



An
Bord
Pleanála

Inspector's Report ABP-319660-24

Development

Demolition of existing single-storey shed, alteration to the existing boundary wall and the construction of a two-storey dwelling with a courtyard to the west and a first floor terrace to the south and associated site works.

Location

Site at Lansdowne Lane, to the east of No. 10/10A Lansdowne Terrace and west of No. 1 Berkeley Mews, Shelbourne Road, Ballsbridge, Dublin 4.

Planning Authority

Dublin City Council

Planning Authority Reg. Ref.

WEB1149/24

Applicant(s)

Colin Daly

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant

Colin Daly

Observers

(1) Pauline Philip

- (2) Coleesa Egan
- (3) Alfred Guinevan
- (4) Siobhán Collins
- (5) Grace McRandal

Date of Site Inspection

29th May 2025

Inspector

John Duffy

1.0 Site Location and Description

- 1.1. The appeal site, which has a stated area of 160 sqm, is located on the northern side of Lansdowne Lane, off Shelbourne Road in Dublin 4 and proximate to the Aviva Stadium, which is located at the eastern end of Lansdowne Lane beyond the application site. The subject site, which is relatively flat in topography and rectangular in configuration, previously formed part of the rear garden associated with No. 10 / 10A Lansdowne Terrace, Dublin 4, a substantial two-storey property, which has in recent years been converted into apartments. The subject site, which contains a single storey shed (22 sqm), is now fenced off from that property, by way of a concrete post and rail fence, apparently having been sold in recent years. There is no direct pedestrian or vehicular access to the appeal site. The original granite stone wall of No. 10 / 10A Lansdowne Terrace, of approximate height of 1.8 m, bounds the site to the south.
- 1.2. Adjoining the site to the east is a row of three two-storey mews dwellings, known as Berkeley Mews, which were previously constructed on part of the rear garden of No. 10 / 10A Lansdowne Terrace. The subject site adjoins the rear amenity space of No. 10 / 10A Lansdowne Terrace to the west. Adjoining the site to the north is the rear garden associated with No. 8 Lansdowne Terrace, a two storey semi-detached property. It is noted that the rear gardens of houses on Lansdowne Terrace are large and long.
- 1.3. Adjoining the granite walled boundary facing onto Lansdowne Lane, there is on-street parking provision, while double-yellow lines extend along the southern side of the laneway. The neighbouring development on the southern side of Lansdowne Lane comprises mainly residential uses, including a religious order (Missionary Sisters of Our Lady of Apostles) located at the corner of Shelbourne Road and Lansdowne Lane to the south-west of the application site.

2.0 Proposed Development

- 2.1. The proposed development will consist of:
 - (i) demolition of existing, single-storey shed (22 sqm),

(ii) construction of a two-storey, 2 bedroom, flat-roofed, detached house of contemporary design. The dwelling incorporates private open space in the form of a western courtyard, a front courtyard and a first floor terrace,

(iii) alteration of existing boundary wall to provide for a new pedestrian entrance from Lansdowne Lane and ancillary site works.

3.0 Planning Authority Decision

3.1. Decision

3.1.1. Dublin City Council refused permission for the proposed development on the 9th of April 2024 for two reasons as follows:

1. It is considered that the proposed development, by reason of its height, scale, massing and proximity to the shared boundary, would have an overbearing impact on the rear elevation and rear garden of number 10/10A Lansdowne Terrace and no. 8 Lansdowne Terrace. The proposed development would have a detrimental impact on the residential amenities of neighbouring residents, would create a precedent for similar type undesirable development and would devalue property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development, by reason of its inadequate qualitative provision of private open space, would conflict with the development management standards set out in Section 15.11.3 of the Dublin City Development Plan 2022-2028, and as such, would constitute overdevelopment of this restricted site and would create a precedent for similar type undesirable development. The proposed development would, therefore, provide substandard residential amenity for future occupants of the proposed dwelling and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planner's Report

This sets out the basis for the planning authority's refusal of permission.

3.2.2. Other Technical Reports

Drainage Division: Recommends that Additional Information be requested. The report notes that the proposed development provides for bedroom accommodation at ground floor level in an area that is susceptible to flooding. Section 4.5.1 of the Strategic Flood Risk Assessment prepared as part of the Dublin City Development Plan 2022-2028 states that bedroom accommodation at basement or ground floor level within Flood Zone A or B will not be permitted. It is recommended that a Flood Risk Assessment be provided. Ground floor bedrooms should be omitted or alternatively the applicant should demonstrate that the finished ground floor level is set above the estimated 1% AEP flood level with appropriate freeboard and climate change allowances applied. The report notes that the proposed ground floor finished floor level (2.34 m OD) is set below the ground floor level proposed in the previous appeal relating to Reg. Ref. 4201/21 (which was 2.72 m) and is therefore likely to exacerbate the flood risk.

Road Planning Division: Considers that the proposed development could be adequately accessed from the mews laneway. Pedestrian access from the lane is noted and accepted. The absence of parking provision is acceptable given the central location of the site, the access to sustainable transport services and the availability of on-street parking on surrounding streets. No objection to the proposed development subject to conditions.

3.3. Prescribed Bodies

Irish Rail and Irish Water (now Uisce Eireann) were invited to comment on the application. No submissions were received.

3.4. Third Party Observations

A total of 12 third party observations were received by the planning authority in respect of the application, mainly from residents in the immediate area of the subject site. Issues raised are summarised in the Planner's Report as follows:

- The main house on the site currently contains 10 no. flats. Subdivision of the site and loss of private amenity space serving No. 10 Lansdowne Terrace.
- Overdevelopment of original site.
- Lack of separation distance between neighbours and proposed property

- Impacts on residential amenity of adjoining properties including, inter alia, overlooking, overshadowing, loss of daylight and sunlight, overbearing appearance and nuisance / noise impacts.
- Standard of residential amenity achieved for future occupants.
- Construction impacts on adjoining property; absence of a Construction Management Plan.
- No daylight/sunlight assessment submitted.
- Impacts on built heritage and streetscape of the area.
- Proposed development contrary to Z2 zoning objective and fails to meet relevant City Development Plan standards.
- Previous reasons for refusing permission not addressed.

