



An
Bord
Pleanála

Inspector's Report ABP-319754-24

Development	Demolition of the existing garage for the construction of a dwelling and all associated site works.
Location	19 Taney Avenue, Goatstown, Dublin 14, D14 N124
Planning Authority	Dun Laoghaire Rathdown County Council
Planning Authority Reg. Ref.	D24A/0154
Applicant(s)	Joseph Beirne.
Type of Application	Permission.
Planning Authority Decision	Grant, subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Áine-Máire Ní hAodha.
Observer(s)	None.
Date of Site Inspection	19 th December 2024.
Inspector	Terence McLellan

1.0 Site Location and Description

- 1.1. The appeal site refers to the corner garden of No. 19 Taney Avenue, Goatstown, Dublin 14. No. 19 Taney Avenue is a two storey, end of terrace dwelling incorporating a single storey side garage and a substantial corner garden with frontage onto Farmhill Park. The area is characterised by two storey terraced dwellings with front and rear garden ground. Several properties in the immediate area benefit from off-street car parking, including the subject site. A lane runs along the rear of the properties on this stretch of Taney Avenue, connecting to Taney Grove and providing vehicular access to the rear of the properties on this section of Taney Avenue and Farmhill Park. The nearest public transport is Dublin Bus service 11, available from Goatstown Road c.250m to the east.

2.0 Proposed Development

- 2.1. Planning permission is sought for the demolition of the existing garage, the subdivision of the existing plot, and the erection of a detached, four bedroom, two storey dwelling, with single storey front and rear projections and a rear dormer window. Materials proposed include render, brickwork and natural slate roof tiles. Off-street car parking would be provided for one vehicle.
- 2.2. The proposed dwelling would be 5,250mm in height to eaves level and 8,700mm in height to ridge. Both the front and rear ground floor projections would be full width, 1,200mm in depth and 3,175mm in height. The rear dormer would be centrally located within the roof plane and set back 1,667mm from the eaves. The face and cheeks of the dormer would be rendered.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Grant Permission was issued by Dún Laoghaire Rathdown County Council on the 3rd May 2024, subject to 13 generally standard conditions. Conditions of particular note include:

2. Prior to the commencement of development, the Applicant shall submit for written agreement with the Planning Authority revised site layout, plan, and elevation drawings which outline:
 - a). A reduction in the overall depth of the infill dwelling at first floor level by a minimum of 1m (and correspondingly the roof above), to more closely align with the main rear elevation line of the parent dwelling.
 - b). The omission of the single-storey, flat-roof, element to the front elevation.
 - c). The details/specification at elevation level of the private open space boundary wall/division to the rear between the subject and parent dwelling, that shall be no more than 2m height.

Reason: In the interests of visual and residential amenity.

3. Prior to the commencement of development on site, the Applicant shall submit for the written agreement of the Planning Authority, revised access arrangement drawings showing the proposed new dwelling modified as follows; Revised drawings and details which demonstrate that the proposed vehicular entrance that shall be no more than 4m in width, and not located any closer to the junction with Farmhill Park than the existing vehicular entrance. These details shall include 'before' photos of the trees adjacent to the proposed widened entrance (and north side boundary) with dated photos - to show the trees prior to any development).

Reason: In the interests of public safety and orderly development, and the proper planning and sustainable development of the area.

5. a) The Applicant shall preserve/retain the existing verge trees adjacent to the proposed widened vehicular entrance (and north boundary) to 19A Taney Avenue, Goatstown, or alternatively shall provide replacement semi-mature tree(s) in the immediate vicinity of the existing verge tree(s) adjacent to the proposed widened vehicular entrance (and to north side boundary if relevant) at the Applicant's own expense, with the new tree type, maturity and location to be agreed with DLRCC Parks Department, and all to the satisfaction of the Planning Authority. With regards to the new tree the Applicant shall contact the

DLRCC Parks Department/Road Maintenance & Control Section to ascertain the required specifications for such works and any required permits.

b) The applicant is to ensure the protection of the existing street tree(s) to be retained through the installation of suitable tree protection fencing in order to protect the existing trees during the construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS: 5837 - 2012. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas.

Reason: To secure the protection of the tree(s) adjacent to the site and in the interests of amenity and the proper planning and sustainable development of the area.

