other considerations, which are addressed below.

7.3. Covenant

- 7.3.1. I note the comments of the appellants in respect of a restrictive covenant that they state applies to the land. That is not a matter that falls to be considered in this assessment or in the decision making process of this appeal, and I am satisfied that the presence or otherwise of a restrictive covenant does not preclude the board from making a decision in respect of this application, as I note that Section 34(13) of the Planning and Development Act 2000 (as amended) states that 'A person shall not be entitled solely by reason of a permission under this section to carry out any development'.

7.4. Demolition

- 7.4.1. The development includes the demolition of the existing brick built and pitched roof garage located adjacent to the road at the northern end of the site having a floor area of 88.33sqm, and a timber shed located close to the southern boundary, which has a floor area of 19.05sqm.
- 7.4.2. I am satisfied that the buildings have no features that are worthy of retaining and I have no objection to the demolition of the existing garage and shed.

7.5. Density

- 7.5.1. The appellants state that the density is inappropriately high. There are 25 houses in Brennanstown Vale which has an overall area of c.8.87ha, which gives a prevailing density of 2.82 units per hectare. The two houses permitted in the side garden of No 5, would increase the density to 3.04 units per hectare. The two proposed houses would further increase the density in Brennanstown Vale to 3.27 units per hectare.

- 7.5.2. The site itself is 0.1538ha in area and the two houses would have a site-specific density of 13 units per hectare.
- 7.5.3. The development plan recommends a density of 35 units per hectare on 'A' zoned lands but notes that this density may not be appropriate in all instances, while Policy Objective PHP19 seeks to densify exiting built up areas through small infill development having regard to neighbouring amenity, which I will address later in my assessment.
- 7.5.4. Table 3.1 of the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities sets out Areas and Density Ranges Dublin City and Suburbs. Despite being located, in close proximity to both the existing Carrickmines and future Brennanstown Luas stops, the site is located more than 1km walking distance from both stops and would therefore fall into the 'City - Suburban/Urban Extension' category, where it is a policy and objective of these Guidelines that residential densities in the range 40 dph to 80 dph (net).
- 7.5.5. Under normal circumstances, the density of the site is significantly below what should be acceptable in such a prime location close to a Luas stop and would be significantly below what is called for in the development plan and the Compact Settlement Guidelines, and this is evidenced by grants of permission issued by the board in 2017 and 2019 at densities of 60 and 75 units per hectare on nearby sites. While the site at 0.1538 is capable of accommodation significantly more than two houses, given the prevailing density in Brennanstown Vale, and the pattern of development in the immediate area, I am satisfied that the proposed density would be acceptable and appropriate for this site.

7.6. Vehicular Access

- 7.6.1. The existing vehicular access, which acts as a secondary access to the existing house El Fatima is 4m in width and is located on the very western extend of the site frontage which extends for 26.5m. The road directly in front of the access contains what was originally a turning circle before additional houses were built to the north and east of the site. The proposed new/relocated access would also be 4m in width and would be located 8-12m from the western boundary.
- 7.6.2. Section 12.4.8 of the Dun Laoghaire Rathdown County Development Plan 2022-2028 states that vehicular entrances should be designed to avoid traffic hazard for pedestrians and passing traffic and that for a shared entrance for two residential

dwellings, the maximum width of the entrance may be increased to a maximum width of 4 metres.

- 7.6.3. The transportation department of DLRCC had no objection to the proposed access subject to conditions. I am satisfied that that proposal to close the existing entrance and construct a new entrance in a more central part of the road frontage, is acceptable, subject to a condition requiring the closure of the entrance and construction of a new boundary.

7.7. Side / Corner Gardens

- 7.7.1. In the grounds of the appeal, the appellants stated that the proposed development would be contrary to Sections 12.3.7.5 (Corner /Side Garden Sites) and 12.3.7.7 (Infill) of the development plan, while in response, the applicant stated that the appellants has made non-specific references to both sections and that the proposed development was fully compliant with 12.3.7.5, while they did not consider that 12.3.7.7 applied to the proposed development.

- 7.7.2. I will now examine the sub-elements of Section 12.3.7.5 of the development plan.

(1) Size, design, layout, relationship with existing dwelling and immediately adjacent properties (2) Impact on the amenities of neighbouring residents (3) Building lines followed, where appropriate (4) Adequate usable private open space for existing and proposed dwellings provided.