4.0 Planning History

Subject site

- 4.1. Planning Authority Reg. Ref. 4201/21; ABP Ref. 313101-22 refers to a June 2023 decision to refuse permission for demolition of single storey structure and construction of a two storey over basement level, 3 bedroom detached dwelling. Permission was refused for two reasons which related to the overbearing impact on the rear elevation of number 10 / 10A Lansdowne Terrace, inadequate qualitative and quantitative provision of private open space which would conflict with standards set out in Section 15.11.3 of the Development Plan, substandard amenity for future residents and overdevelopment.
- 4.2. Planning Authority Reg. Ref. 2338/21; ABP Ref. 310317-21 refers to a September 2021 decision to refuse permission for the demolition of the flat-roofed dwelling granted under Planning Application Reg. Ref: 2334/20, ABP Ref. 307569-20, the removal of part of the wall addressing Lansdowne Lane and a new development comprising 1 no. 2-bedroom apartment at ground floor level and 1 no. 2-bedroom duplex apartment at 1st and 2nd floor level and all landscaping works, boundary treatment and electrical services. Permission was refused for two reasons which related to residential amenity impacts on numbers 10 / 10A and number 8 Lansdowne

Terrace, and that the proposal, would, by reasons of scale, bulk and height and inadequate separation distances, constitute a visually obtrusive and dominant form of development and would be contrary to Policy CHC4 of the Development Plan.

Subject site and rear of number 10 / 10A Lansdowne Terrace

- 4.3. Planning Authority Reg. Ref. 2334/20; ABP Ref. 307569-20 refers to an October 2020 decision to grant permission for the demolition of single storey rear extension and garden shed and to refuse permission (3 reasons) for removal of part of existing wall addressing Lansdowne Lane and the construction of two no. 3 bedroom, three-storey semi-detached houses. Refusal reasons related to (1) inadequate quantity and quality of private amenity space for 10/10a Lansdowne Terrace, (2) the scale, height and proximity of the proposed dwellings to the boundaries of the adjoining dwellings at 10/10a Lansdowne Terrace and 8 Lansdowne Terrace would seriously injure the residential amenity of the private open space of the dwellings, and (3) the proposed development would be a dominant form of development in this residential conservation area having regard to its scale, bulk, height and inadequate separation distances proposed.
- 4.4. Planning Authority Reg. Ref. 2416/91; ABP Ref. PL29.5.88424: Planning permission refused by An Bord Pleanála in March 1992 for the construction of a separate dwelling on the grounds of No. 10 Lansdowne Terrace with access from Lansdowne Lane.

5.0 Policy and Context

5.1. National Policy

5.1.1 Revised National Planning Framework (NPF)

The First Revision of the NPF was recently approved by the Houses of the Oireachtas following the decision of Government on 8th April 2025 to approve the Final Revised NPF.

Chapter 2 of the First Revision of the NPF is entitled ‘A New Way Forward.’ Relevant National Policy Objectives (NPOs) include:

NPO 4: A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.

NPO 7: Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements and ensure compact and sequential patterns of growth.

NPO 8: Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints and ensure compact and sequential patterns of growth.'

Chapter 6 'People, Homes and Communities' sets out that place is intrinsic to achieving a good quality of life.

A number of key policy objectives in Chapter 6 are noted as follows:

- NPO 37: Ensure the integration of safe and convenient alternatives to the car into the design of our communities, by prioritising walking and cycling accessibility to both existing and proposed developments and integrating physical activity facilities for all ages.
- NPO 42: To target the delivery of housing to accommodate approximately 50,000 additional homes per annum to 2040.
- NPO 43: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location
- NPO 45: Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration, increased building height and more compact forms of development.

5.1.2 Section 28 Ministerial Guidelines

Sustainable Residential Development and Compact Settlements – Guidelines for Planning Authorities (DoHLGH, 2024). Relevant policy areas include:

SPPRs 1 to 4 relating to separation distances, private open space, car and cycle parking, and policy on open space and daylight.

SPPR 2 relating to minimum private open space standards for houses. Table 5.1 provides minimum private open space standards for houses and indicates that 30 sqm are required in the case of a 2 bed house.

The Guidelines state the following in relation to private open space provision:

‘Private open space must form part of the curtilage of the house and be designed to provide a high standard of external amenity space in one or more usable areas. Open spaces may take the form of traditional gardens or patio areas at ground level, and / or well designed and integrated terraces and/or balconies at upper level. The open space must be directly accessible from the unit it serves and a principal area of open space should be directly accessible from a living space.’

The Planning System and Flood Risk Management – Guidelines for Planning Authorities 2009.

5.2. Dublin City Development Plan 2022-2028

The site is zoned Z2 - Residential Neighbourhoods – Conservation Areas, where it is an objective “To protect and / or improve the amenities of residential conservation areas.” Residential uses are permissible under this zoning objective.

- 5.2.1. Section 14.7.2 of the development plan states that the overall quality of a Z2 area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area.
- 5.2.2. Policy BHA9 (Conservation Areas): To protect the special interest and character of all Dublin’s Conservation Areas. Development within or affecting a Conservation Area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.
- 5.2.3. 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.

5.3. Development Management Standards: Houses

- 5.3.1. Houses shall comply with the standards set out in Section 5.3: 'Internal Layout and Space Provision' of the DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007). The target gross floor area for a 2-bedroom, 4-person, 2-storey house is 80 sqm.
- 5.3.2. A minimum private open space standard of 10 sqm per bedspace normally applies, and generally, up to 60-70 sqm of rear garden area is considered sufficient for houses in the city. These standards may be relaxed on a case-by-case basis, based on a qualitative analysis of the development.
- 5.3.3. The site is located in Zone 2 of the city with respect to car parking provision, and within which, a standard of 1 space per dwelling applies.

