



An
Bord
Pleanála

Inspector's Report ABP-319952-24

Development

PROTECTED STRUCTURE:

Demolition of existing dwelling and the construction of a new two-storey dwelling and all associated site works. Development will also involve works to the adjoining property, Seacroft, Seafield Road, Killiney, Co. Dublin (a protected structure & site located in Killiney ACA).

Location

Seacroft Mews, Seafield Road,
Killiney, Co. Dublin, A96 XK06

Planning Authority

Dún Laoghaire-Rathdown County
Council

Planning Authority Reg. Ref.

D23A/0662

Applicant(s)

Robert & Síofra Acheson

Type of Application

Planning permission

Planning Authority Decision

Grant permission with 9 conditions.

Type of Appeal

Third Party

Appellant(s)

Melanie Burke and Cormac Joyce

Observer(s)

David Leech

Date of Site Inspection

20th August 2024

Inspector

Sarah O'Mahony

Contents

1.0 Site Location and Description	4
2.0 Proposed Development	4
3.0 Planning Authority Decision	5
3.1. Further Information	5
3.3. Planning Authority Reports	5
3.4. Prescribed Bodies	6
3.5. Third Party Observations	6
4.0 Planning History	6
5.0 Policy Context	7
5.1. Development Plan	7
5.3. Natural Heritage Designations	9
5.4. EIA Screening	9
6.0 The Appeal	9
6.1. Grounds of Appeal	9
6.2. Applicant Response	10
6.3. Planning Authority Response	10
6.4. Observations	10
6.5. Further Responses	11
7.0 Assessment	11
8.0 AA Screening	17
9.0 Recommendation	18
10.0 Reasons and Considerations	18
11.0 Conditions	18
Appendix 1 – Form 1: EIA Pre-Screening	

1.0 Site Location and Description

- 1.1. The 0.1ha site is located in Ballybrack, 200m west of the railway line and 1km east of the N11. Access is provided from Bóthar Ghort na Mara/Seafield Road at the south of the site. There is a detached split level mews type dwelling in the northeast corner of the site. The dwelling has its own enclosed private open space but shares an access with a larger adjacent dwelling which is also a protected structure referred to as Seacroft. The subject dwelling is referred to as Seacroft Mews.
- 1.2. The dwelling is situated to the side and behind the rear building line of the larger dwelling. It comprises a 127m² 2-bed unit in a mix of characters and styles. Externally it appears as a cottage or perhaps lodge house style structure with a twin gable front elevation with leaded glass however this has been extensively modified with box bay windows and a side lean-to conservatory making the structure difficult to date and interpret. Internal finishes are modern. The dwelling was vacant during the inspection but had the appearance of being recently occupied.
- 1.3. The site is split over two levels with a lower area to the front of the dwelling and an upper area to the rear which is banked against a retaining wall set back slightly from the rear elevation. The ground level of the rear open space is approximately level with the midway return of the internal staircase. Boundaries comprise a mix of tall stone walls, concrete blocks, concrete post and panels and dense and tall vegetation.

2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
 - Demolish the existing 127m² 6.2m high (ridge level 19.18mOD) mews dwelling which is a twin gable dormer structure,
 - Construct a new 212m² 7.216m high (ridge level 20.186mOD) dormer dwelling including lowering ground levels by 1.2m over an area of 100m². Ground levels at the rear of the dwelling are 14.4mOD at the highest point at the rear boundary and the proposed ground levels will be 13.2mOD. Proposed ground levels will remain in situ at the area closest the rear boundary with split level garden provided.

- The new T-shaped dwelling will have a pitched roof and a gable on the front, rear and side elevations. There will also be a lean-to roof at ground floor level on the side elevation to the rear of the side gable.
- Subdivide the site including providing new boundaries between the mews dwelling and protected structure and
- Alterations to the vehicular entrance.
- No works are proposed to the protected structure itself but works are proposed to its curtilage including the boundary and vehicular access alterations.

3.0 Planning Authority Decision

3.1. Further Information

- 3.1.1. Further information to provide a justification for the proposal, address overlooking and provide some arboriculture and landscaping details. Following receipt of changes to the design comprising provision of opaque glazing to the first floor window in the eastern elevation, the Planning Report recommended condition no. 2 in order to ensure a satisfactory degree of natural light serves the room.

