



An
Bord
Pleanála

Inspector's Report ABP-318056-23

Development

PERMISSION & RETENTION:
Relocation of front door from side elevation to front elevation, single storey porch to front of house, permission for attached 2 storey 2 bedroom house to front and side of existing house and retention of vehicular entrance to the original house and all associated site works.

Location

1, Casement Green, Finglas, Dublin
11

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

3390/23

Applicant(s)

James Bligh

Type of Application

Planning Permission & Retention
Permission

Planning Authority Decision

Grant

Type of Appeal

Third Party

Appellant(s)

Michael Ivers

Observer(s)

None

Date of Site Inspection

22nd March 2024

Inspector

Conor Crowther

1.0 Site Location and Description

- 1.1.1. The site is situated within a garden area to the side of no. 1 Casement Green, Finglas, which is a two storey end of terrace dwelling on a corner site within a suburban setting. The site is located approximately 6km northwest of Dublin City Centre, within the Local Authority area of Dublin City Council. The site area measures approximately 505m² and is accessed from Casement Green. The front garden area is well kept featuring extensive planting and a stone footpath. The front entrance is tarmacked, as is the rear garden area. 2 no. existing sheds are located in the rear garden, along with a disused glasshouse.
- 1.1.2. The site is bounded to the north by no. 3 Casement Green, to the south by no. 76 Casement Drive, to the west by nos. 76 & 78 Casement Drive and to the east by Casement Green. The surrounding area is predominantly suburban in nature. St Joseph's Girls National School lies to the northwest of the site and the R135 lies to the east of the site.

2.0 Proposed Development

- 2.1.1. The proposed development is described as follows:
- Retention of 1 no. additional vehicular entrance to the front of the proposed and existing dwelling.
 - Construction of a 2 storey two bed end of terrace dwelling to the front and side of the existing dwelling.
 - Relocation of front door from side elevation to front elevation of the existing dwelling to include a single storey porch.
- 2.1.2. It should be noted that the proposal was altered at Further Information (FI) stage to revise the internal layout and provide an open plan area at ground floor level which involved the removal of the hallway, provide a storage area at ground floor level, a number of high level windows at ground and first floor level, a slight change to the rear garden area to be retained to the original dwelling and a timber fence of 1.8m in height to subdivide the rear gardens and to separate the front gardens .

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Dublin City Council (the Planning Authority) issued a FURTHER INFORMATION request on the 8th May 2023 relating to the accuracy of site measurements, the quality of the internal layout, the quality and quantity of the private rear amenity space, boundary treatment, sustainable drainage systems for surface water and flood risk. The Planning Authority subsequently issued a GRANT of permission for the above-described proposed development on the 29th August 2023, subject to 11 no. conditions. Conditions of note include:

- Condition 3 amending the fenestration of the development to the rear and to the south gable wall of the new house.
- Condition 6(iii) states that the management of surface water as indicated on the drawings submitted is not acceptable and requires the incorporation of Sustainable Drainage Systems in the management of surface water onsite.
- Condition 6(iv) requiring the submission of an appropriate Flood Risk Assessment.

3.2. Planning Authority Reports

3.3. Planning Reports

- 3.3.1. The Planning Officer's Report dated 8th May 2023 recommended a request for further information on 5 items.
- 3.3.2. The Planning Officer's Report found the principle of the proposed development to be acceptable but sought further information on the above items. The Planning Officer assessed the proposed development as infill development and considered the proposed fenestration, scale, bulk, design to be in keeping with the existing houses within the terrace and the visual impact to be acceptable, subject to conditions. In addition, the Planning Officer considered the retention of the 2 no. vehicular entrances to the site to be acceptable.
- 3.3.3. On the 24th August 2023 the Planning Officer issued a report recommending a grant of permission, however, the report included a note from the acting senior planner

recommending the omission of a proposed condition requesting the removal of the existing shed to the rear and its replacement with a smaller structure designed for the same purpose, as the existing shed adds to the amenity of the new dwelling.