5.4. Backland Housing

- 5.4.1. Backland development is set out in section 15.13.4 of the Development Plan and it is defined therein generally as development of land that lies to the rear of an existing property or building line. Dublin City Council will allow for the provision of comprehensive backland development where the opportunity exists. Backland housing can comprise of larger scale redevelopment with an overall site access; mews dwellings with access from a rear laneway or detached habitable dwellings to the rear of existing housing with independent vehicular access. Consideration of access and servicing and the interrelationship between overlooking, privacy, aspect and daylight / sunlight are paramount to the success and acceptability of new development in backland conditions.
- 5.4.2. Applications for backland housing should consider the following:

- Compliance with relevant residential design standards in relation to unit size, room size, private open space etc.
- Provision of adequate separation distances to ensure privacy is maintained and overlooking is minimised.
- That safe and secure access for car parking and service and maintenance vehicles is provided.
- The scale, form and massing of the existing properties and interrelationship with the proposed backland development.
- The impacts on either the amenity of the existing properties in terms of daylight, sunlight, visual impact etc. or on the amenity obtained with the unit itself.
- The materials and finishes proposed with regard to existing character of the area.
- A proposed backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, with a minimum rear garden depth of 7 metres.
- A relaxation in rear garden length may be acceptable once sufficient open space is provided to serve the proposed dwelling and that the applicant can demonstrate the proposed backland dwelling will not impact negatively on adjoining residential amenity.

5.4.3. All applications will be assessed on a case-by-case basis. In certain instances, Dublin City Council may permit relaxation of some standards to promote densification and urban consolidation in specific areas. The applicant must demonstrate high quality urban design and a comprehensive understanding of the site and the specific constraints to justify the proposal.

5.5. Mews Dwellings

5.5.1. Section 15.13.5 of the Development plan notes that mews dwellings are an integral part of backland development across the city and are typically accessed via existing laneways or roadways serving the rear of residential developments.

5.5.2. Traditional and / or high-quality contemporary design for mews buildings will be considered. The materials proposed should respect the existing character of the area

and utilise a similar colour palette to that of the main structure. The distance between the opposing windows of mews dwellings and of the main houses shall ensure a high level of privacy is provided and potential overlooking is minimised.

- 5.5.3. Private open space shall be provided to the rear of the mews building to provide for adequate amenity space for both the original and proposed dwelling and shall be landscaped so as to provide for a quality residential environment. The open space area shall not be obstructed by off-street parking. If the main house is in multiple occupancy, the amount of private open space remaining after the subdivision of the garden for a mews development shall meet both the private open space requirements for the main house divided into multiple dwellings and for mews development.
- 5.5.4. New buildings should complement the character of both the mews lane and main building with regard to scale, massing, height, building depth, roof treatment and materials. The height of mews building should not negatively impact on the views from the main property. Development will generally be confined to two-storey buildings. The roof profile for mews buildings should be simple and in keeping with the character of the area.
- 5.5.5. Car-free mews developments may be permitted in certain circumstances where there are specific site constraints and where alternative modes of transport are available. Each development will be assessed on a case-by-case basis.

5.6. Natural Heritage Designations

- 5.6.1. The appeal site is located approximately 1.2 km west of South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA. There are no Natural Heritage Areas or proposed Natural Heritage Areas in the vicinity of the site.

5.7. EIA Screening

See Forms 1 and 2 below. Having regard to the limited nature and scale of the proposed development 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

- 6.1.1. A first-party appeal against the planning authority's decision to refuse permission is submitted on behalf of the applicant by RMA Architects.
- 6.1.2. The appeal submission also includes a revised design proposal for the first storey element involving the alignment of its rear elevation with that of No. 1 Berkeley Mews. Drawing Nos. 101, 202, 203, 303 and 305 refer. The appeal submission also includes a Flood Risk Assessment in response to the flooding concerns of Dublin City Council's Drainage Department.
- 6.1.3. The grounds of appeal are summarised as follows:
- The design has been revised to have regard to the commentary in the planner's report relating to the previous application on this site (Reg. Ref. 4201/21 refers). The first floor is set back to align with the Berkeley Mews terrace. The first floor is also set back 2 m from the boundary with No. 10 Lansdowne Terrace.
 - In terms of light provision into the proposed house, it is contended that there is no over-reliance on rooflights. The living area has the benefit of floor to ceiling glazing facing south, thereby ensuring ample natural light. A north facing opaque window facilitates light for the stairwell / living area. Bedrooms open onto the internal courtyard by way of glazed doors. Rooflights also provide natural light to bathrooms.
 - While the first floor is constructed to the boundary with No. 1 Berkeley Mews, the higher level of the proposed first floor roof is set 2.16 m from this existing property.
 - There are no directly opposing windows at first floor level and as such no overlooking impacts arise.
 - The provisions of the Sustainable Residential and Compact Settlements Guidelines for Planning Authorities, 2024 are not referenced in the planner's report.

- In response to concerns raised regarding overbearing impacts on No. 8 Lansdowne Terrace and No. 1 Berkeley Mews, the first floor rear elevation is set back and the floor plan aligns with Berkeley Mews. Revised plans are provided to the Board should it consider the proposal is still overbearing on No. 8 Lansdowne Lane.
- In terms of private open space provision, a 25 sqm first floor south-facing terrace is introduced, which provides good quality and substantial amenity space. The western ground floor courtyard provides 16 sqm of private amenity space, 8 sqm of which is not covered or sheltered. There is a further area of 9 sqm at the entrance, providing a total accumulated quantum of 51 sqm which exceeds Dublin City Council guidelines of 10 sqm per bedspace. The minimum private open space standards as set out in the Compact Settlements Guidelines is 30 sqm for 2 bedroom houses. These allow for roof terraces and courtyards at different levels. The appellant disagrees with the planning authority that there is a shortfall in the quantum of quality private open space provision.
- In terms of private open space provision, planning precedents in the wider area of Dublin City Council support the proposed development.
- While noting that the planning authority commented on the style / design of the house proposed, noting its flat roof which is at odds with other houses in the area, the appellant contends that residential units on the lane have varying architectural styles and notes that the proposal is in keeping with the overall height of properties on the lane and that its finishes include brick, render and retention of the original stone wall.
- A Flood Risk Assessment (FRA) is provided which demonstrates that the site is suitable for development and that mitigation measures proposed follow best practice.