6. Notwithstanding Class 7, of Part 1, of Schedule 2 of the Planning and Development Regulations, 2001 (as amended), there shall be no front extensions or similar, constructed, to the front/ west of the proposed dwelling house without a prior grant of permission.

Reason: In the interest of orderly development and the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. The Planner's Report contains the following points of note:

- Amenity space, access and standard of accommodation is acceptable.
- The single storey front element should be omitted due to the visual prominence of the receiving corner site and the resulting adverse impacts on the visual amenity of the streetscape. Exempted development rights should also be restricted for front extensions/porches.
- The rear 1.8m depth beyond the established building line over two storeys should be reduced due to the resulting adverse visual impact on this corner site

and to reduce the risk of it being overbearing on the adjacent dwelling and potential adverse impacts on residential amenity.

- There is a lack of detail regarding boundary treatments between the subject site and parent dwelling. This should be secured by condition.

3.2.2. **Other Technical Reports**

3.2.3. **Drainage (18.04.2024):** No objections, subject to conditions. The conditions relate to surface water run-off and parking/hardstanding areas being constructed in compliance with the greater Dublin Strategic Drainage Study.

3.2.4. **Parks and Landscaping Services (15.04.2024):** No objections, subject to conditions. The conditions relate to the retention of trees/tree bond, and street tree protection.

3.2.5. **Transportation Planning (18.04.2024):** Requested Further Information regarding the submission of revised drawings to ensure that the vehicular entrance would be no more than 4m in width and would not be closer to the existing junction with Farmhill Park than the current entrance. The Planning Authority opted to deal with this matter by condition. Three additional conditions were recommended by the Transportation Planning section relating to orderly development, measures to avoid pedestrian/vehicular conflict during the works, and works to dish and strengthen the footpath and grass verge.

3.3. **Prescribed Bodies**

3.3.1. None.

3.4. **Third Party Observations**

3.4.1. Two submissions were received to the planning application, as summarised below:

- Excessive height and bulk.
- Development would be overbearing.
- Devaluation of property
- Development should be reconsidered and scaled back.
- Previous reasons for refusal have not been overcome.

- Benefits of trees to screen high concrete wall.
- Development is on a busy junction which is subject to rat-running traffic.
- Precedent example cited is not on the same row, it is on the other side of road and is a poor example.

4.0 Planning History

Subject Site

4.1.1. **Planning Authority Reference D23A/0683:** Permission was refused by Dún Laoghaire-Rathdown County Council in December 2023 for the construction of a three-storey detached dwelling, the demolition of the existing semi-detached garage, increasing the width of the existing driveway and the provision of a new driveway for the existing dwelling, including all landscaping, boundary treatments and all associated site and development works and services. Permission was refused for the following reason:

1. By virtue of the scheme's proposed scale, bulk, and siting, which is located on a visually prominent corner site, significantly exceeds and protrudes beyond the established rear main building line of the parent and adjoining dwellings, and having regard to its combined height and bulk close to the rear, and side boundaries, the subject proposed dwelling constitutes an unacceptable degree of prominence, visually disruptive, and overbearing impacts and impact on building lines when viewed from adjacent and surrounding properties and from the public road to its north. This would be overly disruptive also to the pattern of development in the area. The proposal with its three-storey/ large dormer rear element would also be overly prominent and incongruous on the character of the streetscape, and the dormer element in itself overly dominant on the proposed dwelling. The development would accordingly result in undue negative impacts to the receiving environment and future residential and visual amenity and is contrary to Sections 12.3.7.5 Corner/Side Garden Sites and 12.3.7.7 Infill of Dún Laoghaire-Rathdown County Development Plan 2022-2028. Therefore, it is considered that the subject proposal is also contrary to the proper

planning and sustainable development of the area and would help set a poor precedent for similar type development in the area.

21 Taney Avenue

- 4.1.2. **Planning Authority Reference D03A/1207:** Permission granted by Dún Laoghaire-Rathdown County Council in February 2004 for provision of new end-of-terrace, two-storey pitched roof, three bedroom dwelling in the side garden, with vehicular access off Farmhill Road.

11 Taney Crescent

- 4.1.3. **Planning Authority Reference D23A/0742:** Permission granted by Dún Laoghaire-Rathdown County Council in January 2024 for the demolition of the existing southwest chimney stack. Construction of dormer extensions to rear and side and new rooflights to front of the dwelling. Retention permission for the utility room, a new hip roof for the existing porch & widening the existing vehicular access onto Taney Crescent and internal alterations and all associated site works.

