



An  
Bord  
Pleanála

## Inspector's Report ABP-317899-23

### Development

Alteration of an existing single storey car maintenance facility and change of use from a car maintenance facility to a domestic and small business storage facility and all associated site works.

### Location

55B Patrick Street, Dun Laoghaire,  
Co. Dublin A96N240

### Planning Authority

Dun Laoghaire-Rathdown County  
Council

### Planning Authority Reg. Ref.

D23A/0385

### Applicant(s)

Nicholas Jones

### Type of Application

Permission

### Planning Authority Decision

Refuse Permission

### Type of Appeal

First Party

### Appellant(s)

Nicholas Jones

**Observers**

Peter and Neasa O'Shaughnessy

Michelle Breslin

J Collins

Rory and Jennifer Fitzpatrick

Emma Graves

**Date of Site Inspection**

6<sup>th</sup> November 2023

**Inspector**

John Duffy

## 1.0 Site Location and Description

- 1.1. The 'L' shaped appeal site, measuring 0.0584 ha, is located at No. 55B Patrick Street, Dun Laoghaire, Co Dublin, approximately 500m south of the centre of Dun Laoghaire. The site fronts onto the southern end of Patrick Street, between the junction of Tivoli Road and Cross Avenue. Patrick Street is a one-way road, running in a north to south direction, with pay and display on-street parking. The site is bound by a two storey over basement residential property (No.54) to the north, Patrick Street to the east, a single storey artisan cottage (No.55) and the rear garden of No. 55A, both to the south and a narrow laneway to the rear (west). The immediate area predominantly comprises low-rise (1-2 storey) residential development, but also has mixed-use commercial and professional service uses. There is a mix of architectural styles and designs.
- 1.2. The site accessed from Patrick Street accommodates a single storey car repair/servicing garage (186 sqm) to the rear, a portacabin and a forecourt area / surface car park which is used to display vehicles for sale. There is also vehicular and pedestrian access to the building from the laneway off Tivoli Terrace, which adjoins the site to the west.

## 2.0 Proposed Development

The proposed development as referenced in the public notices submitted with the application comprises the following elements:

- Alteration of the existing single storey car maintenance facility (186 sqm) to include an additional ground floor area (283 sqm), a first floor (431 sqm), a second floor (431 sqm), and a third floor (253 sqm). Total floor area proposed is stated as 1,584 sqm.
- Change of use from a car maintenance facility to a domestic and small business storage facility.

The submitted planning application report prepared on behalf of the applicant notes that the proposed facility will be divided into boxes ranging in size from 10 sq. ft. to

100 sq. ft. with space rented by the month (or longer), and access to the facility gained by using a code at the entrance.

### **3.0 Planning Authority Decision**

#### **3.1. Decision**

3.1.1. The planning authority decided to refuse permission for the following reason:

*1. The site is zoned 'A' under the Dun Laoghaire-Rathdown County Development Plan, 2022-2028 with a stated objective 'To provide residential development and improve residential amenity while protecting the existing residential amenities.' The proposed storage facility is not listed as being 'permitted in principle' or 'open for consideration' under this zoning objective. It is considered that the proposed development, by virtue of its height, scale, layout and design of the proposed extension, including proximity to the surrounding boundaries, would be out of keeping with the receiving environment and would be visually overbearing at this location. The proposal would seriously injure the visual and residential amenities of the area and / or depreciate the value of property in the vicinity and would contravene the Dún Laoghaire Rathdown County Development Plan 2022-2028 in terms of the zoning of the land and would, therefore, be contrary to the proper planning and sustainable development of the area.*

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

##### **3.2.1. Planning Report**

The Planning Report dated 3<sup>rd</sup> August 2023 reflects the decision to refuse permission. The report notes that the proposed development is not listed in the 'permitted in principle' or 'open for consideration' uses classes associated with the 'A' zoning objective pertaining to the subject site, and noting the scale of development proposed considered that it constituted the need for a material contravention of the Development Plan. It further considered that the proposal

adversely encroaches on the setting and amenity of surrounding properties thereby creating an adverse visual impact and impacting negatively on residential amenities.

