



An  
Bord  
Pleanála

## Inspector's Report ABP-317850-23

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<b>Development</b>	Construction of a new 1.5 storey, detached 4 bedroom dwelling, alterations to existing vehicular entrance on Shanvarna Road and all associated works.
<b>Location</b>	60, Shanvarna Road, Santry, Dublin 9, D09W229
<b>Planning Authority</b>	Dublin City Council
<b>Planning Authority Reg. Ref.</b>	4555/22
<b>Applicant(s)</b>	Colm Barrable
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Refuse permission
<b>Type of Appeal</b>	First Party
<b>Observer(s)</b>	Marie Ralph and Others Daniela Sorahan
<b>Date of Site Inspection</b>	1 <sup>st</sup> December 2023

**Inspector**

John Duffy

## 1.0 Site Location and Description

- 1.1. The subject site (0.0916 ha) accommodates an end of terrace (8 house terrace) two storey dwelling along with a large garden area located to the front, side and rear of the dwelling, at 60 Shanvarna Road, Santry, Dublin 9, The site is irregular in configuration.
- 1.2. A laneway runs to the rear of the terrace and the appeal site, separating it from the rear gardens of dwellings located off the Swords Road to the west, many of which have rear vehicular accesses or garages opening onto the laneway. The laneway is accessed via the Swords Road for motorists, with access for pedestrians along Shanvarna Road, adjacent to No. 46.
- 1.3. Part of the rear laneway is included in the red line boundary of the site and this area has been recently enclosed by a c 1.8-metre-high block wall.
- 1.4. It is noted that while most of the laneway is in charge by the local authority, the section of the lane adjacent to the application site and Nos. 274, 276, 278 and 280 Swords Road is not in charge by the local authority.
- 1.5. The site is bounded to the north by the rear gardens of residential properties situated along Lorcan Road. To the front of the overall site there is an existing driveway which extends to the road edge. The front garden area extends to the east and is bounded by wooden fencing and a wall. High wooden gates enclose the property to the front.

## 2.0 Proposed Development

- 2.1. The proposed development comprises the following:
  - (i) Construction of a new 1.5 storey, detached 4 bedroom dwelling to the side / rear of the existing property,
  - (ii) Alterations to the existing vehicular entrance on Shanvarna Road for the provision of a new driveway and vehicular entrance to the proposed new dwelling.

## 3.0 Planning Authority Decision

### 3.1. Decision

The Planning Authority refused permission on the 24<sup>th</sup> July 2023 subject to the following reason:

*Having regard to the narrow width of the existing laneway and the proposed removal of an open turning area at the north of the laneway, the applicant has failed to demonstrate that a safe means of access and egress for all road users can be provided along the laneway. It is considered that the proposed development would therefore seriously injure the amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

*Note: the applicant has not fully responded to all items of the Further Information request, providing a map (but not the accompanying folio) for one portion of the lands, and therefore failing to fully address the issue of land ownership, and also failing to adequately address the issue of the possible existence of badger (a protected species) on the site. These issues should be addressed in the event of any further application for permission on the site.*

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The first report of the area planner raised a number of issues on which further information was required as follows:

- Revised site plans to be submitted which clearly demonstrates the applicant's landholdings in respect of (i) the land or structure to which the application relates and (ii) any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land.
- Documentation to be submitted which demonstrates legal title to the above-mentioned lands as evidence of land ownership.

- Applicant requested to explore an increased set-back of proposed dwelling to ensure protection of existing planting and to ensure no undue impact in terms of overbearing/overshadowing on adjoining lands at 53 Lorcan Road.
- Applicant requested to address the issue of a badger residing at the site and submit details of any possible badger sett.
- Proposed vehicular entrance at 7.4m wide is excessive and revised plans sought which demonstrate vehicular entrances not exceeding 3.6m in width.
- Noted that the proposed development would alter the laneway to the rear of the site and potentially impinge on turning movements and access and egress to garages, along with access for emergency vehicles, information on how vehicles could access and egress the laneway in a safe manner by way of an auto-track drawing (or similar) was requested.