- 7.7.3. The third party expressed concern that the private open space that will be retained at the applicant's existing house will be severely truncated and would be overlooked by a window from proposed House No 1. Table 12.10 Private Open Space provides that houses of 4 or more bedrooms should have a minimum of 75sqm of private open space. The existing house will retain c1,200 sqm of private space with 350 sqm at the rear and c850sqm at the western side. I am satisfied that the existing house at 12 Brennanstown Vale will retain sufficient open space with the proposed development in place.

- 7.7.4. The proposed houses would be provided with private open space behind the rear building line that would be significantly in excess of the 75sqm requirement, and I am satisfied that each of the proposed houses would be provided with adequate amount of useable private open space

- 7.7.5. I am satisfied that the proposed houses would have no impact on the houses located to the north or on the Luas track to the south.
- 7.7.6. Proposed house No 1 would have one first floor bathroom window facing west onto the application site while the setback second floor will not have any windows on the western side that could overlook the existing house on the site. I am satisfied that the house has been designed to ensure that both the existing and proposed houses maintain a high degree of privacy, while existing and proposed planting along the new proposed western side boundary will ensure that there is no undue overlooking of the existing house or the small area of open space that it would retain along its eastern side.
- 7.7.7. At present the separation distance between the existing house on the site and No 13, to the east is c55m. A north-south running laneway runs along the eastern boundary of the site and is c5m in width at its widest point. The nearest part of No 13, is located c16m from the edge of the boundary, while proposed House No 2 would be set back between 2.4m and 3.2m from its eastern boundary. In total the sides of houses would be c23m apart, which I am satisfied is acceptable.
- 7.7.8. The appellants also raised concern regarding the proposed building line being out of line with the existing house on site and the houses to the east and that this would impact amenity. Despite being set back relative to the existing house on site, I am satisfied that the proposed building line of House No 1 is and the house has been designed to avoid overlooking of the retained open space. I am also satisfied that the proposed front and rear building lines of House no 2 are acceptable relative to No 13 to the east, which has a main building line of more than 20m from the roadside edge to the front. House No 2 would have three-bathroom windows at first and second floor levels that would face east towards No 13 and if the board is minded to grant permission, a condition can be imposed requiring that the windows are fitted with opaque glazing.

Accommodation standards for occupiers.

- 7.7.9. Section 12.3.4.2 Habitable Rooms of the development plan provides that the minimum size of habitable rooms will conform with the Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes, Sustaining Communities (DEHLG, 2007).

7.7.10. In the application, the houses will have 5 double bedrooms and are described as House 1 (western side) with a floor area of 326sqm and House 2 (eastern side) with a floor area of 366sqm.

7.7.11. I have assessed the rooms against the requirements of the Guidelines and while the largest house that the guidelines refer to are 3-storey 4-bedroom houses having gross floor areas of 120sqm, the proposed houses significantly exceed this floor area, which would indicate that they should easily exceed minimum requirements.

7.7.12. I am satisfied that both houses would be compliant with the minimum bedroom sizes and widths for double bedrooms and would significantly exceed the minimum main living area and aggregate living area floor areas, while kitchen storage would be provided in the form of a separate pantries. The house would also contain large storage and playroom areas at attic level, as well as a separate office and TV room at ground floor. I am satisfied that the proposed houses would provide a high level of quality internal accommodation for future occupants.

Car parking for existing and proposed dwellings provided on site.

7.7.13. The existing house El Fatima is served by two vehicular access points and the principal access will be retained as the means of access to the existing house. The secondary access is to be closed and a new more central entrance opened up to the west of the current access. I am satisfied that the existing house will retain an existing access and an adequate quantum of parking.

7.7.14. Despite being located adjacent to the Carrickmines Luas stop, the site is located 1.25km from the Luas stop and further from the future Brennanstown Stop and would therefore be defined as a peripheral location for the purpose of SPPR 3 of the Compact Settlements Guidelines, which states that the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. I am satisfied that the provision of two parking spaces at each of the two houses is acceptable.

Side/gable and rear access/maintenance space.

7.7.15. The space available at the sides of each house is 2.405m while the space between the proposed houses will give each house 2.62m of space to the shared boundary. I am satisfied that sufficient space would be available at the sides of each

of the houses to provide access to the side and rear for access and maintenance purposes.

Level of visual harmony, including external finishes and colours.