### 3.2.2. **Other Technical Reports**

**Transportation Planning:** Noted that the site plan does not show the proposed parking spaces and concern raised that there is insufficient space provided to facilitate the proposed parking spaces and to access/exit the spaces. Further information was recommended as follows: (i) Revised drawings/details showing proposed parking arrangements, (ii) Revised drawings/details showing a swept path analysis of each vehicle using the proposed off-street parking spaces where a vehicle reverses in from Patrick Street and then drives out in a forward motion, when vehicles are parked in all other proposed off-street car parking spaces, (iii) Revised drawings/details showing long and short stay bicycle parking spaces to accord with the requirements of the Development Plan, and (iv) Provision of a Construction Management Plan.

**Environmental Enforcement Section:** Recommended conditions relating to, inter alia, submission of a Materials Source and Management Plan, a Public Liaison Plan and an Operational Waste Management Plan.

**Drainage Planning – Municipal Services Department:** Further information was recommended to ensure that all surface water run-off generated by the proposal is infiltrated or reused locally with no overflow to the public sewer and to confirm that all proposed hardstanding areas are permeable surfaces.

**Environmental Health Officer:** Further information requested for submission of a Construction Environmental Management Plan and a Resource and Waste Management Plan.

### 3.2.3. **Prescribed Bodies Report**

None.

### 3.2.4. **Objections/ Observations**

The Planning Officer's report noted that 14 no. submissions were received in total, with 6 in favour of and 8 against the proposal. The following issues were raised, as set out in the Planning Officer's report:

In favour of proposal:

- Better use than what's already on site.
- Patrick St. has always been commercial and residential use.
- There is an immediate need for storage facilities within Dun Laoghaire.
- Potential to assist the growth of e-commerce companies.
- A storage facility would contribute to the growth and development of local businesses.
- It will help address space constraints for homeowners.
- A storage facility would help attract more businesses to the vicinity.
- Some local businesses are forced to use storage facilities outside of the area, north of the M50.
- Absence of storage space during Christmas and festival periods.

Against the proposal:

- Material contravention of the development plan.
- 24/7 access will increase the traffic load in the area.
- There is already adequate storage provision in Deansgrange.
- There are no 4 storey buildings on Patrick Street at present.
- Absence of construction management plans.
- Fails to preserve or restore the Victorian character of other homes within the vicinity.
- Concerns relating to height and scale.
- Overshadowing concerns.
- Parking, footpath, and traffic concerns.
- Safety and drainage concerns.
- No side elevation shown.

- Absence of 3D massing, building height, VIA, Shadow study, Daylight and Sunlight studies.
- Right of way for laneway access and emergency passage concerns.
- The proposal runs counter to the objectives of the DLR 'living streets' initiative.
- Noise.
- Validation/site notice concerns.
- Set back concerns.

## 4.0 Planning History

### **Appeal site**

There is no recent or relevant planning history relating to the appeal site.

### **In the vicinity**

PA Ref. D23A/0406 – Permission granted for change of use of the existing ground floor commercial unit to residential use, subdivision of existing dwelling to create two no. 2 storey 2 bed dwellings, removal of the existing single storey structure at the rear of the building and for the construction of a single storey extension to the rear of the proposed dwellings, all associated works at 56 Patrick Street, Dun Laoghaire, Co. Dublin.

PA Ref. D22A/1003 – Permission granted for change of use of existing ground floor and first floor of building from offices to childcare facility, first floor rear external playground area with all ancillary revisions to existing internal layout, new external front signage and all other associated site works at 50-51 Patrick Street, Dun Laoghaire, Co. Dublin.

ABP-312104-21 / PA Ref. D21A/0825 – Permission refused for demolition of properties Nos. 46A - 49 Patrick Street and construction of a Build to Rent apartment

complex of 3-4 storeys comprising 22 no. units and all associated site development works, landscaping, boundary treatments and services. The refusal reason related to unsatisfactory standard of residential amenity and non-compliance with Policy Objective PHP42 of the Development Plan.

ABP-307447-20 / PA Ref. D20A/0196 – Permission granted for change of use from offices to residential use including a single storey and two storey extension to rear of existing building at 64 Patrick Street, Dun Laoghaire, Co. Dublin.