The second report of the area planner reflects the decision to refuse permission following the submission of further information, summarised below:

- 3 maps relating to the applicant's landholding were provided as part of the further information submitted. Map 2 relates to the lands located to the side/rear of the existing dwelling, within the existing laneway however no evidence was provided as to when the land was purchased or that it has been transferred into the applicant's ownership. As such it was considered that this item of further information had not been adequately addressed.
- A revised site plan showing the proposed dwelling set back further from the northern and eastern boundaries was provided, which was acceptable to the planning authority.
- No desk-top survey and / or walk-over survey by a suitably qualified ecologist was undertaken in relation to the possibility of a badger occupying scrubland adjacent to the northern site boundary.
- Revised drawings were submitted demonstrating a shared access 3.5m in width which was acceptable to the planning authority.
- While the applicant provided a drawing showing a car in the laneway as far as the rear of No. 268 Swords Road and No. 50 Shanvarna Road, no swept path

analysis / auto-track drawing was provided for the northern part of the laneway, to the rear of the subject site. The submitted drawing does not address vehicular movements along this section of the laneway, specifically with regards to access and egress from the garages and entrances to the rear of 276, 278 and 280 Swords Road. Furthermore, no swept path diagrams are provided for emergency vehicles or delivery vans. As such it was considered that this item of further information had not been adequately addressed.

The planning authority refused permission for the proposed development for the reason listed under section 3.1 above.

### 3.2.2. Other Technical Reports

Transport Planning Division (TPD):

The first report recommends further information is sought relating to revised plans demonstrating (i) vehicular entrances not exceeding 3.6m in width, and (ii) access and egress to the laneway to the rear of the proposed site, along with access for emergency services. Submission of revised plans clearly showing the applicant's landholdings at this location along with documentation demonstrating legal title to the lands the subject of the application was also recommended.

The second report outlines no objection to the proposed shared vehicular access which will be 3.5 m in width. The report identifies shortcomings with the submitted swept path analysis (as referred to in section 3.2.1 above) and it recommends a refusal of permission on the basis that the applicant has not demonstrated a safe means of access and egress for all road users can be provided along the laneway and that the proposed development would seriously injure the amenities of the area, would endanger public safety by reason of traffic hazard and obstruction of road users.

Drainage Division: No objection subject to conditions.

### 3.3. **Prescribed Bodies**

None received.

### 3.4. Third Party Observations

5 no. third-party submissions were received by the planning authority in respect of the proposed development. The report of the Planning Officer summarises the main issues raised, as follows:

- Laneway is the only vehicular access to neighbouring dwellings on Swords Road.
- Impact of proposal on existing right of way.
- Ownership of land / legal title not demonstrated.
- Common area is used as a turning point.
- Parking area to the rear is used daily.
- Impact on emergency vehicle access to the rear of the properties as turning area would be removed.
- New vehicular access created onto lane without planning permission.
- No consideration with regards to deliveries to rear of properties.
- Badger is currently residing within the proposed development lands.
- No site notice to the laneway.
- Discrepancy with Ref. number of planning application on drawings uploaded.
- Safety issues.

### 4.0 Planning History

#### Appeal Site

#### Enforcement

**E0530/23** - An enforcement case relating to building works being underway has been opened following receipt by the planning authority of a valid complaint.

## **Reg. Ref. 2726/18**

Permission refused to the applicant for development consisting of (1) Two storey side and rear extension to existing dwelling. (2) Construction of a new 4 bed detached dwelling to rear of corner site, including associated windows, widening of access to allow for additional dwelling and all associated site development works.