The following documents are attached to the appeal:

- Appendix 1: Comparison of current proposal and previous proposal (Reg. Ref. 4201/21 refers). This is summarised as follows:

- The first floor is set back 2 m from No. 10 Lansdowne Terrace and has little impact on its rear garden.

- The first floor is set back 2 m from No. 8 Lansdowne Terrace, while also having a 3 m set back where it meets No. 1 Berkeley Mews, to align with the existing property.
 - One rear opaque glazed window is set back 3 m from the boundary with No. 8 Lansdowne Terrace.
 - Quality private open space is proposed comprising a part covered 16.5 sqm west facing ground floor terrace (accessible from the hall and both bedrooms), a 25 sqm front south-facing terrace (accessible from main living area) and a 9 sqm area at the site entrance (for storage of bicycles and bins).
- A Flood Risk Assessment prepared by Tent Engineering Limited.
 - A copy of the development brief / architect's submission provided as part of the planning application.
 - A copy of the area planner's report relating to Reg. Ref. 4201/21.
 - Drawings including floor plans, elevations and section drawings (Drawing Nos. ABP-101, ABP-202, ABP-203, ABP-303 and ABP-305 refer).

6.2. Planning Authority Response

- 6.2.1. A response to the appeal was received from the planning authority on the 4th of June 2024 requesting that a Section 48 Development Contribution condition and a naming and numbering condition be attached should planning permission be granted for the proposed development.

6.3. Observations

- 6.3.1. A total of five observations have been made on the first party appeal by:
- (1) RW Nowlan and Associates on behalf of Pauline Philip of 1 Berkeley Mews, Lansdowne Lane, Dublin 4,
 - (2) Alfred Guinevan of 8 Lansdowne Terrace, Shelbourne Road, Dublin 4,
 - (3) Siobhán Collins of 8 Lansdowne Terrace, Shelbourne Road, Dublin 4,
 - (4) Grace McRandal, Lansdowne and District Resident's Association (LDRA), of 26 Shelbourne Road, Dublin 4, and

(5) Coleesa Egan of 48 Northumberland Road, Dublin 4.

6.3.2. The issues raised in the observations may be summarised as follows:

- Inappropriate sub-division of site. Sub-standard private amenity for main dwelling.
- Negative impacts on residential amenity.
- Overbearing, overlooking and overshadowing impacts arise.
- Poor residential amenity for future residents.
- Proposed development does not accord with Z2 zoning.
- Poor design. Over-reliance on roof lights, opaque glazing, bedrooms at ground floor level.
- Proposed development is not significantly different to previous proposals.
- Proposed open space is substandard in terms of quantum and quality. Balconies unsuitable for quality open space provision. Safety concerns relating to balconies for family use.
- Overdevelopment of subject site.
- Proposal would create an undesirable precedent.
- Development would be visible from Shelbourne Road, noted for its historical architecture. Design is too different from existing properties in the area.
- No urgent demand for apartments due to reduction in demand for same.
- Flood Risk.
- Noise impacts and lighting impacts.
- Inadequate separation distances to adjoining houses.
- Problems with sewage system on the site.
- Devaluation of adjoining properties.
- Loss of part of historic granite wall to facilitate access and loss of on-street car parking.
- Proposal does not accord with the Compact Settlements Guidelines.

- External materials will not age well.
- Dominant effect on the streetscape.
- Proposed house is small and unsuitable for habitation due to internal aspects.
- No agreement in place to facilitate maintenance of side gable of No. 1 Berkeley Mews. Proposal would potentially result in the removal of gutters.
- Concerns raised relating to the structural integrity of No. 1 Berkeley Mews during construction phase.
- Proposal would result in changing No. 1 Berkeley Mews from an end of terrace to a mid-terrace unit.
- Lack of information in relation to daylight and sunlight impacts.

7.0 **Assessment**

7.1. The appeal submission includes a relatively minor revision to the proposal for the consideration of the Board. This relates to an increased separation distance of the first floor element from the rear / northern boundary from 2.15 m to 3.15 m and resulting in the second storey aligning with the rear building line of No. 1 Berkeley Mews, which adjoins the site to the east. This revision is considered as part of my assessment.

7.2. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, the reports of the local authority, and having regard to the relevant local and national policies and guidance, I consider that the substantive issues in this appeal to be considered are as follows, and they are examined below:

- Impact on Adjoining Properties
- Private Open Space Provision
- Flood Risk
- Other issues
- Appropriate Assessment
- Water Framework Directive

7.3. I would note that there is presently no access to the site and as such I was unable to gain access to it. However I confirm I inspected the site from the adjoining public realm and took photographs from these areas.

7.4. Impact on Adjoining Properties

7.4.1. The planning authority's first refusal reason is based on the height, scale, massing and proximity of the proposed development to the shared boundaries with No. 10/10A Lansdowne Terrace and No. 8 Lansdowne Terrace, resulting in overbearing impact on the rear elevation and rear gardens of those properties, and giving rise to detrimental impacts on the residential amenities of neighbouring residents. The refusal reason also considers that the proposed development would create a precedent for similar type undesirable development and would devalue property in the vicinity. As such, it was considered that the development would be contrary to the proper planning and sustainable development of the area.