3.2. Decision

- 3.2.1. A notification of decision to grant permission was issued by the Planning Authority on 22nd May 2024. The notification was subject to 9 conditions including the following:
- *2. The south facing roof plane above bedroom 3 shall include a standard Velux roof light.*

Reason: To ensure a good standard and quality of internal amenity for bedroom 3.

3.3. Planning Authority Reports

- 3.3.1. Planning Reports
- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
 - Appropriate Assessment (AA) and Environmental Impact Assessment (EIA) issues are both screened out.

- Under the heading of third parties, it states that matters raised in submissions including overlooking and impact to residential amenity have been addressed by the FI response, while the conclusion states that the Planning Authority considers the development would not adversely impact on the residential amenity of adjacent properties.

3.3.2. Other Technical Reports

- Conservation Officer: No objection to the proposal but a recommendation made to limit the width of the new vehicular entrance to comply with the County Plan standard of 3.5m.
- Drainage Planning: No objection subject to conditions.
- Parks Department:
 - Report 1: Further information recommended.
 - Report 2: No objection subject to conditions.
- Transportation Planning: No objection subject to standard conditions surrounding works to vehicular accesses.

3.4. Prescribed Bodies

No reports received.

3.5. Third Party Observations

One received from occupants of a neighbouring property to the east raising concerns regarding overlooking and associated impacts to privacy and property devaluation. The submission requests obscure glass to be provided to most of the first-floor windows.

4.0 Planning History

No relevant recent planning history on the site.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is governed by the policies and provisions contained in the Dún Laoghaire-Rathdown County Development Plan 2022-2028 (referred to hereafter as the County Plan). The site is zoned A where the objective is to provide residential development and improve residential amenity while protecting the existing residential amenities.
- 5.1.2. The site is situated within the curtilage of a protected structure, RPS ref. no. 1764, which refers to a large, detached dwelling situated outside of the red line boundary, but which shares an access with the existing dwelling on the appeal site.
- 5.1.3. The site is also situated in Killiney Architectural Conservation Area where Specific Local Objective 130 applies as follows:

To ensure that development within this objective area does not (i) have a significant negative impact on the environmental sensitivities in the area including those identified in the SEA Environmental Report, and/or (ii) does not significantly detract from the character of the area either visually or by generating traffic volumes which would necessitate road widening or other significant improvements.

- 5.1.4. Policy Objective HER8 refers to architectural heritage and seeks to protect not simply the structural element of a protected structure but also its setting and curtilage including any complex of adjoining buildings, historic gardens stone walls and entrance gates etc.
- 5.1.5. Policy HER9 refers to documentation required for applications relating to protected structures.
- 5.1.6. Policy Objective HER13 sets out guidance to protect the character of ACAs.
- 5.1.7. Policy Objective CA6 refers to the retrofit and reuse of buildings as follows:

It is a Policy Objective to require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible recognising the embodied energy in existing buildings and thereby reducing the overall embodied energy in construction as set out in the Urban Design Manual

*(Department of Environment Heritage and Local Government, 2009).
(Consistent with RPO 7.40 and 7.41 of the RSES).*

5.1.8. Policy Objective PHP19 supports adaption of existing housing stock

5.1.9. Section 4.3.1.2 goes on to state:

The Council will encourage the retention and deep retrofit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement ...

5.1.10. Section 12.3.9 refers to Demolition and Replacement dwellings and states:

The Planning Authority has a preference for and will promote the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant.

.....

The Planning Authority will assess single replacement dwellings within an urban area on a case by case basis and may only permit such developments where the existing dwelling is uninhabitable.

5.2. Architectural Heritage Protection Guidelines for Planning Authorities

5.2.1. The guidelines are a resource both for Planning Authorities and private individuals for guiding best practice in developments affecting protected structures, vernacular architectural heritage and development in Architectural Conservation Areas etc. They also set out how an assessment of any impact to such structures should be undertaken. Section B1.1 of Appendix B states that the requirement to prepare an Architectural Heritage Impact Assessment will generally arise from one of two scenarios including:

“as part of a development application in order to provide sufficient information for the planning authority to make an informed decision on the potential impact on the architectural heritage.”

5.3. Natural Heritage Designations

- 5.3.1. The site is situated 300m west of Dalkey Coastal Zone and Killiney Hill proposed Natural Heritage Area and 1.8km west of Rockabill to Dalkey Island Special Area of Conservation.