Permission was refused for the following reason:

*The proposal to widen the existing access to facilitate the provision of an additional dwelling is unacceptable as the Applicant has not provided sufficient information to demonstrate that the existing vehicular entrance and access across the landscaped area adjoining Shanvarna Road is authorised development. The proposed development would, therefore, not provide for appropriate vehicular access and off-street car parking, be contrary to the provisions of the Dublin City Development Plan 2016-2022 and be contrary to the proper planning and sustainable development of the area.*

## **Adjoining the appeal site to the east**

**Reg. Ref. 1285/23:** Erection of 2 no. two storey 3 bedroom detached dwellings in existing side garden of 62 Shanvarna Road, Dublin 9 D08 FD36. Permission was refused due to the proximity of the proposed development to the shared boundary with the rear gardens of Nos. 59 and 61 Lorcan Road, negative impacts on residential amenity and that the proposal would be contrary to the zoning objective.

## **5.0 Policy Context**

### **5.1. Dublin City Development Plan 2022-2028**

The proposed development was initially considered by the Planning Authority under the Dublin City Development Plan 2016-2022, and subsequently considered under the Dublin City Development Plan 2022-2028 as that Plan was adopted and in force by the time the further information was submitted to the Planning Authority in respect of the planning application.

#### Zoning



The site is zoned Z1 - Sustainable Residential Neighbourhood, where it is an objective “To protect, provide and improve residential amenities.” The appeal site is located just south of the Dublin Airport Noise Zones.

### Development Standards

#### Section 15.13.3: Infill / Side Garden Housing Developments

The planning authority will favourably consider the development of infill housing on appropriate sites. In general, infill housing should comply with all relevant development plan standards for residential development including unit sizes, dual aspect requirements, internal amenity standards and open space requirements.

The planning authority will have regard to the following criteria in assessing proposals for the development of corner/side garden sites:

- The character of the street.
- Compatibility of design and scale with adjoining dwellings, paying attention to the established building line, proportion, heights, parapet levels and materials of adjoining buildings.
- Accommodation standards for occupiers.
- Development plan standards for existing and proposed dwellings.
- Impact on the residential amenities of adjoining sites.
- Open space standards and refuse standards for both existing and proposed dwellings.
- The provision of a safe means of access to and egress from the site.
- The provision of landscaping and boundary treatments which are in keeping with other properties in the area.
- The maintenance of the front and side building lines, where appropriate.
- Level of visual harmony, including external finishes and colours.
- 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 and the Council will support innovation in design.

- Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
- 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.
- Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.

#### Section 15.11: House Developments

- Internal layout to comply with the national guidance.
- Orientation of dwellings to maximise daylight and sunlight.
- Provision of private open space.

Chapter 5 of the Development Plan relates to Quality Housing and Sustainable Neighbourhoods. Key policies include:

- QHSN6 – Urban Consolidation *To promote and support residential consolidation and sustainable intensification through the consideration of applications for infill development, backland development, mews development, re-use/adaption of existing housing stock and use of upper floors, subject to the provision of good quality accommodation.*
- QHSN10: Urban Density *To promote residential development at sustainable densities throughout the city in accordance with the core strategy, particularly on vacant and/or underutilised sites, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.*
- QHSN04: Densification of Suburbs *To support the ongoing densification of the suburbs and prepare a design guide regarding innovative housing models, designs and solutions for infill development, backland development, mews development, re-use of existing housing stock and best practice for attic conversions.*

## 5.2. EIA Screening

- 5.2.1. See completed Form 2 below. Having regard to the nature of the proposed development comprising 1 no. house and associated works, in an established urban area and where infrastructural services are available, there is no real likelihood of significant effects on the environment arising from the proposed development. 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

This is a first-party appeal against the decision of Dublin City Council to refuse permission for the proposed development. The issues raised are summarised below:

### 6.2. Rear Laneway

- The laneway was never intended to operate as a turning point facility.
- From No. 274 Swords Road, the laneway comprised scrubland, with no access from the rear of No. 274 Swords Road. As time went on a garage at the rear of No. 276 Swords Road was constructed.
- Anti-social behaviour was evident at this part of the laneway.
- The laneway was intended to provide for parking at the rear of houses however as time went on cars were parked on the laneway itself.
- The Council has advised that it looks after the laneway, but not the area to the rear of 60 Shanvarna Road or to the rear of Nos. 274, 276, 278 and 280 Swords Road.
- The applicant has been advised he is entitled to build a boundary wall enclosing the area he has purchased and which he owns.
- A reasonable turning point exists at the top of the laneway facilitated by the applicant narrowing the boundary wall line.