PA Ref. D19A/0966 – Permission granted for reinstatement of original residential use, refurbishment and alterations to the existing structure including construction of single storey extension to rear and garage to side, alterations to front boundary wall, change from office to ancillary residential use of existing single storey structure in back garden and all associated site works, at 66 Patrick Street, Dun Laoghaire, Co. Dublin.

## 5.0 Policy and Context

### 5.1. Development Plan

Under the Dun Laoghaire-Rathdown County Development Plan 2022–2028, the appeal site is zoned 'A' with the objective 'To provide residential development and/or protect and improve residential amenity.' The site is also located within the boundary of lands for which a Local Area Plan will be prepared.

5.1.1. Table 13.1.2 in the Development Plan sets out 'Permitted in Principle' and 'Open for Consideration' use classes in respect of zoning objective 'A.'

5.1.2. Section 13.1.5 states the following:

*Not Permitted / Other Uses*

*Uses which are not indicated as 'Permitted in Principle' or 'Open for Consideration' will not be permitted. There may, however, be other uses not specifically mentioned throughout the Use Tables that may be considered on a case-by-case basis in*



*relation to the general policies of the Plan and to the zoning objectives for the area in question.*

5.1.3. Section 13.1.7 states the following:

*Non-conforming uses*

*Throughout the County there are uses which do not conform to the zoning objective for the area. All such uses, where legally established (the appointed day being 1 October 1964) or were in existence longer than 7 years, shall not be subject to proceedings under the Act in respect of continuing use. When extensions to, or improvements of, premises accommodating such uses are proposed, each shall be considered on their merits, and permission may be granted where the proposed development does not adversely affect the amenities of premises in the vicinity and does not prejudice the proper planning and sustainable development of the area.*

5.1.4. Section 4.3.1.3 'Policy Objective PHP20: Protection of Existing Residential Amenity' is pertinent to this appeal.

*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.*

- *On all developments with height proposals greater than 4 storeys the applicant should provide a height compliance report indicating how the proposal conforms to the relevant Building Height Performance Based Criteria "At District/Neighbourhood/Street level" as set out in Table 5.1 in Appendix 5.*
- *On sites abutting low density residential development (less than 35 units per hectare) and where the proposed development is four storeys or more, an obvious buffer must exist from the rear garden boundary lines of existing private dwellings.*

- *Where a proposal involves building heights of four storeys or more, a step back design should be considered so as to respect the existing built heights.*

5.1.5. Section 4.4.18 'Policy Objective PHP42: Building Design and Height' is also pertinent to this appeal.

*It is a Policy Objective to:*

- *Encourage high quality design of all new development.*
- *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).'*

## 5.2. **Natural Heritage Designations**

The proposed development is not located within or immediately adjacent to any European site. The nearest European sites are South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA located c 1.3 km north-west, Dalkey Islands SPA located c 3 km south-east, and Rockabill to Dalkey Island SAC located c 3.2 km east. South Dublin Bay pNHA is located c 1.3 km north-west, while Dalkey Coastal Zone and Killiney Hill pNHA is located c 0.8 km east.

## 5.3. **EIA Screening**

See completed Form 1 below. Having regard to the nature of the proposed development comprising the alteration and extension of an existing commercial building and the change of use to a storage facility on a brownfield site, 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

A first party appeal has been submitted in respect of the planning authority's decision to refuse permission for the proposed development. The grounds of appeal can be summarised as follows:

#### Features of proposed development

- The proposed development comprises a storage facility, the first unit of its kind in the country, which will serve the community and small businesses within Dun Laoghaire town centre.
- The proposed development is not a warehouse and does not offer or require 24 hour accessibility or staffing. The unit sizes on offer ranges from lockers (measuring 5' x 5') to larger spaces (100 sq. ft.).
- Traffic movements will be negligible; such storage facilities are typically visited twice a year by users/customers in cars or small vans. Use of heavy or articulated vehicles is not proposed.
- Ecologically neutral facility – low energy building powered by PV cells, charging stations for electric vehicles and surplus electricity fed into national grid.
- Proposed facility (12,000 sq. ft.) is smaller than proposed childcare facility at 50-51 Patrick Street.
- A range of community storage uses which the facility could cater for are outlined, including document storage, household storage, climate controlled storage (e.g., storage of art collections, wine, precious artefacts).