5.0 Policy Context

5.1. Development Plan

Dún Laoghaire-Rathdown County Development Plan 2022-2028

- 5.1.1. The Dún Laoghaire-Rathdown County Development Plan 2022–2028 (CDP), categorises the site as zoning objective ‘A’, which seeks to provide residential development and improve residential amenity while protecting the existing residential amenities.
- 5.1.2. Chapter 4: Neighbourhood – People, Homes and Place, sets out the policy objectives for residential development, community development and placemaking, to deliver sustainable and liveable communities and neighbourhoods. The relevant policy objectives from this chapter include:
- PHP20: Protection of Existing Residential Amenity
 - PHP25: Housing for All
 - PHP35: Healthy Placemaking

5.1.3. Chapter 5: Transport and Mobility, seeks the creation of a compact and connected County, promoting compact growth and ensuring that people can easily access their homes, employment, education and the services they require by means of sustainable transport. The relevant policy objectives from this chapter include:

- T19: Car Parking Standards

5.1.4. Chapter 12: Development Management contains the detailed development management objectives and standards that are to be applied to proposed developments. The relevant sections of this chapter include:

- 12.3.3.1: Residential Size and Mix
- 12.3.7.5: Corner/Side Garden Sites
- 12.3.8: Housing for All
- 12.4.5.1: Car Parking Standards
- 12.4.6: Cycle Parking
- 12.4.8: Vehicular Entrances and Hardstanding Areas
- 12.8.3.3 (i): Private Open Space for Houses
- 12.8.7.1: Separation Distances
- 12.8.7.2: Boundaries

5.2. **Regional Policy**

Regional Spatial and Economic Strategy for the Eastern and Midland Region 2019-2031

5.2.1. This strategy provides a framework for development at regional level. The RSES promotes the regeneration of our cities, towns, and villages by making better use of under-used land and buildings within the existing built-up urban footprint.

5.3. **National Policy**

The National Planning Framework - Project Ireland 2040

5.3.1. The government published the National Planning Framework (NPF) in February 2018. Objective 3a is to deliver 40% of all new homes nationally, within the built-up footprint of existing settlements. Objective 11 is to prioritise development that can encourage

more people to live or work in existing settlements. Objective 35 is to increase residential density in settlements and makes specific reference to infill development.

5.4. Natural Heritage Designations

5.4.1. None relevant.

5.5. EIA Screening

5.5.1. See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A Third Party appeal has been submitted by Áine-Máire Ní hAodha, of 17 Taney Avenue, Goatstown, Dublin 14. The grounds of appeal can be summarised as follows:

- The proposed house is excessive in scale and massing, it would be excessively deep, extending further back than the rest of the terrace, and would lead to a loss of light and the creation of a sense of enclosure.
- Permission has been granted with little apparent change from the previously refused proposal.
- Notification of the Council's decision came only by email when previously it had been registered post.
- The Council's letter is wrong in describing the development as an extension and modification to an existing dwelling. The proposal is for a new, detached three storey, four bedroom house.
- The development requires an Environmental Impact Assessment as there will be significant environmental consequences if built.

6.2. Applicant Response

6.2.1. A First party response was received from Furey Consulting, for and on behalf of the Applicant, Jospeh Beirne. The response can be summarised as follows:

- The drawings submitted by the Appellant (labelled Nos. 5-8) relate to the previously refused planning application and hold no bearing in relation to the current proposed development.
- The sketch prepared by the Appellant (labelled No. 4) is grossly misleading and shows no scale to substantiate the claim. It's also noted that the view the Appellant is referring to is from the door of their extended kitchen.
- The proposed ground floor external wall protrudes less than 3m beyond the building line and the first floor less than 1.8m beyond same.
- The development would be situated to the north and would have minimal, if any, impact on the Appellants property as demonstrated by the sunlight impact assessment (enclosed).
- The Board should note the 3D visuals submitted with the response in the document titled Proposed Project.

6.3. Planning Authority Response

6.3.1. The Planning Authority do not consider that the grounds of appeal raise any new matter which would justify a change in attitude to the proposal.

6.4. Observations

6.4.1. None.

6.5. Further Responses

6.5.1. A further response was received by the Appellant in reply to the First Party submission. This is summarised below:

- Refute claims made by First Party that amenity impacts would be minimal, there would be a significant negative effect both visually and in terms of light coming into the property.