### 6.3. Property Registration

- On-going efforts to expedite and finalise the registration of the land located to the rear and side of his property in the applicant's name. Contact has been made with Tailte Éireann in this context with an e-mail from that organisation to the applicant's solicitor confirming the matter has been expedited and that the application is receiving attention.

#### 6.4. Badger sett

- There is no evidence of a badger or badger sett in the vicinity of the site.
- The National Park and Wildlife Service (NPWS) plans to send a Park Ranger to examine / inspect the site.

The following documentation was included with the first party appeal:

- The Notification of Decision to Refuse Permission from the planning authority dated 26<sup>th</sup> July 2023.
- A copy of the Further Information cover letter to the planning authority dated 27<sup>th</sup> June 2023 from the applicant's agent (LDP).
- A copy of Map No. 1 received as part of the Further Information response by the planning authority on 27<sup>th</sup> June 2023.
- Several photographs of the laneway which show cars parked at the northern end of the laneway, the rear garages with access onto the laneway and the new boundary wall encompassing the site.
- Extract from planning officer's report relating to the application, with text highlighted relating to the parts of the laneway not taken in charge by the Council.
- Land Registry document and maps for Folio Number DN232130F which relates to the plot of land relating / proximate to the rear laneway.
- Land Registry map and documentation for Folio 2515 and Transfer confirming the applicant as owner of the front plot of land.
- E-mails from the applicant seeking advice concerning the badger seen in the vicinity and responses received.

- Emails relating to the registration process for the site to the rear of the applicant's dwelling.

## 6.5. Planning Authority Response

6.5.1. A response from the planning authority requested the Board to uphold the decision to refuse permission. It requested that the following conditions are included if a decision is made to grant permission:

- Section 48 Development Contribution
- A naming and numbering condition.

## 6.6. Observations

Two observations were received from residents at Nos. 268, 274, 276 and 280 Swords Road, Santry in connection with the proposal and the submitted appeal.

These submissions can be summarised as follows:

- The appeal does not provide sufficient information to overcome the refusal reason.
- No definitive evidence of land ownership has been submitted by the applicant relating to the rear plot of land to which Folio No. DN 232130F refers.
- The applicant has constructed a boundary wall enclosing the plot without confirmation of land ownership. Applicant should have sought a Section 5 Declaration of Exemption prior to construction of the wall.
- The observers have not experienced the type of anti-social behaviour on the laneway as described by the applicant.
- Applicant has not satisfied the Council's request to ensure there is no badger sett on the land. Mature boundary foliage has been removed which has possibly disturbed the badger's environment. No surveys by a suitably qualified ecologist have been undertaken to address this issue.
- It is untrue to suggest that the lane was never intended as a turning point and that there was no access to the last 4 cottages (Nos. 274-280 Swords Road). The area was maintained by a number of cottage owners and the land was

used for a variety of reasons including for turning cars, accommodating skips, deliveries, etc.

- There are no parking facilities to the front of the cottages on Swords Road. Deliveries, building access etc. cannot be facilitated if the land is not accessible.
- No autotrack drawing was provided as part of the appeal.
- Inadequacy of turning point following the construction of the wall.
- Unclear how vehicles will complete maintenance works on the lane in a safe manner without a proper turning point for all vehicles. Reversing down the lane is unsafe.
- Concern raised relating to access for emergency service vehicles and that there is no adequate turning point.
- The lane and the plot of land is crucial to everyday vehicular movement associated with the cottages on the Swords Road.
- The National Transport Authority (NTA) are seeking to construct a bus corridor to the front of the cottages on the Swords Road which will further restrict access to the front of these houses.