7.4.2. The Area Planner noted that the first floor element of the proposed dwelling would be located approximately 2.1 m from the boundary with No. 8 Lansdowne Terrace and 2 m from the boundary with No. 10 Lansdowne Terrace. In assessing the proposed development, the Area Planner considered that the lack of separation between the and surrounding properties is not acceptable.

7.4.3. In comparing the current proposal against the previous application on this site which was the subject of Planning Authority Reg. Ref. 4201 and ABP-313101-22, it is apparent that the proposal which is the subject of this appeal is notably smaller in scale (158 sqm versus 268 sqm) as a result of, inter alia, the omission of one bedroom, and omission of a garage and basement level. I note also that the height of the proposed house is reduced from 7.18 m to 6.45 m. While the unit proposed under Reg. Ref. 4201 (ABP-313101-22 refers) was to be constructed on the boundary with No. 10/10A Lansdowne Terrace, the drawings provided in respect of the current proposal indicate a setback of 2 m in respect of the first floor element.

7.4.4. In responding to the planning authority's first refusal reason regarding overbearing impacts, the applicant's agent states that the first floor is set back from adjoining boundaries to the west and north and the first floor plan aligns with No. 1 Berkeley Mews to the west. A revised site layout plan, floor plan and elevation drawings submitted as part of the appeal documentation demonstrate an increased separation

distance, of approximately 3.1 m, between the first floor and the boundary with No. 8 Lansdowne Terrace, should the Board consider the current proposal is overbearing on that property.

7.4.5. In considering the scale of the proposed development and its relationship to No. 10/10A Lansdowne Terrace, the site plan indicates a separation distance of 1.5 m arises between the single storey western / gable elevation of the proposed dwelling (approximately 3 m in height) and the single-storey return of the existing dwelling. I note that single-storey return of the existing dwelling has a window on its southern elevation, and there is no window on its eastern elevation. The maximum and minimum heights of the proposed shared western boundary are 3.005 m and 2 m respectively. This separation distance increases to 8 m to the rear 2-storey façade of No. 10 / 10A. The separation distance between the rear two storey façade of No.10 / 10A and the first storey of the proposed dwelling is given as 10 m.

7.4.6. In terms of relevant Development Plan policy relating to this proposed development, policy applying to mews dwellings and backland development is pertinent and details are set out in sections 5.4 and 5.5 above. Backland development is defined in the Development Plan as the development of land that lies to the rear of an existing property or building line and it is stated that backland dwellings shall not be located less than 15 m from the rear façade of the existing dwelling.

I note, however, that national planning policy, specifically the Compact Settlement Guidelines, introduced in January 2024, is centrally focussed on sustainable residential development, the promotion of more compact development and higher densities along with the provision of a wider range of housing options to meet the needs of a growing population. SPPR 1 of these Guidelines states that ‘Separation distances below 16 metres may be considered acceptable in circumstances where there are no opposing windows serving habitable rooms and where suitable privacy measures have been designed into the scheme to prevent undue overlooking of habitable rooms and private amenity spaces.’ In my view, the proposed separation distances, as outlined above, between No. 10/10A Lansdowne Terrace and the proposed development are acceptable.

7.4.7 I note also the recently published First Revision of the NPF which includes several NPOs, as set out in section 5.1 of this report requiring, inter alia, increases in

residential densities in existing settlements and communities through more compact forms of development. I note NPO 8 requires delivery of at least 50% of all new homes within the built-up footprint of Dublin and four other cities to ensure compact patterns of growth. Having regard to the foregoing, it is my opinion that national planning policy supports the proposed development of a house at this accessible, serviced and zoned location.

- 7.4.8 In assessing the impact of the proposed development on No. 1 Berkeley Mews which adjoins the site to the east, I note that the proposed first floor aligns with that property and that it does not extend beyond it. As such I do not consider the proposed house to have an overbearing impact on No. 1 Berkeley Mews.
- 7.4.9 In assessing the impact of the proposed development on the adjoining property to the north at No. 8 Lansdowne Terrace, I note that the applicant has provided a revised site plan demonstrating the setting back of the first floor element by approximately 3.1 m from the northern boundary. In my view, this separation distance would be sufficient to mitigate any overbearing impacts on the rear garden of No. 8 Lansdowne Terrace. Should the Board decide to grant permission, I recommend inclusion of a condition which includes reference to the revised drawings received with the appeal.
- 7.4.10 A number of observations consider that the proposed development would give rise to overlooking impacts on adjoining and nearby properties. While a window is proposed on the rear / northern elevation of the new dwelling, this comprises opaque glazing and it is set back from the rear boundary by 3 m. As such, I am satisfied that this window would not lead to any overlooking impacts on adjoining properties.
- 7.4.11 Concern is expressed that overlooking leading to a loss of privacy would occur from the first floor terrace area. In terms of the potential for lateral overlooking to the east and west, having examined the section drawings submitted with the application, I am satisfied that proposed metal screens at each end of the terrace would prevent overlooking opportunities onto adjoining properties to the east and west.
- 7.4.12 An observation also raises a concern that overlooking impacts from the proposed first floor terrace would occur onto the convent premises, which is located at the southern side of Lansdowne Lane. Having regard to the separation distance of approximately 22 m between first floor windows of the convent complex and the

proposed first floor terrace, I am satisfied that no overlooking impacts leading to a loss of privacy would arise.

- 7.4.13 A number of observations consider that the proposed development would cause overshadowing of adjoining properties. I note that the planning authority's assessment of the proposed development did not raise overshadowing as an issue of concern. The current Dublin City Development Plan recognises that the city is an urban context and that some degree of overshadowing is inevitable and unavoidable. Notwithstanding, having regard design of the proposed house, including its flat roof and also to the orientation of the site relative to the path of the sun, I do not anticipate significant overshadowing impacts to arise on any surrounding properties.