3.4. Other Technical Reports

- 3.4.1. Drainage Department – Following consideration of the FI submitted, on the 14th August 2023, the Drainage Department issued a report citing no objection to the proposed development, subject to a number of considerations.
- 3.4.2. Transportation Department - On the 25th April 2023, the Transportation Department issued a report citing no objection to the proposed development, subject to 3 no. conditions.

3.5. Prescribed Bodies

- 3.5.1. Irish Water/Uisce Eireann – no response received.

3.6. Third Party Observations

- 3.6.1. One no. 3rd party observation was received from Michael Ivers, no.3 Casement Green, Finglas, in response to the original application and the FI submitted to the Planning Authority. The issues raised by the observer are generally reflected in the 3rd party appeal and also raise the following:
- The plans submitted by the applicant are a misrepresentation of the site.
 - The applicant has failed to include the existing garage/workshop already onsite adjacent to the western boundary wall.
 - The applicant has attempted to make the site look bigger than it actually is.
 - No plans have been submitted in relation to the proposed single storey porch to the front of the dwelling.
 - The proposed new dwelling should have its own independent water mains supply.
 - Rear garden spaces should be for private use only and not communal use.

- The angular nature of the rear garden does not facilitate compliance with the requirements of the Development Plan with regard to private open space.
- Queries whether the proposed dwelling is a 3 person two bed dwelling or a 4 person two bed dwelling, which would have ramifications for planning permission going forward.
- Non-compliance with various policies within Chapter 5 of the Development Plan.
- Adding another dwelling to the existing row of terraced housing will exacerbate existing sewage issues.
- The proposed rear elevation includes a large window overlooking no.76 Casement Drive, which will infringe of the privacy of its inhabitants.

4.0 Planning History

Subject Site:

- 4.1.1. 5094/22 – Permission REFUSED on the 12th December 2022 for relocation of front door from side elevation to front elevation of existing house, single storey extension to front of house, attached 2 storey 3 bedroom house to front side and rear of existing house, and for retention of vehicular entrance to the original house and all associated site works. Permission refused on the grounds of design, visual amenities, extension of the building line, overlooking and unsatisfactory private open space.

Neighbouring Sites of relevance:

- 4.1.2. 4572/19 (ABP Ref. 306747-20) – Permission REFUSED by the Board on the 19th June 2020 for Construction of single storey one bedroom detached house, located between front gardens at 82, Casement Drive & 2a Plunkett Road, Finglas.
- 4.1.3. I note that the Planning Authority included additional sites in their assessment of the planning history which I did not consider to be pertinent to my assessment.

5.0 Policy Context

- 5.1. **Quality Housing for Sustainable Communities, Best Practice Guidelines, 2007**

- 5.1.1. Published in 2007 by the Department of the Environment, Heritage and Local Government, these guidelines serve to implement national planning policies in place at the time, including the superseded National Spatial Strategy and National Development Plan. Given that no updated guidelines have been published since, these guidelines are still applicable in this instance.
- 5.1.2. With regard to the proposed development, the guidelines indicate minimum floor areas likely to be required to satisfy the requirements of normal living standards. The following minimum internal dimensions are indicated:

- Single bedroom - at least 7.1m²
- Double bedroom - at least 11.4m² .
- The area of the main bedroom should be at least 13m² in a dwelling designed to accommodate three or more persons.
- Living room width for 2 bed dwelling – 3.6m.
- Target gross floor area – 70m².
- Minimum main living room – 13m².
- Aggregate living area – 28m².
- Aggregate bedroom area – 20m².
- Storage – 3m².