## 7.0 **Assessment**

The main issues relevant to the grounds of appeal are considered as follows:

- Land use and compliance with Section 15.13.3 of the Development Plan (Infill / Side Garden Developments)
- Refusal Reason
- Other issues
- Appropriate Assessment

## **7.1. Land use and compliance with Section 15.13.3 of the Development Plan (Infill / Side Garden Developments)**

- 7.1.1. The subject site is zoned Z1 – Sustainable Residential Neighbourhood. The provision of residential development on the appeal site is consistent with its zoning objective and established residential uses on adjoining lands. As such the proposal is acceptable in principle at this location.
- 7.1.2. In my view the proposed development complies with the criteria set out in Section 15.13.3 - Infill / Side Garden Housing Developments of the Dublin City Development Plan 2022-2028. I consider that this relatively large corner site allows the variation in design which is proposed in the application. The detached 1½ storey dwelling, which has a pitched roof height of c 6.6 metres, is angled within the site and is setback at least c 3 m from the north-eastern boundary with the rear garden of No. 53 Lorcan Road and c 1 metre from the northern boundary, resulting in a development which will not have an overbearing impact on adjoining lands. Furthermore, having regard to the design of the proposed unit and its oblique position on the site relative to the host property and adjoining development I consider that no undue overlooking impacts leading to a loss of privacy would arise.
- 7.1.3. I note that the applicant provided a shadow analysis of the proposed dwelling as part of the further information submitted in respect of the previous application relating to this site (Reg. Ref. 2726/18 refers). I accept the findings of the analysis which demonstrated no significant overshadowing impacts arising from the proposed development.
- 7.1.4. In terms of open space, c 170 sqm of private amenity space is proposed in respect of the new dwelling, while the host property will retain a sufficient quantum of private open space. I consider the proposed dwelling will offer a good standard of internal accommodation to future occupants exceeding minimum standards in terms of room sizes as set out in ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities.’

## **7.2. Refusal Reason**

- 7.2.1. The planning authority refused permission on the basis that provision of a safe means of access and egress for all road users was not demonstrated, and therefore

the proposed development would seriously injure the amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of road users.

- 7.2.2. At the site inspection it was apparent that a wall has been constructed enclosing part of the rear laneway, which is included in the red line boundary of the site as reflected on the site layout plan. This has resulted in a significantly reduced turning area at the northern part of the narrow laneway, which was occupied by a parked car on the day of the site inspection.
- 7.2.3. I note that the applicant was given an opportunity during the course of the planning application to provide an auto-track drawing to demonstrate safe access and egress to the laneway to the rear of the proposed site. In response, the applicant provided a drawing of a car in the laneway to the rear of No. 268 Swords Road / No. 50 Shanvarna Road, however this did not address vehicular movements along the northern part of the laneway to the rear of the proposed site, specifically with regards to access and egress from entrances/garages to the rear of Nos. 276, 278 and 280 Swords Road. Furthermore, and as noted by the Transportation Planning Division no swept path diagram was provided for delivery vans or other service vehicles.
- 7.2.4. I note the observations made by residents of the cottages on the Swords Road, west of the appeal site, who do not have the benefit of front vehicular entrances to their properties and who regularly use the rear laneway which provides sole vehicular access to their houses, including for deliveries. It is essential that a safe means of access and egress for all users is maintained along the laneway, and in my view this has not been demonstrated by the applicant in either the application or the appeal. In the absence of information demonstrating that a safe means of access and egress can be provided for all users along the laneway I agree with the conclusion reached by the planning authority that the proposed development would endanger public safety by reason of traffic hazard and obstruction of road users. As such I recommend that permission is refused for the proposed development.

### 7.3. **Other issues**

#### Ownership of lands within the laneway



I note the comments made by observers/objectors that the proposed development would obstruct their right of way across the laneway and that no definitive evidence of land ownership has been provided by the applicant relating to the rear plot of land previously used as a turning point in the laneway, which forms part of the development site.