- 7.7.16. The ground and first floor elevations will be finished in brick while the setback top/second floor will be finished in untreated timber cladding. Taking into consideration the setback of the two houses at more than 18.4m from the edge of footpath along the northern/roadside boundary at the front of the site, existing and proposed landscaping, and the finishes to existing houses in Brennanstown Vale, I am satisfied that the proposed house would not be out of harmony with the existing houses in the immediate vicinity.

Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in certain areas where it may not be appropriate to match the existing design.

- 7.7.17. While the sites of the proposed houses are generous in their own right, they are narrow when compared to many of the existing sites in the area and the type of houses built on the larger sites would not be capable of being built on this site. A precedent for three storey house was established in 2021 when two three storey houses were granted permission by the planning authority in the side garden of No 5, c130m to the north of the site.

- 7.7.18. Although three storeys in height, compared to the existing neighbouring houses which are primarily two storeys with pitched roofs, the design of the houses with the setback top floor, facilitates the provision of an additional floor without having a negative impact on the amenities of adjoining houses. In terms of design, there is no consistency between the existing houses in Brennanstown Vale and I consider that the proposed modern design of House 1 and 2 is acceptable.

Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/reinstated where possible.

- 7.7.19. The proposed site layout plan indicates that all existing and proposed boundaries will and while a site-specific landscape plan was not submitted with the application, I am satisfied that this can be addressed by way of a condition should be board be

mind to grant permission. I also consider that the design and positioning of the houses on the site relative to the existing houses to the east and west and separation distances between the existing and proposed houses. Together with existing and new planting will ensure that appropriate boundary treatments will be in place and the amenities of all houses will be protected.

7.8. Out of Character

- 7.8.1. While the appellants are of the view that that the proposed development would be out of character with the prevailing pattern of development in the area, in that it would be a negative thing, I would concur that the two houses would be out of character with the prevailing pattern of development of very large houses on very large sites. I do not however think that the proposed development is inappropriate, and I also note that the proposed houses follow a similar pattern established by grants of permission issued by the Planning Authority under P.A Ref's. D21A/1020 and D21A/1021, where two houses were granted permission in the side garden of No 5 Brennanstown Vale on sites of 0.757 and 0.888ha. I also do not concur with the appellant's assessment that the proposed development would be negative, and I would take the opinion that the densification of this site, which is located adjacent to the Carrickmines Luas stop, although not directly accessible from Brennanstown Vale is an appropriate form of development for this site.

7.9. Bats

- 7.9.1. Reference is made in the appeal to the site being a potential site for bat roosts, which are protected species under EU and National legislation. However, no evidence has been provided by the appellant in support of their claim and it has not been raised as an issue by the planning authority. The nearest onshore Natura 2000 site is located 5.3km to the southwest, at Knocksink Wood SAC. The extent of the grounds of appeal regard potential bat roosts are that the development would result in a loss of biodiversity and trees. I note that the applicant proposed to provide additional planting on the site, between the two house and along the western side of the site adjacent to the existing house on the site. I am satisfied that the proposed development would not have a negative impact on bat species and is not contrary to Section Policy Objectives OSR7 and GIB18 of the development plan.

7.10. Drainage and Water Supply

7.10.1. The appellant raised concern regarding drainage and the availability of a water connection at the site. The applicant proposed to reduce the area of hard/impermeable surfaces on the site from 303sqm to 80sqm, which I consider to be acceptable. Subject to the attachment of conditions I am satisfied that the proposed development will be acceptable as regards Drainage and water supply.

7.11. Bins, Bike, Garage and Shed

7.11.1. Like the existing development, it is proposed to provide domestic garages with floor areas of 16.5sqm at the front of the site and garden sheds at the rear with floor areas of 5.94sqm. Bin storage areas with capacity for 3 bins at each house are also proposed at the front of the houses while a shared bike storage area is proposed, with capacity for 8 bikes. The planning authority attached condition No 8 requiring that the bike stands are of their preferred Sheffield stand design and I consider it reasonable a condition to that effect, should be board be minded to grant permission.

7.12. Section 49 Development Contribution

7.12.1. The site lies within the boundary of the LUAS line B1 Section 49 Supplementary Development Contribution Scheme area for which the contribution rate is currently €351,774.00 per Gross Site Hectare. The amended Chief Executives Order dated the 25th of May 2023, which added two additional conditions, including a S49 contribution condition as an amendment to the original decision to grant permission, states that the site measures 0.396ha and that a contribution of €139,302.50 would apply to the proposed development.