#### Zoning / Land-use

- The proposed development type does not appear to be considered under any of the Council's zoning objectives, yet it is a service to be offered to the community and its use complements a town centre location.
- Over 40% of the land uses in Patrick Street between Cross Avenue and Tivoli Road are non-residential (listing of commercial properties and their addresses is

provided). Many of the existing uses associated with these commercial businesses do not conform with those detailed under zoning objective 'A' of the Development Plan.

- There is no similar small storage facility available for residents in the area and it is a vital requirement for those living in smaller homes built in the 19<sup>th</sup> century and those living in modern apartments.

### Design

- The design of the proposed building in terms of its height and size is modelled on the office building formerly occupied by VISA at No. 50-51 Patrick Street, proximate to the proposed development.
- The proposed building incorporates floor to ceiling heights of 2.4m and as such 4 floors is proposed which does not exceed the established height of the 'VISA' building.
- The massing of the proposed building is softened with set back from Patrick Street and use of a curved roof which also conceals the elevator infrastructure.
- The front of the 3<sup>rd</sup> floor and sections of the sides of the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors have been set back to soften the visual impact of the proposed development. The rear of the proposed building facing the rear lane is also set back at 3<sup>rd</sup> floor level.
- Apart from the front elevation facing Patrick Street, there are no windows and therefore no overlooking impacts.

### Other

- A pre-planning meeting was sought with the planning authority in relation to the proposal however no response was received.

## **6.2. Planning Authority Response**

No response received.

## **6.3. Observations**

5 no. observations were made in respect of the proposed development. The submissions may be summarised under the headings below, as follows:

### Zoning Objective / Proposed use

- Proposal is contrary to the 'A' zoning objective which pertains to the site.
- Proposed use is consistent with 'repository' use as defined in the Planning and Development Regulations 2001 as amended. To permit the proposal would constitute a material contravention of the Development Plan. Reference made to Section 37(2)(b) of the Planning and Development Act 2000 as amended.
- Storage facilities of the type proposed are established in business parks where the appropriate infrastructure is in place.

### Design

- Proposed building is 4 storeys high; the median height of properties on the street is 2 storeys. The design is not in harmony with properties in the vicinity.
- The proposed building would be 8/9 times larger than the existing building on the site. It is an obtrusive structure
- The proposal, specifically in terms of its excessive height, bulk, scale, site coverage, plot ratio and design fails to respond to the existing site context and is not compliant with Policy Objective PHP20 or PHP42 of the Development Plan.
- No Design Statement provided. No assessment as to how the proposal meets criteria as set out in the *Urban Design Manual – A Best Practice Guide*.
- No assessment undertaken in relation to the relevant building height performance based criteria in Appendix 5 of the Development Plan.
- The proposal does not provide sufficient/appropriate setback to adjoining dwellings.
- The proximity of the proposed development to 2 protected structures (Avoca Lodge and Laurel Ville) will diminish the heritage value these provide to the area.

### Impact on amenities

- No consideration given to how the proposed development would impact on residential amenities; No regard given to existing Victorian homes along Patrick Street.
- Overlooking, overshadowing, and overbearing impacts on No. 55 Patrick Street. Overbearing impact on No. 53 Patrick Street. Significant loss of daylight and sunlight to No. 54 Patrick Street.
- Failure to undertake specialist daylight/sunlight analysis.
- Negative impact on the visual amenity of the street. No visual impact assessment provided.
- Inaccurate elevation drawings submitted.

#### Traffic / Parking

- Proposal would significantly impact the limited parking facilities on Patrick Street.
- Proposal would exacerbate traffic congestion on Patrick Street. Associated traffic movements including necessity to reverse into the site would endanger pedestrians and motorists.
- Disabled parking spaces proximate to the site would be encroached upon during the construction phase of development.

#### Other

- The area is already well served with established developments offering storage services (listing provided).
- Lack of detail concerning the construction phase of the proposed development.
- Significant adverse impact on value of neighbouring property.
- One of the site notices fails to comply with Article 19(1)(c) of the Regulations as it was not located in a conspicuous position on or near Tivoli Terrace East.
- The proposal does not accord with the objectives of the 'living streets' initiative

- Applicant has not confirmed if the car sales business would continue from the site if permission granted.
- No precedent for a storage warehouse in a residential area.
- Proposed building will cover 4 manholes reducing access to the drainage system in the event of a blockage.
- Requirements in terms of surface water run-off not met.
- Several properties on Patrick Street and in the vicinity have been granted permission for change of use from commercial uses to residential development or reinstatement of residential use.
- No consent sought by applicant for use of the rear private laneway.
- Insufficient information provided with the application.