5.4. EIA Screening

- 5.4.1. See completed Forms 1 and 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. Environmental Impact Assessment, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

- Local Authority has failed to consider adaption of the dwelling in the context of Policy Objectives CA6 (retrofit and reuse of buildings) and PHP19 (adaption of existing housing stock) as well as Section 12.3.9 (Demolition and replacement dwellings) of the County Plan. The proposal is also contrary to these provisions of the County Plan.
- Justification for demolition is inadequate.
- Overlooking concerns, particularly from window serving bedroom no. 3 and large velux windows in the master bedroom.
- Poor degree of natural light in bedroom 3. The Local Authority's condition no. 2 does not address this adequately.
- Negative impact to the protected structure and ACA from size, scale and orientation of new house as well as subdivision of driveway, and
- Proposed dwelling will be visually dominant and significantly overbearing when viewed from Appellants property due to scale, massing and change of orientation.

6.2. Applicant Response

- Appellants have incorrectly stated the proximity and relationship between their property and the site.
- Refute claims that adaption and reuse of the existing building is viable.
- Refutes claims the Appellants property will be overlooked and provides photographs to demonstrate existing first floor views.
- Refutes claims that the proposal will negatively impact the protected structure or its setting. Highlights that no concerns were raised in the Local Authority Conservation Officers report or submission of any report from a third-party Conservation Architect to demonstrate this argument.

6.3. Planning Authority Response

- The grounds of appeal do not raise any new information justifying any change to the decision.

6.4. Observations

6.4.1. One observation received from a neighbouring property to the east. The matters raised are similar to the appeal, but the following new issues are raised:

- Non-compliance with Section 15.7.1 and Policy HER 8 of the County Plan, Urban Design Manual and Section 7.41 and RPO 7.4 of the RSES.
- Questions planning history of existing dwelling.
- Proposed entrance alterations are out of character with the ACA.
- Reduction of ground levels may impact structural integrity of boundaries.
- Requirement for a carbon assessment.
- Impact of works to protected structure, impact and proximity of new development to context and setting of protected structure. Proposed structure will be dominant and will detract from older building.
- Development will form a precedent for subdivision of protected structure sites.

- Relationship of historical mews building to protected structure.

6.5. Further Responses

- Planning Authority further response: no new matters are raised justifying any change to the decision.
- Appellant's further response: Unsupportive of the application, concerned about visual impact and residential amenity, reiterating points regarding the justification for demolition, overlooking and impact to protected structure. Lack of drawings illustrating the new dwelling with the protected structure. Photographs provided of views from adjacent property.
- Observer's further response: Same as Applicant's response above. Photographs also provided of the view from within this property.

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, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the principle of development complies with the zoning objective for the area and that main issues in this appeal are as follows:

- Principle of demolition
- Demolition and Impact on Architectural Heritage
- Dwelling Design and Impact on Architectural Heritage
- Access
- Impact on residential amenity

7.2. Principle of Development

7.2.1. This assessment on the principle of demolishing the existing mews dwelling is twofold which first looks at the principle from the perspective of a dwelling without any statutory designations, and then looks at the architectural heritage matters.

- 7.2.2. Policy Objective CA6 of the County Plan states that is a Policy Objective of the Local Authority to *require the retrofitting and reuse of existing buildings rather than their demolition and reconstruction where possible.*
- 7.2.3. Section 12.3.9 of the County Plan says *The Planning Authority will assess single replacement dwellings within an urban area on a case-by-case basis and may only permit such developments where the existing dwelling is uninhabitable.*
- 7.2.4. The Local Authority sought further information on this matter and the Applicants response included a photographic survey of the dwelling highlighting areas where attention is needed. The photographs however also clearly demonstrate that the dwelling was inhabited at the time of taking the photographs. The FI Response outlines that a survey was taken in January 2024 while the FI Response is dated April 2024. The house was vacant during the site inspection I undertook in August 2024 and I noted some damp and disrepair however the dwelling had the appearance of being recently occupied. I further note that in section 15(10) of the application form, the Applicant indicates that the dwelling is habitable.
- 7.2.5. The Applicant's justification report details the Applicants social need to live in the area as well as the current condition of the building. It outlines structural deficiencies and sub-standard residential amenity in the mews dwelling and concludes that after looking at alternatives, this proposal was concluded to be the most sustainable direction to move in. I note the list of alternatives included 'remodelling, adaption and refurbishment of the existing structure' however the full details and assessment of these are not provided. A demolition methodology is provided which details how elements of the structure will be re-used in the new building or recycled off site including the red brick chimney stack, the roof tiles and timber eaves brackets.
- 7.2.6. On balance, I agree with the conclusions of the report that the existing dwelling is not suitable for long-term habitation particularly having regard to the lack of natural light and damp observed during the site inspection.
- 7.2.7. I conclude therefore that the dwelling is habitable but is also in need of significant refurbishment and repair. I note the provisions of the County Plan which place an emphasis on retaining the existing structures 'where possible' as per Policy Objective CA6 which I believe takes precedence over general text as per section 12.3.9 which is worded more strongly to retain structures but, on a case-by-case