5.2. Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2023

- 5.2.1. These recently adopted ministerial guidelines serve to implement the principles of sustainable residential development in urban areas. The guidelines encourage the following approaches of relevance:
- SPPR 1 – Separation Distances – ‘It is a specific planning policy requirement of these Guidelines that statutory development plans shall not include an objective in respect of minimum separation distances that exceed 16 metres between opposing windows serving habitable rooms at the rear or side of houses, duplex units or apartment units above ground floor level’.
 - SPPR 2 – This SPPR sets minimum private open space standards as follows:

- 2 bed house 30 sq.m.
- Section 5.3.7 – Daylight – This section proposes that planning authorities weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision, against the location of the site and the general presumption in favour of increased scales of urban development.

5.3. Dublin City Development Plan 2022-2028

5.3.1. The following are policies and objectives of relevance to the proposed development from the Dublin City Development Plan:

- Zoning Objective Z1 Sustainable Residential Neighbourhoods – ‘To protect, provide and improve residential amenities’.
- The following policies of the Development Plan are relevant to the proposed development:
 - Policy SC12 – Housing Mix.
 - Policy QHSN6 – Urban Consolidation.
 - Policy SI15 - Site-Specific Flood Risk Assessment
- 15.11.3 – ‘Private open space for houses is usually provided by way of private gardens to the rear of a house. A minimum standard of 10 sq. m. of private open space per bedspace will normally be applied. A single bedroom represents one bedspace and a double bedroom represents two bedspaces... These standards may be relaxed on a case by case basis subject to a qualitative analysis of the development’.
- 15.13.3 – ‘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.
 - 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’.
- Section 15.8.6 requires a minimum of 10% of the overall site area to be allocated for public open space in residential developments within zoning Z1. However, a financial contribution can be sought in lieu of this.

5.4. Natural Heritage Designations

- 5.4.1. The closest site of natural heritage interest to the proposed development is the Royal Canal proposed Natural Heritage Area (002103), which is approximately 2.1km from the proposed development. I also note that the Santry Demesne proposed Natural Heritage Area (000178) is located approximately 3.7km from the proposed development.

5.5. EIA Screening

- 5.5.1. Having regard to the limited nature and scale of the proposed development, and the location of the site within a serviced urban area at a remove from areas of environmental sensitivity, 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 stage (see Appendix 2) and a screening determination is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A 3rd party appeal was submitted by Michael Ivers, on the 19th September 2023 opposing the decision of the Planning Authority to GRANT permission. The grounds of appeal are summarised as follows:

- The FI Request of the Planning Authority has not been fully complied with by the applicant, and therefore the application cannot proceed.
- The applicant's measurements of the garden space are fabricated. Previous concerns highlighted in this regard have not been addressed.
- The site of the proposed development is not suitable for another three bedroomed dwelling.
- The applicant has not made any effort to improve the application.

6.2. Applicant Response

- 6.2.1. The response of the applicant, to the grounds of appeal can be summarised as follows:

- The proposed development is for family benefit purposes only to enhance their quality of living within the location.
- The proposed development does not compromise any of the appellant's concerns.

- The appellant has made false assertions in relation to the reasoning for the incorrect measurements of the site which have since been addressed.
- The proposed development has no visual impact on the appellant's house.
- All surrounding neighbours are fully supportive of the applicant's proposed development.
- The proposed development has no impact on light and does not negatively affect any surrounding dwellings.

6.3. Planning Authority Response

6.3.1. The Planning Authority requests that the Board upholds the decision of the Planning Authority to grant permission and retention permission. In the event of a grant of permission and retention permission, the Planning Authority request that the following conditions be applied:

- A Section 48 contribution condition.
- A naming & numbering condition.

6.4. Observations

6.4.1. None received.

7.0 Assessment

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the report of the Planning Authority and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Design & Layout
- Residential Amenity
- Flood Risk & Drainage
- Access