7.5. Private Open Space Provision

- 7.5.1. The planning authority's second refusal reason states that the proposed development would conflict with Section 15.11.3 of the Dublin City Development Plan 2022-2028 on the basis of inadequate provision of qualitative private open space, and would, inter alia, constitute overdevelopment and provide substandard residential amenity to future occupants.
- 7.5.2. Section 15.11.3 states that a minimum standard of 10 sqm of private open space per bedspace will normally be applied and that these standards may be relaxed on a case by case basis subject to a qualitative analysis of the development. The Area Planner noted that the proposed dwelling would require 40 sqm of private open space and questions the quality of the ground floor courtyard (16.7 sqm) in terms of access to daylight and sunlight, given its enclosed nature, and also that the proposed development partially overhangs this area. It was also noted that the front courtyard (9.4 sqm) comprises the entrance area and contains bin storage, and as such, is not suitable to be considered as private amenity space.
- 7.5.3. In responding to the second refusal reason, the applicant's agent contends that the introduction of the first floor south-facing terrace, measuring 25 sqm, provides good quality and substantial amenity space. It is acknowledged that the ground floor courtyard (16.7 sqm) is partially covered, and that 8 sqm of this area is not covered or sheltered. It is submitted in the appeal that cumulative private amenity space of 51 sqm is provided when the front courtyard is factored in. Further, it is noted that the

Compact Settlements Guidelines require a minimum of 30 sqm private open space for two bedroom houses.

- 7.5.4. In my opinion, it is appropriate that the front courtyard area is excluded from the calculations for private amenity space, on the basis that this part of the site comprises the entrance to the house and is to be used for both bin and bike storage. I agree with the applicant that the proposed first floor terrace area measuring 25 sqm constitutes a good quality amenity space given its southern orientation and that it is directly accessed from the first floor living area. In this regard, I note that the planning authority raised no concerns regarding the quality and usability of this space. In terms of the western internal courtyard (16.7 sqm), I acknowledge that it is partially covered, and I note the appellant has indicated an area of 8 sqm which is not sheltered. From the proposed ground floor plan, it is the case that the width of the uncovered area is approximately 1.6 m (excluding the planted area), while its depth is given as 4.878 m; this equates to an approximate area of 7.8 m. The submitted floor plans show that this area is accessed from both bedrooms and the hall of the proposed dwelling. While small, I consider this uncovered area would provide a level of amenity to future occupants.
- 7.5.5. I calculate that the total area of usable and quality private open space equates to approximately 33 sqm, comprising the uncovered area of the western courtyard and the first floor south-facing terrace. This quantum is below the 40 sqm of private open space required by the Development Plan. I note however, that the Area Planner's report makes no reference to the Compact Settlements Guidelines which were introduced in January 2024. Section 5.3.2 of the Guidelines refer to private open space for houses and notes that a more graduated and flexible approach that supports the development of compact housing should be applied. SPPR 2 sets out minimum private open space standards for houses and In this regard, a minimum of 30 sqm is required for a 2 bedroom house, which may be further reduced below the minimum standard where an equivalent amount of high quality semi-private open space is provided in lieu of the private open space. I note that this proposal does not involve the provision of semi-private open space.
- 7.5.6. In my view the proposed development accords with SPPR 2 in terms of the provision of private open space. I do not agree with the planning authority that planning permission should be refused on the basis of inadequate provision of qualitative open

space, or that the proposal constitutes overdevelopment. My view is that the proposal constitutes efficient use of a constrained urban site. Proposed open space is acceptable in terms of quality and quantity and would, in my view, provide reasonable and acceptable residential amenity for future occupants.

7.6. Flood Risk

7.6.1. In order to address the issue of flood risk as identified in the report of the Drainage Division (section 3.2.2 above refers), the applicant has provided a Flood Risk Assessment (FRA) with the appeal which identifies fluvial flooding from the River Dodder as the most probable source of flooding (1% fluvial AEP event – 1 in 100 chance in any given year).

7.6.2. Key points raised in the submitted FRA are as follows:

- The proposed development is considered to constitute minor development as referred to in Section 5.28 of 'The Planning System and Flood Risk Management Guidelines for Planning Authorities' 2009 (FRM Guidelines).
- Section 2.2.2 of the Strategic Flood Risk Assessment (SFRA) prepared in support of the current Dublin City Development Plan 2022-2028 confirms that flood defences are largely in place on the lower Dodder from Ballsbridge to Donnybrook. Appendix B attached to the applicant's submission to the planning authority submitted with the planning application comprises a copy of an e-mail dated 2021 from Dublin City Council relating to flood defences, noting that flood risk to the site would be significantly reduced following works on the flood alleviation scheme.
- The most probable source of flooding is fluvial flooding from the River Dodder; the site is within 280 m of that river. The OPW flood risk map which categorises the site as located within Flood Zone A is reflective of the situation prior to the River Dodder fluvial flood defence works having been completed. The subject site will have seen a substantial improvement and likely moved to Flood Zone B or C in terms of flood risk.
- Appendix A is stated to provide a summary report in relation to historical flood events in the vicinity of the subject site. (There are no appendices attached to the FRA provided with the appeal. There is an 'Appendix A' attached to the applicant's

submission to the planning authority submitted with the planning application, which comprises a site location / Tailte Éireann map of the area with the site highlighted).

- There is no potential for pluvial flood risk in the immediate vicinity of the site. In terms of coastal flooding, the site is located 1 km outside the risk of coastal flooding as set out on the OPW maps. It is anticipated that the site is not at risk from groundwater flooding.
- The proposal includes permeable paving and a landscaped area to alleviate flood risk. SuDS measures are maximised and include a sedum roof and attenuation measures.
- A number of mitigation measures are proposed, as follows:
 - The building's proposed levels are set and dictated by the existing building levels.
 - Walls are to be tanked to 1.1 m and flood barriers / flood gates will be placed at all doors.
 - The continuous boundary wall will provide protection to the entire property.
 - The front entrance gate will provide access for floodwater. A flood barrier system will be assembled at the entrance gate to provide additional levels of resilience.
 - A Containment Plan will be developed to minimise potential impact on the development and residents during a flood event.
- The FRA concludes that the proposed development would have no adverse impacts or impeded access to a watercourse, floodplain or flood protection and management facilities.