- Disagree that the refused plans are being referenced, the grounds of appeal are referencing the plans for the new extension of almost 16 feet.
- Sunlight assessments are insufficient as they only go as far as 6pm. The development would have a significant effect on sunlight in the evenings.

7.0 **Assessment**

7.1. 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 inspected the site, and having regard to the relevant local/regional/national policies and guidance, I consider that the substantive issues to be considered in this appeal are as follows:

- Design and Amenity
- Transport
- Environment
- Other Matters

7.2. **Design and Amenity**

The primary issue raised in the appeal is that the proposed dwelling is excessive in scale, massing, and depth, and that there would be amenity impacts in terms of a loss of light, the creation of a sense of enclosure, and overbearance. It is the opinion of the Appellant that permission has been granted with little apparent change from the previously refused proposal.

7.2.1. The Applicant considers that the Appellant has based their submission on the previously refused planning application and that their enclosures are inaccurate and misleading. The Applicant states that the proposed ground floor external wall protrudes less than 3m beyond the established building line and the first floor extends less than 1.8m from the same building line. In terms of amenity impacts, the Applicant is of the view that impacts would be minimal given the orientation/position of the site, as demonstrated by the sunlight impact assessment (enclosed).

- 7.2.2. The Planning Authority shared concerns that elements of the development would have adverse visual impacts and imposed a condition that would reduce the overall depth of the infill dwelling at rear first floor level by a minimum of 1m in order to more closely align with the main rear building line of the parent dwelling. Additionally, the condition secured the omission of the single-storey flat-roof element to the front elevation, and a further condition sought to restrict exempted development rights in order to ensure no future porch development to the front of the dwelling.
- 7.2.3. In my opinion the height, scale, massing, and positioning of the proposed dwelling is acceptable in planning and townscape terms. The front of the proposed dwelling is generally in alignment with the established building line, with the exception of the 1.2m deep front porch which extends the full width of the dwelling. Whilst I note the Planning Authority condition seeking to omit the porch, I do not consider that the porch itself would have any harmful impact on the visual amenity of the area, nor would there be any residential amenity impacts. I also note the presence of similar porches in the area and in my view the proposed porch is acceptable, and the condition seeking its omission is unnecessary.
- 7.2.4. To the rear, the dwelling would extend beyond the established rear building line by approximately 3 metres at ground floor level and 1.8 metres at first floor level. Section 12.3.7.5 of the Dún Laoghaire-Rathdown County Development Plan states, in relation to corner/side garden sites, that building lines should be followed, where appropriate. Whilst I note that the main rear façade would be 1.8 metres proud of the established rear building line, I do not consider that this would be in any way harmful on the streetscape or on the visual amenity of the area, particularly given its location to the rear of the dwellings/building line. In all other respects, the proposed dwelling reflects the established building lines and pattern of development in the area and in my opinion, the proposal to the rear does not have any damaging townscape impacts. As such, I consider the proposal to be acceptable with regard to the rear building line.
- 7.2.5. In terms of the residential amenity concerns raised by the Appellant, I would advise the Board that the visual prepared by the Appellant (enclosure 4) is inaccurate and in my opinion, it significantly overestimates the scale of the proposed dwelling. On this matter I would agree with the Applicant that it does appear to be based on the previously refused scheme (enclosures 4, 5, and 6). I do not agree that there would be any significant loss of light or overshadowing as a result of the development and

this is demonstrated in the sunlight assessment submitted as part of the appeal, which I consider to be sufficient for the scale of development proposed. The appeal site is located to the north of the Appellant's property and further separated from it by the parent dwelling at No. 19 Taney Avenue, overshadowing would therefore be minimal.

- 7.2.6. In terms of a sense of enclosure/overbearance, I am of the opinion that the 3m projection beyond the building line at ground floor level and the 1.8m projection at first floor level would be acceptable in design and amenity terms and would have no significant adverse impact on either the Appellant's property at No. 17 Taney Avenue or indeed the parent dwelling at No. 19 Taney Avenue, which appears to be the concern of the Planning Authority and the reason behind the condition seeking the reduction in depth, which I do not consider to be necessary, for the reasons set out above. However, as my recommendation is to accept the proposed porch and rear building line as originally proposed, I would advise the Board that I consider it prudent to include a condition restricting exempted development in order to ensure that any future proposal to extend the dwelling would be subject to the formal planning process, thereby allowing consideration of any future development impacts on neighbouring amenity.
- 7.2.7. I note the concerns raised in the observations in respect of the devaluation of property. However, having regard to the assessment and conclusion set out above, 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.
- 7.2.8. In conclusion, I am satisfied that the scale, height, depth and massing is acceptable as proposed, that there would be no significant adverse residential or visual amenity impacts, and that the amendments sought by Condition 2(a) and (b) are not necessary.