7.12.2. Question 9 of the planning application form states that the site area is 0.1538ha. Therefore, it is not clear where the 0.39ha calculation was derived from. The development contribution should therefore be in the amount of €54,102.84, based on the currently contribution rate. Should the board be minded to grant permission, I would recommend that a S49 development contribution condition be attached in the sum of €54,102.84 (index linked).

7.13. New Issue - Part V

7.13.1. In responding to question 14 of the planning application form the application ticked 'No' to the question that asked – 'is the application an application for permission for development to which part five of the Planning and Development Act 2000, as amended, applies? (see Direction No. 7)'. Direction No. 7 of the application form

indicates that Part V applies where 1) the land is zoned for residential use, which it is; 2) there is an objective in the Development Plan for a percentage of lands to be made available for social and/or affordable housing, which it does; and 3) the proposed development is not exempt from Part V.

- 7.13.2. With respect to part three above, regarding exemption, Section 96(1) of the Act provides that subject to subsection 96(13) and Section 97, the provisions of Section 96 shall apply to an application for permission for the development of houses on land and subsection 96(2) requires that the Board on appeal, shall require as a condition of a grant of permission that the applicant enter into an agreement under this section with the planning authority. Subsection 96(13) states that the section shall not apply to applications for permission or development of houses pursuant to an agreement under Section 96. There is no reference in the application to an agreement having been reached between the applicant and the planning authority.
- 7.13.3. Section 97(3) of the Planning and Development Act 2000 (as amended) provides that a person may, before applying for permission in respect of a development consisting of the provision of 4 or fewer houses, apply to the planning authority for a certificate stating that Section 96 shall not apply to a grant of permission in respect of the development concerned, in this case the development of two houses. Section 97(3) continues to state that where the planning authority grants a certificate, Section 96 shall not apply to a grant of permission in respect of the development concerned.
- 7.13.4. I am satisfied that that the applicant incorrectly addressed Part V in the application form, while neither the planning officer's report nor the decision to grant permission address Part V. That does not however remove the requirement to comply with obligations set out in the Planning and Development Act 2000, as amended. The onus was on the applicant to apply for an exemption certificate, and they cannot just assume that meeting the criteria in section 97(3), which they would do, will result in an automatic exemption from Part V. As the applicant, has not applied for or been granted a certificate of exemption, the Board is required to apply a Section 96 condition. The form of the agreement would be a matter for the applicant and the planning authority.

8.0 AA Screening

- 8.1.1. I have considered the proposed development, in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.1.2. The subject site is located c5.2km west of the offshore Rockabill to Dalkey Island SAC (Site Code: 003000) and c5.3km to the northeast of Knocksink Wood SAC (Site Code: 000725).
- 8.1.3. The proposed development consists of the demolition of an existing garage and garden shed and the construction of two houses in the side garden of an existing house. I have described the existing house and its context in Section 1.0 and the proposed development in section 2.0 of this report.
- 8.1.4. Unsupported nature conservation concerns were raised in the planning appeal regarding the loss of trees and potential bat roosts, while the planning authority considered that a Stage 2 AA would not be required.
- 8.1.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The nature and scale of the proposed works in demolition of a garage and garden shed and the construction of two house.
 - The distance from the nearest the European site and lack of connections as the site connects to the existing public surface water drainage network.
 - The conclusions in the Appropriate Assessment screening carried out by the planning authority.
- 8.1.6. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.
- 8.1.7. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. I recommend permission be GRANTED for the following reasons and considerations and subject to the following conditions.

10.0 Reasons and Considerations

- 10.1. Having regard to the provisions of the Dun Laoghaire-Rathdown County Council County Development Plan 2022–2028, to the zoning of the site for residential purposes, to the design, layout and density of the proposed development, and to the pattern of development in the vicinity, it is considered that, subject to compliance with conditions set out below, the proposed development would not seriously injure the character of the area or the residential or visual amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area. The proposed development would therefore be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

- 1 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

- 2 Prior to commencement of development the applicant shall submit a final site layout plan and further annotated plans, elevations and sections at a scale of 1:50, for the written agreement of the planning authority, that shall provide details of all above and below ground works to be carried out to facilitate the closure of the existing vehicular access and the construction of the new vehicular access, which shall be a maximum of 4m in width, including details of gates and pillars, services relocation, as well as works to kerbs, grass verges and the footpaths.

Reason: In the interest of traffic and pedestrian safety and to ensure a good standard of development.

- 3 The proposed bike storage shall include 'Sheffield' bike stands as detailed in Standards for Cycle Parking & associated Cycling Facilities for New Developments (DLRCC January 2018)

Reason: In the interest of orderly development.