Assessment

- 7.6.3. Section 2.16 of the FRM Guidelines state that the vulnerability of development to flooding depends on the nature of the development, its occupation and construction methods used. Table 3.1 classifies the vulnerability of different development types, with a dwelling house listed as comprising highly vulnerable development. The submitted FRA describes the proposal as constituting minor development. This is not

the case, given that a new unit is proposed on the subject site, which would comprise highly vulnerable development.

- 7.6.4. Section 3.5 of the FRM Guidelines notes that there is a high probability of flooding for development in Flood Zone A. Such development is to be avoided and / or only considered in exceptional circumstances, such as in city and town centres, or in the case of essential infrastructure that cannot be located elsewhere, and where the Justification Test has been applied and its requirements met.
- 7.6.5. Section 2.4 of the SFRA notes that the Council and its partners have implemented several measures and projects to address the main flood risks in the Dublin city area to allow for continuing development of the city and to protect as far as reasonably practicable existing vulnerable areas. One such project is given as the construction of new flood alleviation walls, embankments and floodgates along the tidal and lower fluvial stretches of the River Dodder from Ringsend Bridge to Ballsbridge.
- 7.6.6. I note that the Two-Year Progress Report relating to the Dublin City Development Plan 2022-2028, published in 2024, advises that the Lower River Dodder Flood Alleviation Scheme Phase 2 (Ringsend to Donnybrook) is now completed. Having regard to the foregoing, it is apparent that the site flood risk is significantly reduced through the provision of the Lower River Dodder Flood Alleviation Scheme Phase 2.
- 7.6.7. I note that the 12 page FRA prepared by the applicant and provided as part of the appeal submission is preliminary in nature and is not a detailed Site Specific Flood Risk Assessment (SSFRA).
- 7.6.8. While I acknowledge that the Lower River Dodder Flood Alleviation Scheme Phase 2 (Ringsend to Donnybrook) is now completed and that flood risk to the site is significantly reduced, it remains the case that the site is located in Flood Zone A. The applicant has not provided a SSFRA with hydraulic modelling, which demonstrates that the Flood Zone designation as set out in the OPW Flood Risk maps has changed.
- 7.6.9. Further, I note section 2.25 of the FRM Guidelines states that the presence of flood protection measures should be ignored in determining flood zones on the basis that areas protected by flood defences still carry a residual risk of flooding from overtopping or breach of defences and also the fact that there may be no guarantee that defences will be maintained in perpetuity.

- 7.6.10. As set out in section 7.6.4 above, development located in areas at risk of flooding needs to be fully justified, and this has not been undertaken in the FRA provided (Box 5.1 of the FRM Guidelines relating to Justification Test refer).
- 7.6.11. In terms of the issue of what should the minimum floor level be to mitigate flood risk, the FRM Guidelines state that the minimum floor levels for new development should be set above the 1 in 100 river flood level including an allowance for climate change, including appropriate freeboard. In this particular case the proposed finished floor level (2.34m OD) is set below that proposed in the previous appeal (Reg. Ref. 4201/21) which was 2.72m OD.
- 7.6.12. Having regard to the foregoing, in my view, the issue of flood risk has not been satisfactorily addressed by the information submitted with the application and the appeal. The FRA provided at appeal stage does not accord with the requirements of the Planning System and Flood Risk Management -Guidelines for Planning Authorities (2009). As such, it has not been demonstrated that the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. As such, having regard to the precautionary approach, I recommend that permission for this development be refused.

7.7 Other issues

7.7.1 Design

Concern is raised that the design of the proposed house would negatively impact on the streetscape. In my view, the contemporary design of the proposed development is of good quality. While I acknowledge the proposed house has a flat roof, which is at variance to the adjoining units at Berkeley Mews which have pitched roofs, I note the variety of design and typologies of other buildings along Lansdowne Lane. For instance, directly opposite the appeal site, the convent buildings have both barrel roofs and flat roofs. To conclude, the design of the proposed house would, in my opinion, create visual interest and would add to the streetscape in this urban location.

7.7.2 Access

Concern is raised that the proposed development would involve removal of the southern granite boundary wall to facilitate access. I note that pedestrian access only is proposed from the southern boundary. It is noteworthy that previous applications

relating to the site involved the removal of a greater proportion of the wall to facilitate vehicular access. This current proposal would involve removal of a section of the wall, measuring approximately 3.4 m in width. My opinion is that, on balance, removal of a section of the wall as proposed to facilitate pedestrian access / entry would be acceptable.

There is also concern that the proposal would impact on car parking provision in the area. In this regard I note that while there is no on-street designated car parking on Lansdowne Lane, motorists tend to park on the northern side of the carriageway, outside the subject site. While I accept that the provision of the pedestrian access to the site would potentially curtail car parking at that particular location, I do not consider this to be a significant issue, given the limited width of the proposed access. I note also that the Road Planning Division raised no objection to the proposal.

7.7.3 Operational impacts

Concern is raised that both lighting and noise at operational stage would adversely impact on the amenity of the area. I note that the subject site is located in an urban area. While it is likely that the proposed house would generate some noise impacts at operational stage, I would not anticipate these to be so excessive that they would warrant a refusal of permission.

Given the urban location of the subject site, I do not foresee any undue impacts arising on account of the proposed house being illuminated. In my opinion, the existing level of public street lighting would have a greater impact than lighting associated with the proposed house.