7.2. Design & Layout

- 7.2.1. I note that the Planning Authority queried the accuracy of the submitted drawings at FI stage and that resubmitted drawings were requested to accurately show the width of the proposed dwelling, existing detached single storey structures in the rear and side garden, the measurement of the rear garden area and the distance of the proposed dwelling to the common boundaries of the site. The appellant has also referred to discrepancies with the measurements on the submitted and resubmitted drawings. I note that the resubmitted drawings in response to the FI were considered to have addressed the concerns of the Planning Authority, and I am satisfied based on my examination of the site and the submitted drawings that no material discrepancies exist in the context of the requirements of the Planning & Development Regulations and my assessment of the proposed development. Notwithstanding this, I note slight discrepancies of approximately 0.5m in the distances from the front elevation to the roadside wall in drawings 2018-LS and 2018-SHED, however, I do not consider this to be material to my assessment of the proposed development.
- 7.2.2. Like the Planning Authority, I have analysed the proposed development as a 2 bed three person dwelling on the basis that the main bedroom will cater for 2 no. persons and the additional bedroom will allow for a single bed. The internal dimensions of the proposed dwelling are analysed against the provisions of the Quality Housing for Sustainable Communities Guidelines, as follows:

Area	Guideline dimensions	Proposed Dwelling dimensions
Single bedroom	7.1m ²	12m ²
Double bedroom	11.4m ²	12.5m ²
The area of the main bedroom	13m ²	12.5m ²
Living room width	3.6m	4.2m
Target gross floor area	70m ²	70.4m ²

Minimum main living room	13m ²	13.4m ²
Aggregate living area	28m ²	28.5m ²
Aggregate bedroom area	20m ²	24.5m ²
Storage	3m ²	3.19m ²

7.2.3. As can be seen above the proposed development largely complies with the dimensions set out in the Quality Housing for Sustainable Communities Guidelines. I therefore consider the internal dimensions of the proposed development to be acceptable.

7.2.4. I note that the proposed development extends the building line 1.5m forward from the front elevation to accommodate a single storey front porch extension to the existing dwelling and the proposed dwelling itself. I do not consider this to be out of character with existing development in the area considering the predominance of similar extensions of the building line from front elevations along terraces in the vicinity of the site. I consider the construction of the front elevations of the proposed dwelling, in line with the extended building line, to be acceptable due to the end of terrace location, the separation from adjoining terraces to the south and the minimal building line extension.

7.2.5. Having analysed the contiguous elevations submitted, the design of the proposed development appears to reflect that of the existing dwellings along the terrace by way of its roof profile and fenestration. I also note that the gable end of the proposed dwelling does not constitute a blank façade which is a welcome addition to the design and layout of the proposed development. In the event of a grant of planning permission, I consider it necessary to request the submission of final materials and finishes for agreement with the Planning Authority by way of planning condition, prior to commencement of development, in order to ensure relative design conformity with the existing terraced dwellings.

7.3. Residential Amenity

- 7.3.1. With regard to the potential impacts on the residential amenities of future residents, access to daylight in the bedroom to the rear of the proposed dwelling on the first floor was of particular concern to the Planning Authority. The Planning Authority assessed the access to daylight that the proposed fenestration would provide and proposed a high-level window to serve the rear bedroom at FI stage and proposed the addition of the original escape window to the south elevation by way of condition in their grant of planning permission. I am satisfied that this adequately addresses any concerns with regard to access to daylight as it allows for natural light in a habitable room that was initially poorly fenestrated.
- 7.3.2. With regard to private open space, I note that it is proposed to provide a rear garden area of approximately 96.5m² serving the proposed dwelling and the remaining rear garden space of approximately 24m² or 42m², when including the existing toolshed, serving the existing dwelling. Given the minimum standard for private open space for a 2 bed house is 30m², I consider the rear garden area proposed to serve the existing dwelling, when including the existing toolshed, would provide for an adequate quantum of private open space. I am therefore satisfied that the amenities of the existing dwelling will not be negatively impacted in this regard. I do not consider that the existing toolshed will adversely affect the quantum or quality of private open space serving the proposed development. As such, I do not consider its removal to be necessary.
- 7.3.3. I note that concerns have been raised about the impact of the proposed development on the residential amenity of neighbouring dwellings, particularly no.76 Casement Drive. The Planning Authority did not consider this to be an issue as the sole part of the site where overlooking could occur would be via the first floor bathroom window, and suggested that this could be addressed by requiring this window to be fitted with opaque glass. I concur with this approach; however, I note that the Planning Authority did not impose a condition pertaining to opaque glass.