basis. I therefore consider that in the absence of any architectural heritage matters, the justification to demolish the dwelling is acceptable.

7.3. Demolition and Impact on Architectural Heritage

- 7.3.1. I note the dwelling is referred to throughout the documentation as 'Seacroft Mews' and that the Applicant refers to it as a converted barn/stables in the following locations in page 5 of the Demolition Justification Report:
- Point no. 2 states '*As the property was not originally built for human habitation.*'
 - Point no. 3 states '*joists which were originally part of the roof construction before the building was converted from stables/barn.*'
- 7.3.2. No additional historical or architectural data is submitted to provide an overview and history of the mews building's relationship to the protected structure which itself is on the Record of Protected Structures but is not on the National Inventory of Architectural Heritage. I carried out a desktop review and did not identify any additional appraisal or description of the building in an architectural conservation context.
- 7.3.3. I have reviewed historic mapping and note a structure of a similar footprint in the same location on the Cassini 6-inch mapping (1940s) as well as the 25inch map which dates from 1890s-1915. The main dwelling and the subject mews dwelling do not appear on the 1st edition 6-inch map from 1838-1842.
- 7.3.4. A Conservation Impact Statement was received with the planning application however it relates only to the vehicular entrance and does not assess any impacts to the protected structure itself or its setting. I note a report from the Local Authority Conservation Architect providing a short narrative outlining how the new design will not impact the setting of the existing structure but requests amendments to the entrance proposals in order to fit in with the character of the wider ACA.
- 7.3.5. At a high level I consider that demolition of a mews building within the curtilage of a protected structure, and in the absence of any conservation impact assessment, would be premature and inappropriate, particularly in the context of Policy Objectives HER 8 and HER 9. However, I note that the alterations carried out to the mews during its transformation to residential use has significantly altered the character of the building. In this regard I highlight that there is little legible trace of any agricultural

character remaining in the building beyond the lack of fenestration to the rear and therefore consider that demolition of the structure is acceptable.

7.4. Dwelling Design and Impact to Architectural Heritage

- 7.4.1. It is proposed to lower the ground level of most of the rear of the site to provide a level area in which to construct a two-storey dwelling which will have a ridge level 1m higher than the current dwelling. An existing stone wall and pedestrian arch to the east will be retained and incorporated. The T-shaped pitched roof dwelling will comprise 212m² of floorspace, the majority of which will be provided on the ground floor as there will be a two storey/full height kitchen-dining area as well as a single storey annex in the northeast ground floor. External finishes will comprise mainly render with rooftiles proposed to match the existing dwelling while the single storey annex to the rear will have a zinc roof. These materials are annotated in a list on drawing no. PP.4 however I note the elevation drawings illustrate a brick finish along the eastern elevation and eastern side of the front elevation. I believe some brick would be acceptable in this location however if permission were granted then clarification and agreement should be sought for all external materials and finishes. I agree with the Conservation Officer's report which states that the design is not pastiche.
- 7.4.2. I note a contiguous elevation from the roadside perspective which illustrates the protected structure, the proposed new building and the outline of the existing mews building. It demonstrates the marginal increase in ridge heights and also how the design of the new building has reduced the bulk and massing of the front elevation from three bays to two.
- 7.4.3. The new mews dwelling will be situated closer to the rear of the protected structure with a 12m separation distance. Despite this reduction in separation and the increased ridge height, I consider that the proposed dwelling is submissive to the protected structure. The orientation of both dwellings is such that the front and side façades of the protected structure are the most dominant structural features upon approach from the driveway. I consider that the proposed pitched roof will mitigate any overbearing or dominance as it slopes away from the protected structure. Ultimately, the protected structure is taller, has a much larger floorspace and is situated to the front of the mews and therefore has dominance on the site.