7.7.4 Construction impacts

While concern is expressed in terms of impacts of construction, should the Board decide to grant permission I would recommend that a condition be included requiring the submission of a Construction Management Plan for the agreement of the planning authority prior to commencement. While construction related impacts would potentially arise these would be managed by the CMP and they would be short-lived for the period of construction only.

7.7.5 Site coverage

Table 2 of Appendix 3 of the Dublin City Development Plan provides indicative plot ratios and site coverage quantum's. The proposed development does not exceed the

indicative plot ratio standards. I note the application form indicates site coverage as 75% which is above the indicative percentage of 45-50% for development in a Conservation Area. Notwithstanding, noting that site coverage quantum's are indicative and having regard to the urban location of the site which adjoins major public transport corridors, I consider the proposed site coverage quantum to be acceptable in this instance.

7.7.6 Devaluation of property

Concerns are raised that the proposed development would devalue neighbouring property. However, having regard to the assessment and conclusion above in relation to impacts on residential amenities, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity. I note that No. 1 Berkeley Mews presently has no side access to its rear amenity space and this situation would not be altered should the proposed house be granted permission.

7.8 **Appropriate Assessment**

I have considered the proposed development in light of the requirements of S177U of the Planning and Development Act, as amended.

The appeal site is located approximately 1.2 km west of South Dublin Bay SAC (Site Code 000210) and South Dublin Bay and River Tolka Estuary SPA (Site Code 004024).

The proposed development comprises the demolition of an existing shed (22 sqm) and the construction of a new two-storey dwelling (158 sqm).

Having considered the nature, scale and location of the project, I am satisfied it can be eliminated from further assessment because it could not have any effect on a European Site.

The reason for this conclusion is as follows:

- Relatively small scale and nature of the proposed development.
- Location-distance from nearest European Site and lack of connections.
- Taking into account the screening determination of the planning authority.

I conclude, on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with any other plans or projects.

Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000 as amended) is not required.

7.9 **Water Framework Directive**

The subject site is located on the northern side of Lansdowne Lane, off Shelbourne Road in Dublin 4.

The proposed development comprises demolition of an existing shed (c 22 sqm) and the construction of a two storey two bedroom detached house (c 158 sqm).

I have assessed the proposed development and have considered the objectives as set out in Article 4 of the Water Framework Directive which seek to protect and, where necessary, restore surface and ground water bodies in order to reach good status (meaning both good chemical and good ecological status), and to prevent deterioration. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any surface and groundwater water bodies either qualitatively or quantitatively. The reason for this is as follows:

- The nature of the works comprising a relatively small scale of development.
- The lack of direct hydrological connections from the site to any surface and transitional water bodies.
- The proposal to incorporate a number of SuDS features as part of the proposed development.
- Standard pollution controls that would be implemented.

I conclude that on the basis of objective information that the proposed development will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its Water Framework Directive objectives and consequently can be excluded from further assessment.

8.0 Recommendation

I recommend that permission for the proposed development be refused for the reason and considerations set out hereunder.

9.0 Reason and Considerations

Based on the information submitted with the application and the appeal relating to flood risk, including the Flood Risk Assessment submitted which fails to comply with the requirements of The Planning System and Flood Risk Management - Guidelines for Planning Authorities (2009), and having regard to the precautionary approach, the Board is not satisfied that the issue of flood risk has been satisfactorily addressed, and that it has not been demonstrated the proposed development would not give rise to an increased risk of flooding of the site or of property in the vicinity. The proposed development would, therefore, be prejudicial to public health and safety and would be contrary to the proper planning and sustainable development of the area.

John Duffy
Planning Inspector

19th June 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-319660-24		
Proposed Development Summary	Demolition of existing single-storey shed, alteration to the existing boundary wall and the construction of a two-storey dwelling with a courtyard to the west and a first floor terrace to the south and associated site works.		
Development Address	Site at Lansdowne Lane, to the east of No.10/10A Lansdowne Terrace and west of No. 1 Berkeley Mews, Shelbourne Road, Ballsbridge, Dublin 4.		
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	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	Class 10(b)(i) of Part 2, Schedule 5	Proceed to Q.3
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	✓		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	<p>Appropriate threshold in accordance with Class 10(b)(i):</p> <p>- Class 10(b)(i) – more than 500 dwelling units.</p> <p>1 house is proposed.</p>	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No	✓	Screening determination remains as above (Q1 to Q4)	
Yes		Screening Determination required	

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-319660-24
Proposed Development Summary	Demolition of existing single-storey shed, alteration to the existing boundary wall and the construction of a two-storey dwelling with a courtyard to the west and a first floor terrace to the south and associated site works.
Development Address	Site at Lansdowne Lane, to the east of No. 10/10A Lansdowne Terrace and west of No. 1 Berkeley Mews, Shelbourne Road, Ballsbridge, Dublin 4.
The Board carried 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. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	<p>The subject site was created on foot of the sub-division of the rear garden of No. 10 / 10A Lansdowne Terrace, Dublin 4.</p> <p>A two storey house (c 158 sqm) is proposed. A shed structure (c 22 sqm) is proposed for demolition. The site is located in an urban area. The surrounding area is built-up and comprises housing / residential development of varying designs. The Aviva Stadium is also located proximate to the site. The Dodder River is situated c 280 m from the subject site.</p> <p>The proposed development would not result in the production of significant waste, emissions of pollutants.</p> <p>Construction impacts would be local and temporary in nature and implementation of a Construction Management Plan would satisfactorily mitigate potential</p>

	impacts. No operational impacts in this regard are anticipated. The proposed development is not an integral part of any larger project and there are no cumulative considerations.	
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The closest European Sites are as follows: South Dublin Bay SAC (Site Code:00210) and South Dublin Bay and River Tolka Estuary SPA (Site Code:004024) located c 1.2 km east.	
Types and characteristics of potential impacts (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).	No likely significant effects on environmental parameters. No trans-boundary effects arise as a result of the proposed development.	
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is 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)