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

Reason: In the interest of visual amenity.

- 5 Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

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

- 6 Prior to the commencement of development, the developer shall enter into water and/or waste water agreement(s) with Uisce Éireann.

Reason: In the interest of public health.

- 7 All service cables associated with the proposed development (such as electrical, telecommunications and communal television) shall be located underground.

Reason: In the interest of visual and residential amenity.

- 8 The construction of the proposed development shall be managed in accordance with a Construction and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended demolition and construction practices for the proposed development, including noise management measures, traffic management, off-site disposal of construction/demolition waste and details of all works proposed to be carried in proximity to the Luas line.

Reason: In the interest of public safety and residential amenity.

- 9 Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these

times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

- 10 The site shall be landscaped in accordance with a landscaping scheme, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved landscaping scheme shall include details of hedging to be protected during construction, details of the means of protection of hedging and any trees or new hedging to be planted, which will be planted in the first planting season following completion of the development. Any plant materials that die or are removed within three years of planting shall be replaced in the first planting season thereafter.

Reason: In the interest of visual and residential amenity.

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

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

- 12 Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development,

coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

Reason: To ensure the satisfactory completion of the development.

- 13 The developer shall pay to the planning authority a financial contribution of €54,102.84 in respect of the 'extension of Luas Line B1 – Sandyford to Cherrywood' in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

- 14 Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority in relation to the provision of housing in accordance with the requirements of section 94(4) and section 96(2) and (3) (Part V) of the Planning and Development Act 2000, as amended, unless an exemption certificate shall have been applied for and been granted under section 97 of the Act, as amended. Where such an agreement is not reached within eight weeks from the date of this order, the matter in dispute (other than a matter to which section 96(7) applies) may be referred by the planning authority or any other prospective party to the agreement to An Bord Pleanála for determination.

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

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

Joe Bonner
Senior Planning Inspector

12th August 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-317315-23		
Proposed Development Summary	Demolition of existing garage and garden shed, construction of 2 houses		
Development Address	12 Brennanstown Vale, Dublin 18, D18W6E5		
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) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		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)
No		N/A	
Yes	X	Class 10(b)(i) of Part 2: threshold 500 dwelling units (iv) urban development 10 ha site Class 14 of Part 2 (demolition)	The development consists demolition of a shed and garage and construction of 2 houses
Proceed to Q.4			
4. Has Schedule 7A information been submitted?			

No	N/A	Preliminary Examination required
Yes		Screening Determination required

Inspector: _____ **Date:** _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-317315-23	
Proposed Development Summary	Demolition of existing garage and garden shed, construction of 2 houses	
Development Address	12 Brennanstown Vale, Dublin 18, D18W6E5	
<p>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.</p>		
	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>	<p>The subject development comprises two dwellings in a larger side garden in a mature suburban residential cul-de-sac in an area characterised by residential development. Permission has been granted in 2017 and 2019 for two houses in a similar side garden c130m north of the site. In this way, the proposed development would not be exceptional in the context of the existing environment.</p> <p>During the demolition and construction phases the proposed development would generate waste during excavation and construction. However, given the moderate size of the proposed houses or the garage and shed proposed to be demolished, I do not consider that the level of waste generated would be significant in the local, regional or national context. No significant waste, emissions or pollutants would arise during the demolition, construction or operational phase due to the nature of the proposed use.</p>	<p>No</p> <p>No</p>
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context</p>	<p>The proposed development would consist of two no 3 storey houses with floor areas of 326sqm and 366sqm, garages, sheds, bike parking and circulation space and are not considered exceptional in the context of neighbouring houses.</p>	<p>No</p>

<p>of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>Owing to the serviced urban nature of the site and the infill character of the scheme, I consider that there is no real likelihood of significant cumulative impacts having regard to other existing and/or permitted projects in the adjoining area.</p>	<p>No</p>
<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>	<p>The application site is not located in or immediately adjacent to any European site. The closest Natura 2000 site is the Rockabill to Dalkey Island SAC (Site Code 003000), c.5.2km southwest of the site.</p> <p>There are no waterbodies or ecological sensitive sites in the vicinity of the site. The site is located within a serviced urban area and the site would be connected to public surface and foul sewers. I do not consider that there is potential for the proposed development to significantly affect other significant environmental sensitivities in the area.</p>	<p>No</p> <p>No</p>
<p style="text-align: center;">Conclusion</p>		
<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		

Inspector: _____

Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)