It is apparent from the appeal documentation that the applicant has made efforts to expedite and finalise the transfer of ownership of this plot of land into his name.

I note that the planning system is not designed as a mechanism for resolving disputes about title to land or rights over land. These are civil matters for resolution by the courts.

#### Badger / Badger sett

A third party submission received by the planning authority indicated that a badger may reside within the proposed development site.

In Ireland badgers and their setts are protected under the provisions of the Wildlife Act, 1976 and the Wildlife Amendment Act, 2000. It is an offence to intentionally kill or injure a protected species or to wilfully interfere with or destroy the breeding site of a protected wild animal.

While the applicant has indicated in the appeal submission that a representative from the National Parks and Wildlife Service (NPWS) is expected to examine the development site to assess whether a badger resides there, this does not appear to have occurred to date. I note that no site survey has been undertaken or submitted by a suitably qualified ecologist in relation to this issue.

### **7.4. Appropriate Assessment**

- 7.4.1. Having regard to the nature and scale of the proposed development, its location relative to European sites, the absence of a hydrological or other pathway between the site and European sites, it is considered that no Appropriate Assessment issues arise and that the proposed development would not be likely to have a significant effect either individually or in combination with other plans or projects on a European site.

## 8.0 Recommendation

- 8.1. I recommend that planning permission should be refused for the reason and considerations set out below.

## 9.0 Reason and Considerations

Having regard to the narrow configuration of the existing laneway and the significantly reduced turning area located at the northern part of the laneway, and in the absence of adequate information which demonstrates that a safe means of access and egress can be provided for all users along the laneway, it is considered that the proposed development would seriously injure the amenities of the area and would endanger public safety by reason of traffic hazard and obstruction of road users. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

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

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John Duffy

Planning Inspector

2<sup>nd</sup> January 2024

## Appendix 1 - Form 1

### EIA Pre-Screening

**[EIAR not submitted]**

<b>An Bord Pleanála Case Reference</b>	ABP-317850-23		
<b>Proposed Development Summary</b>	Construction of 1 no. detached dwelling and all associated site works.		
<b>Development Address</b>	60 Shanvarna Road, Santry, Dublin 9 D09W229		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>		Class	EIA Mandatory EIAR required
<b>No</b>	X		Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
		N/A	<b>Conclusion</b>
<b>No</b>			No EIAR or Preliminary Examination required
<b>Yes</b>	X	Class 10 (500 DHS)	Proceed to Q.4

**4. Has Schedule 7A information been submitted?**

<b>No</b>	X	<b>Preliminary Examination required</b>
<b>Yes</b>		<b>Screening Determination required</b>

## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	317850-23	
<b>Proposed Development Summary</b>	Construction of 1 no. detached dwelling and all associated site works.	
<b>Development Address</b>	60 Shanvarna Road, Santry, Dublin 9 D09W229	
<p><b>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.</b></p>		
	<b>Examination</b>	<b>Yes/No/ Uncertain</b>
<p><b>Nature of the Development</b></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 site is zoned Z1 – Sustainable Residential Neighbourhood. The proposed development is not exceptional in the context of existing environment.</p> <p>Construction waste can be managed through standard Waste Management Planning. Localised construction impacts will be temporary.</p>	No
<p><b>Size of the Development</b></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</p>	<p>No. The total site area is c 916 sqm.</p> <p>No.</p>	No

and/or permitted projects?		
<p><b>Location of the Development</b></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>No. The nearest European site is the South Dublin Bay and River Tolka Estuary SPA located c 3.5 km south-east of the appeal site.</p> <p>There are no other locally sensitive environmental sensitivities in the vicinity of relevance.</p>	No
<b>Conclusion</b>		
<p><b>There is no real likelihood of significant effects on the environment.</b></p> <p>EIA not required.</p>		

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

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

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

(only where Schedule 7A information or EIAR required)