7.4. Flood Risk & Drainage

- 7.4.1. Condition 6(iv) of the permission issued by the Planning Authority requires the submission of an appropriate Flood Risk Assessment prior to commencement of development. This condition was included upon request of the Planning Authority's Drainage Department without any rationale. I note that this was requested at FI

stage and was not addressed by the applicant in response to the FI or in response to the 3rd party appeal.

- 7.4.2. Having analysed the Strategic Flood Risk Assessment published with the Development Plan and the national flood risk database on floodinfo.ie, I have determined that the site is located within Flood Zone C and is not considered to be at risk from pluvial or fluvial flooding. Additionally, no previous flood events are recorded onsite; therefore, the requirement to submit a Flood Risk Assessment is unwarranted in this instance. As such, I consider it appropriate not to include this conditional requirement in the event of a grant of planning permission.
- 7.4.3. The Planning Authority Drainage Department have expressed dissatisfaction with the drainage layout of the proposed development, in that it does not include satisfactory sustainable drainage measures. Having examined the material submitted with the application, it is evident that some sustainable drainage measures have been included such as permeable paving, however, this does not serve to comply with the standards of the Planning Authority. As such, I am of the view that a drainage condition to such an effect should be imposed, in the event of a grant of planning permission.

7.5. Access

- 7.5.1. I note that the proposed development includes the retention permission of an additional access entrance constructed by the applicant without the benefit of planning permission. I acknowledge a previous enforcement action taken by the Planning Authority in relation to this (E0730/22). From analysis of Google Maps Street view, it appears as though the additional entrance was constructed during the summer of 2014 which indicates that the entrance has been in place for almost 10 years. Given the length of time since the construction of the additional entrance and the fact that no concerns have been raised by competent authorities on this matter, I am satisfied with the retention of this element of the proposed development. I am not of the view that the retained access will create any visual or traffic impacts.

7.6. Appropriate Assessment Screening

- 7.6.1. I note that the Planning Authority undertook Appropriate Assessment Screening and concluded that the proposed development would not significantly impact upon a Natura 2000 site.

7.6.2. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act 2000 as amended. Having carried out Screening for Appropriate Assessment, it has been concluded that the proposed development individually or in combination with other plans or projects would not be likely to have a significant effect on any European site, and Appropriate Assessment (and submission of a NIS) is not therefore required.

7.6.3. This determination is based on the following:

- The size and scale of the proposed development;
- The location of the proposed development in an established urban area that is suitably serviced; and
- The separation from and lack of connectivity to any European Sites.

7.6.4. This screening determination is not reliant on any measures intended to avoid or reduce potentially harmful effects of the project on a European Site.

7.7. Conclusion

7.7.1. Having regard to the above, I consider the proposed development, as modified at Further Information stage, would generally be acceptable and would not give rise to flood risk, drainage, design, overlooking or accessibility concerns. The proposed development, as modified, will positively contribute to the character of the area and allow for the development of an infill side garden corner site in an accessible area, without negatively impacting existing and future residential amenities. Thus, I conclude that a grant of planning permission should be issued, subject to conditions.

8.0 Recommendation

I recommend that planning permission should be GRANTED, subject to conditions, for the reasons and considerations as set out below.