7.3. Transport

- 7.3.1. It is stated that the development would be inappropriate due to its location on a busy junction which is subject to rat running. In my opinion, the proposed dwelling would have no impact on the local road network in terms of traffic generation, traffic safety, or pedestrian/vehicle conflict. The proposed entrance is largely already in existence and conditions imposed on the planning permission would ensure that the proposed entrance goes no closer to the junction than at present. Additionally, the proposed

dwelling and new entrance would not affect visibility at the junction, and I am satisfied that the development is acceptable in transport terms.

7.4. Environment

- 7.4.1. It is stated in the grounds of appeal that the development requires an Environmental Impact Assessment on the basis that there would be significant environmental consequences if built. The proposal is for a single dwellinghouse and whilst this is a class of development for environmental impact assessment purposes, it is well below the threshold of 500 dwellings which would require a mandatory EIA. I also note that the Appellant offers no commentary or substantive information on what environmental consequences they consider would be likely. I have carried out a preliminary screening assessment for Environmental Impact Assessment which is set out at Form 2 at the end of this report. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations, I have concluded at preliminary examination that there is no real likelihood of significant effects on the environment arising from the proposed development. EIA, therefore, is not required.

7.5. Other Matters

- 7.5.1. The Appellant raises concerns regarding some procedural matters, notably that the notification of the Council's decision came only by email when previously it had been registered post. It is also stated that the Council's letter is wrong as it describes the development as an extension and modification to an existing dwelling. Whilst these are not matters for the Board, I am fully satisfied that the development description on the public notices and the Council's correspondence is accurate and fully reflects the development proposal and I do not consider that the development description or the manner of delivering the notification to have discommoded any relevant parties.

8.0 AA Screening

- 8.1.1. I have considered the appeal in light of the requirements S177U of the Planning and Development Act 2000 as amended. The subject site is located on Taney Avenue, approximately 3.1 km from the South Dublin Bay and River Tolka Estuary SPA (Site Code 004024) and the South Dublin Bay SAC (Site Code 000210), which are the nearest European Sites.

- 8.1.2. The proposed development comprises a new detached dwellinghouse. No nature conservation concerns were raised with regards to European Sites in the planning appeal, although it is stated by the Appellant that an Environmental Impact Assessment is required.
- 8.1.3. Having considered the nature, scale, and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- The small scale nature of the works and the location of the site within a serviced urban area.
 - The distance of the development from the nearest European Site and the lack of any direct hydrological connections and the use of the municipal water/sewage system.
 - The screening determination of the Planning Authority, who concluded that Appropriate Assessment is not required.
- 8.1.4. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

- 9.1. From my assessment above, I recommend that the Board should uphold the decision of the Planning Authority and grant planning permission for the proposed development, based on the reasons and considerations set out below.

10.0 Reasons and Considerations

- 10.1. Having regard to the zoning objective relating to the site as set out in the current development plan for the area and to the nature and extent of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the amenities of the area or property in the vicinity, would not be prejudicial to public health or the environment

and would generally be acceptable in terms of design, traffic safety and amenity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out in accordance with the plans and particulars submitted with the planning application except as may be otherwise required by the following conditions.

Reason: To clarify the plans and particulars for which permission is granted.

2. The proposed dwelling shall be retained and occupied as a single residential unit and not let or otherwise transferred or conveyed unless permitted by way of a separate planning application.

Reason: To restrict the use of the dwelling in the interest of residential amenity.

3. Prior to the commencement of development, the Applicant shall submit for written agreement with the Planning Authority revised site layout, plan, and elevation drawings which demonstrate the details/specification at elevation level of the private open space boundary wall/division to the rear between the subject and parent dwelling, that shall be no more than 2m height.

Reason: In the interests of visual and residential amenity.