7.4.4. In conclusion, I consider the dwelling design is acceptable for the site and would not detract from the character or setting of the protected structure.

7.5. Access

7.5.1. It is proposed to alter vehicular access to both dwellings. The existing access is a shared arrangement via one entrance and driveway from Seafeld Road at the south. The current property boundaries are delineated immediately in front of the mews building providing a private parking area to the mews.

7.5.2. It is proposed to relocate the entrance slightly to the west, widen it by 500mm and also recess it to provide a bellmouth and improved sightlines. This will necessitate demolition and replacement of 13.2m of the boundary wall west of the entrance. It is proposed to reuse the existing brick and stone and to provide matching finishes. The driveway will be widened slightly to provide a passing bay close to the entrance but will otherwise remain unaltered until immediately in front of the mews. The driveway will not be split or new boundaries provided along its length therefore there will be no impact to the setting of the protected structure.

7.5.3. New 900mm stone walls and piers will be positioned to the front of the new mews dwelling, to the east of an existing boundary wall between the properties to form a formal entrance.

7.5.4. An area to the side (c.65m²) which currently forms part of the open space of the main larger dwelling will be enclosed with 1.8m high timber fencing to provide a larger garden for the new dwelling however these works are to the rear of the protected structure, will remove a minimal area of land from its curtilage and ultimately are reversable. A much larger garden will still be retained to the rear of the protected structure.

7.5.5. I note the concerns raised by the Conservation Officer that the entrance width should remain the same as is currently in situ to minimise impacts to the ACA however I agree with the Planner's conclusion that the 500mm difference is minimal. I believe the alterations are acceptable and will not detract from the ACA. In this regard the proposal complies with the requirements of Policy Objective HER 13.

- 7.5.6. The Appellants and Observers raise concerns that subdividing the property will detract from the setting of the protected structure however I disagree. There will be two new elements of works to physically subdivide the properties which will comprise
- The 4.5m length of new wall to the front of the mews where there is already an informal boundary in place in the form of soft landscaping.
 - A 10m length of timber fencing to the rear of the protected structure and side of the new dwelling.
- 7.5.7. Having regard to the scale, design and extent of these structures, it is my opinion that I do not consider either new boundary will negatively impact the architectural appreciation, character or setting of the protected structure.

7.6. Impact on Residential Amenity

- 7.6.1. The Appellant and Observer's concerns centre on overlooking from three first floor windows on the proposed eastern elevation of the replacement dwelling. One is a standard window on the vertical wall under a gable serving bedroom no. 3. In the further information response, the Applicant changed this window to provide obscure glazing and the Planning Authority subsequently included a condition requiring the insertion of a rooflight on the southern plane of the pitched roof over that bedroom to provide appropriate levels of natural light.
- 7.6.2. The other two are rooflights serving the master bedroom which also has a matching pair of rooflights proposed on the western elevation as well as a standard window in the vertical wall on the southern elevation.
- 7.6.3. There are mature and evergreen trees situated along the property boundaries which provide a good degree of screening. An Arboricultural Report is received which details how those trees and their roots, which are mainly on adjoining properties, will be protected during the construction phase thereby retaining them entirely. In my opinion, photographs received from the Applicant, Appellant and Observer demonstrate that there is significant screening provided by these trees. This is further confirmed in the arboricultural drawings which illustrate the spread of the crown of these trees. I also noted the extent of this screening during the site inspection and believe they will block the vast majority, if not all, of the views from

the windows in question to the Appellant's property and most of the view to the Observer's property.