9.0 Reasons and Considerations

Having regard to the nature of the development proposed to be retained and the proposed development, the design and layout of the existing and proposed access to the site, the zoning of the site for residential development, the design and layout and

the landscaping of the proposed development, it is considered that subject to the conditions set out below, the proposed development would be acceptable and in accordance with the provisions of the Dublin City Development Plan 2022-2028, the Sustainable Residential Development and Compact Settlements Guidelines and the Quality Housing for Sustainable Communities Guidelines. The proposed development would not negatively impact on residential amenity or give rise to negative impacts on drainage or traffic safety and would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and retained in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted in response to a Further Information Request on the 2nd day of August 2023, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The proposed development shall be amended as follows:</p> <p>(a) The proposed bathroom window on the rear elevation shall be glazed with obscure glass.</p> <p>(b) The originally proposed escape window to the south gable of the proposed dwelling shall be implemented, instead of a high level window as proposed in response to the request for Further Information submitted to the Planning Authority on the 2nd August 2023.</p> <p>(c) Provide 1 no. high level window to the rear elevation of the proposed dwelling as a secondary window to the rear bedroom.</p>

	<p>Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interests of visual and residential amenity.</p>
3.	<p>Details of the materials, colours and textures of all the external finishes to the proposed dwellings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity.</p>
4.	<p>The proposed dwelling shall be used as a single dwelling unit and shall not be sub-divided in any manner or used as two or more separate habitable units.</p> <p>Reason: In the interests of orderly development.</p>
5.	<p>Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.</p> <p>Reason: In the interests of sustainable waste management.</p>
6.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Uisce Eireann.</p> <p>Reason: In the interest of public health.</p>
7.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the</p>

	<p>planning authority for such works and services and shall be agreed in writing with the planning authority prior to the commencement of development.</p> <p>Reason: In the interest of public health.</p>
8.	<p>(a) All foul sewage and soiled water shall be discharged to the public foul sewer.</p> <p>(b) Only clean, uncontaminated storm water shall be discharged to the surface water drainage system.</p> <p>Reason: In the interest of public health.</p>
9.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
10.	<p>Proposals for a naming and numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential developments.</p>
11.	<p>The construction of the development shall be managed in accordance with a Construction 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 construction practice for the development, including hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>

12.	<p>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.</p> <p>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.</p>
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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.

Conor Crowther
Planning Inspector

29th April 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	318056-23		
Proposed Development Summary	PERMISSION & RETENTION: Relocation of front door from side elevation to front elevation, single storey porch to front of house, permission for attached 2 storey 2 bedroom house to front and side of existing house and retention of vehicular entrance to the original house and all associated site works.		
Development Address	1, Casement Green, Finglas, Dublin 11		
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	✓
		No	No further action required
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		Class.....	EIA Mandatory EIAR required
No	✓		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	No EIAR or Preliminary Examination required

Yes	✓	Class 10(b)(i) and (iv)/ min. 500 dwelling units and/or an area greater than 10 ha		Proceed to Q.4
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4. Has Schedule 7A information been submitted?				
No	✓		Preliminary Examination required	
Yes			Screening Determination required	

Inspector: Conor Crowther Date: 29th April 2024

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-318056-23	
Proposed Development Summary	PERMISSION & RETENTION: Relocation of front door from side elevation to front elevation, single storey porch to front of house, permission for attached 2 storey 2 bedroom house to front and side of existing house and retention of vehicular entrance to the original house and all associated site works.	
Development Address	1, Casement Green, Finglas, Dublin 11	
<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>Given the location of the proposed development in a suburban area where infill residential development of a similar nature has previously been permitted, I do not regard the nature of the proposed development to be exceptional in the context of the existing environment.</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 of the existing environment?</p> <p>Are there significant cumulative considerations having</p>	<p>Given the location of the proposed development in a suburban area where infill residential development of a similar size has previously been permitted, I do not regard the size of the proposed development to be exceptional in the context of the existing environment.</p>	<p>No</p>

		No
regard to other existing and/or permitted projects?		
Location of the Development Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location? Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?		No No
Conclusion		
There is no real likelihood of significant effects on the environment. EIA not required. Yes	There is significant and realistic doubt regarding the likelihood of significant effects on the environment. Schedule 7A Information required to enable a Screening Determination to be carried out. No	There is a real likelihood of significant effects on the environment. EIAR required. No

Inspector: _____

Date: _____

DP/ADP:

Date:

(only where Schedule 7A information or EIAR required)