4. Prior to the commencement of development on site, the Applicant shall submit for the written agreement of the Planning Authority, revised drawings and details which demonstrate that the proposed vehicular entrance shall be no more than 4m in width, and not located any closer to the junction with Farmhill Park than the existing vehicular entrance. These details shall include 'before' photos of the trees adjacent to the proposed widened entrance (and north side boundary) with dated photos - to show the trees prior to any development).

Reason: In the interests of public safety and orderly development, and the proper planning and sustainable development of the area.

5. (a) The Applicant shall preserve/retain the existing verge trees adjacent to the proposed widened vehicular entrance (and north boundary) to 19A Taney Avenue, Goatstown, or alternatively shall provide replacement semi-mature tree(s) in the immediate vicinity of the existing verge tree(s) adjacent to the proposed widened vehicular entrance (and to north side boundary if relevant) at the Applicant's own expense, with the new tree type, maturity and location to be agreed with DLRCC Parks Department, and all to the satisfaction of the Planning Authority. With regards to the new tree the Applicant shall contact the DLRCC Parks Department/Road Maintenance & Control Section to ascertain the required specifications for such works and any required permits.
- b) The applicant is to ensure the protection of the existing street tree(s) to be retained through the installation of suitable tree protection fencing in order to protect the existing trees during the construction works. Protective tree fencing must be erected prior to all construction operations occurring on site. Fencing to be in accordance with BS: 5837 - 2012. This fencing, enclosing the tree protection areas must be installed prior to any plant, vehicle or machinery access on site. Fencing must be clearly signed 'Tree Protection Area – No Construction Access'. No Excavation, plant vehicle movement, materials or soil storage is to be permitted within the fenced tree protection areas.

Reason: To secure the protection of the tree(s) adjacent to the site and in the interests of amenity and the proper planning and sustainable development of the area.

6. Water supply and drainage arrangements (including attenuation and disposal of surface water) shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.

Reason: In the interest of public health.

7. Development described in Classes 1, or 7 of Part 1 of Schedule 2 to the Planning and Development Regulations, 2001, or any statutory provision modifying or replacing them, shall not be carried out within the curtilage of any of the proposed dwellinghouses without a prior grant of planning permission.

Reason: In the interest of residential amenity and to ensure that a reasonable amount of private open space is provided for the benefit of the occupants of the proposed dwellings.

8. Prior to the commencement of development, the developer shall enter into a Connection Agreement with Uisce Éireann (Irish Water) to provide for a service connection to the public water supply and wastewater collection network.

Reason: In the interest of public health and to ensure adequate water/wastewater facilities.

9. Site development and building works shall be carried out between the hours of 8:00 to 19:00 Mondays to Fridays inclusive, between 08:00 to 14:00 on Saturdays, and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

10. Prior to commencement of works, the developer shall submit to, and agree in writing with the planning authority, a Construction Management Plan, which shall be adhered to during construction. This plan shall provide details of intended construction practice for the development, including hours of

working, noise and dust management measures and off-site disposal of construction/demolition waste.

Reason: In the interest of public safety and amenity.

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

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

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.

Terence McLellan
Senior Planning Inspector

16th January 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-319574-24		
Proposed Development Summary	Demolition of the existing garage for the construction of a dwelling and all associated site works.		
Development Address	19 Taney Avenue, Goatstown, Dublin 14, D14 N124		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X	Class 10 – Infrastructure Projects.	Proceed to Q3.
No			No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q4

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10 (b)(i) - threshold >500 dwellings.	Preliminary examination required (Form 2)

5. Has Schedule 7A information been submitted?		
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)
Yes		Screening Determination required

Inspector: _____ Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP- 319754-24	
Proposed Development Summary	Demolition of the existing garage for the construction of a dwelling and all associated site works.	
Development Address	19 Taney Avenue, Goatstown, Dublin 14, D14 N124	
<p>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.</p> <p>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</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>	The proposed development is for residential, in an area that is largely characterised by residential use. The proposed development would therefore not be exceptional in the context of the existing environment in terms of its nature.	No
<p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	The development would not result in the production of any significant waste, emissions or pollutants.	
<p>Size of the Development</p> <p>Is the size of the proposed development exceptional in the context of the existing environment?</p>	The size of the development would not be exceptional in the context of the existing environment.	No.

Inspector:

Date:

DP/ADP: _____ **Date:** _____

(only where Schedule 7A information or EIAR required)