## 7.0 **Assessment**

7.1. The key issues that arise for consideration in relation to the appeal can be addressed under the following headings:

- Land use and Nature of the proposed development
- Design, Layout and Impact on the visual amenity of the area
- Impact on Residential Amenities
- Other issues
- Appropriate Assessment Screening

### 7.2. **Land use and Nature of the proposed development**

7.2.1. The subject site is zoned 'A' in the Dun Laoghaire Rathdown County Development Plan as set out in Section 5.1 above. The public notices submitted with the application describe the proposed development as a change of use from a car maintenance facility to a 'domestic and small business storage facility.'

Having regard to Table 13.1.2 of the Development Plan which sets out the 'Permitted in Principle' and 'Open for Consideration' use class categories in respect of zoning

objective 'A' it is apparent that the proposed development comprising storage facilities is not included in either of these categories.

- 7.2.2. I note that in its assessment of the proposed development the planning authority had regard to the definition of 'repository' as defined in Article 5 (1) of the Planning and Development Regulations 2001 as amended, which states the following:

*“repository” means a structure (excluding any land occupied therewith) where storage is the principal use and where no business is transacted other than business incidental to such storage;*

To determine the appropriate use class applicable to a storage facility, Schedule 2, Part 4, of the Regulations identifies Class 5 as 'Use as a wholesale warehouse or as a repository.' As such, I agree with the planning authority's interpretation that the proposed development comprising 'a domestic and small business storage facility' as applied for, is analogous to the 'warehouse' or 'repository' definition in planning legislation.

- 7.2.3. Table 13.1.2 of the Development Plan does not include 'warehouse' or 'repository' uses. As such, I concur with the planning authority's conclusion that the development as proposed would contravene the 'A' zoning objective which applies to the subject site.
- 7.2.4. I note that the planning authority's refusal reason does not explicitly state that the proposal would materially contravene the zoning objective for the site. As such the Board is not bound by the planning authority's decision and there is no requirement to go through the criteria relating to material contravention as set out under section 37(2) of the Planning and Development Act 2000 as amended.
- 7.2.5. In terms of Section 13.1.7 of the Development Plan (section 5.1.3 above refers) relating to non-conforming uses, the proposed development relates to a change of use rather than an extension of the existing car maintenance / car sales uses on the site and therefore the proposal does not come within the parameters of this section of the Plan.



### 7.3. Design, Layout and Impact on the visual amenity of the area

- 7.3.1. The proposed building is very large at 1,584 sqm and will be predominantly 4-storeys in height with a barrel roof c 12 m high. Part of the building adjoining the rear laneway is of 3 storey design with a roof ridge height of c 10.2 m. The general prevailing building height in the area is 2 storeys, although there is a 3-storey building (with the third floor set back) at No. 50/51 Patrick Street, located north of the appeal site. The proposed development is set back c 5 m from the site entrance and its depth is significant at approximately 30 m, extending to the rear of the site. There is a balcony on the front elevation at 4<sup>th</sup> floor level. While no north or south (side) elevation drawings have been provided, the report submitted as part of the application notes that the side walls of the building will be clad in zinc sheeting, as will the proposed barrel roof. There is extensive fenestration on the front elevation of the proposed building.
- 7.3.2. The planning authority raised concerns regarding the overall height, massing and scale of the proposal. I share these concerns. In my view the proposed building on account of its design, specifically the excessive height, scale and depth, its massing, proposed finishes, barrel roof and absence of appropriate setbacks to the adjoining dwellings (north and south), fails to consider the context of the surrounding receiving environment. In my opinion the proposed building would be a visually dominant feature in the streetscape and would seriously injure the visual amenity of the area.

#### **Impact on residential amenities**

- 7.3.3. Overbearing impact
- 7.3.4. Except for the front boundary to the east of the site which adjoins Patrick Street, it is apparent from the submitted plans that the proposed development adjoins all other site boundaries and abuts the residential properties at Nos. 54, 55 and 54A. As such the proposed development fails to comply with Policy Objective PHP20 'Protection of Existing Residential Amenity' on the basis that, firstly, there is no obvious buffer from the rear garden boundary lines of Nos. 54 and 55 Patrick Street, and secondly, a stepped back design is not implemented, which is indicative of the existing built heights not being considered.
- 7.3.5. Having regard to the above, the 4-storey design of the proposed new building, its scale and depth, along with the extended building at the rear of the site which will be

of 3 storey design, I consider that the proposed development would have a significant overbearing impact on the adjoining single storey dwelling to the south and its rear private open space (No. 55 Patrick Street). Furthermore, the proposed development would have an overbearing impact on the adjoining 2 storey dwelling to the north (No. 54 Patrick Street) and its associated rear private open space, and to a lesser extent on No. 55A Patrick Street.

7.3.6. Overshadowing:

7.3.7. I note that no shadow study or daylight and sunlight assessment was submitted with the planning application or the appeal. Notwithstanding, having regard to the height and scale of the proposed development and given the orientation of the subject site relative to the path of the sun, I share the concerns of the planning authority that the proposed development would be likely to have serious overshadowing impacts affecting nearby properties, including Nos. 54 and 55 Patrick Street.

7.3.8. In conclusion I consider that the proposed development would have a detrimental impact on the residential amenities of the area.

7.4. **Other issues**

7.4.1. Site notice: I note the matter raised by an observer in connection with the location of one of the site notices for the proposed development. I note that the planning authority considered the site notice to be acceptable. I am satisfied that the issue did not prevent observers from making representations.

7.4.2. Right of Way: I note the matter raised by an observer concerning proposed use of a right of way to facilitate the development. This matter is a civil issue and it is not the Board's role to adjudicate on such matters, which are outside the scope of the Board's remit. I note the provisions of Section 34(13) of the Planning and Development Act 2000 as amended i.e., that 'a person shall not be entitled solely by reason of a permission under this section to carry out any development.'

7.5. **Appropriate Assessment Screening**

7.5.1. Having regard to the nature and scale of the proposed development, the location of the site in a serviced urban area, the absence of any hydrological or other pathway between the appeal site and any European site, and the separation distance to the

nearest European sites, no Appropriate Assessment issues arise, and it is not considered that the development would be likely to give rise to a significant effect 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 reasons and considerations set out below.

## **9.0 Reasons and Considerations**

1. The subject site is zoned 'A' in the Dun Laoghaire-Rathdown County Development Plan 2022-2028 with a stated objective 'To provide residential development and improve residential amenity while protecting the existing residential amenities.' The proposed development comprising a domestic and small business storage facility, which is analogous to 'wholesale warehouse' or 'repository' use classes, is not listed within the 'Permitted in Principle' or 'Open to Consideration' categories of the 'A' zoning objective of the development plan. As such it is considered that the proposed development would be contrary to the zoning objective of the site, would contravene the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and would, therefore be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of its height, scale, depth, massing and absence of appropriate setbacks to adjoining properties would seriously injure the visual amenities of the area and would have a detrimental impact on the residential amenities of adjoining properties by way of overshadowing and overbearing impacts and would therefore conflict with development plan Policy Objectives PHP20 and PHP42 relating to protection of existing residential amenity and the provision of high quality designs, respectively. The proposed development would therefore be contrary to the proper planning and sustainable development 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.

---

John Duffy  
Planning Inspector

6<sup>th</sup> February 2024

**Appendix 1 - Form 1**  
**EIA Pre-Screening**  
**[EIAR not submitted]**

<b>An Bord Pleanála</b> <b>Case Reference</b>	ABP-317899-23		
<b>Proposed Development Summary</b>	Alteration and extension of existing car maintenance facility and its change of use to a domestic and small business storage facility.		
<b>Development Address</b>	55B Patrick Street, Dun Laoghaire, Co. Dublin.		
<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>			

		Threshold	Comment (if relevant)	Conclusion
No	X	N/A		No EIAR or Preliminary Examination required
Yes				Proceed to Q.4

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