- 7.6.4. In the event these trees were removed by the adjoining landowners, the orientation of the windows due east still gives little opportunity for overlooking to the Appellants dwelling to the southeast. There would be a separation distance of over 27m between these windows and any opposing first floor windows on the Appellant's dwellings which far exceeds any minimum separation requirements and is considered acceptable in the context of national policy for creating compact settlements.
- 7.6.5. In the case of overlooking to the Observers property which is situated east of the site and east of the gable window, there would be some limited overlooking afforded to open space however I consider this would be minimal by reference to the use of the proposed rooms as bedrooms and not for living space. I believe the original design does not require any alterations to prevent significant overlooking and loss of residential amenity however if the Board believe some amelioration is required then the following could be conditioned:
- Provide obscure glazing to the gable window as proposed by the Applicant in the further information response and retain the Local Authority's condition no. 3 requiring insertion of a rooflight.
 - Provide obscure glazing on the two eastern rooflights with no further amendments as that room will still be served by three other windows on different elevations.

8.0 AA Screening

- 8.1.1. Having regard to the limited scale and nature of the works proposed and to the existing surface water network in place serving the established urban area, it is concluded that no Appropriate Assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

9.0 Recommendation

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

10.0 Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a serviced urban area together with the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 including Specific Local Objective 130, Policy Objective PHP19 and the 'A' zoning objective for the area as well as Policy Objectives HER8, HER9, HER13 and CA6, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The development would comply with local design guidance and would not seriously injure the visual or residential amenity of the area. The development is, therefore, in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 25th day of April 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
----	--

2.	<p>Prior to the commencement of development the Developer shall submit, for the written agreement of the planning authority, all details of external materials and finishes including:</p> <p>(a) elements of the existing structure to be retained and reused in the new building,</p> <p>(b) colour and tone of any proposed brick,</p> <p>(c) colour and composition of any external joinery and rainwater goods.</p> <p>Reason: In the interest of visual interest and architectural harmony.</p>
3.	<p>The landscaping scheme submitted to the planning authority on the 25th day of April, 2024 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
4.	<p>The tree protection strategy and all recommended measures outlined in the Arboricultural Report submitted to the planning authority on the 25th day of April, 2024 shall be carried out in full by the Developer.</p> <p>Reason: To facilitate the protection of trees to be retained on the site and in the interest of visual amenity.</p>
5.	<p>The access arrangements and works to the public footpath 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 of the access arrangements and works</p>

	<p>to the public footpath for the written agreement of the planning authority.</p> <p>Reason: In the interest of traffic safety.</p>
6.	<p>The 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.</p> <p>Reason: In the interest of public health.</p>
7.	<p>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.</p> <p>Reason: In the interest of public safety and amenity.</p>
8.	<p>Prior to the commencement of development, the developer shall enter into a Connection Agreement (s) with Uisce Éireann (Irish Water) to provide for a service connection(s) to the public water supply and/or wastewater collection network.</p> <p>Reason: In the interest of public health and to ensure adequate water/wastewater facilities.</p>
9.	<p>The developer shall pay to the planning authority a financial contribution of €13,411.66 (thirteen thousand, four hundred and eleven euro and sixty six cent) 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</p>

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

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.



Sarah O'Mahony
Planning Inspector

07th October 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference			
Proposed Development Summary	319952-24		
Development Address	Seacroft Mews, Seafield Road, Killiney, Co. Dublin, A96 XK06		
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	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
No	X	N/A	No EIAR or Preliminary Examination required
Yes			Proceed to Q.4

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

Form 2

EIA Preliminary Examination

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.

	Examination	Yes/No/ Uncertain
<p>Nature of the Development.</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment.</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The development comprises a residential unit in residential area on a similar footprint as the existing dwelling to be demolished and replaced so is not exceptional in the context of the existing environment.</p> <p>A short term construction phase and permanent operational phase will generate different waste streams, emissions and pollutants but none are considered significant due to the limited scale of the proposal.</p>	No
Size of the Development	The existing dwelling is 127m ² which is smaller in scale to nearby dwellings. The	No

Is the size of the proposed development exceptional in the context of the existing environment?	proposed dwelling will be 212m ² which is not exceptional in the context of the existing environment.	
Are there significant cumulative considerations having regard to other existing and / or permitted projects?	I am not aware of any other plans or projects in the area which would lead to significant cumulative impacts when considered in tandem with the proposed development.	
Location of the Development Is the proposed development located on, in, adjoining, or does it have the potential to significantly impact on an ecologically sensitive site or location, or protected species? Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area, including any protected structure?	The site is situated within the curtilage of a protected structure however the proposed development will not impact the setting or character of that structure.	No
Conclusion		
There is no real likelihood of significant effects on the environment. EIA is not required.		

Inspector: Sarah O'Mahony

Date: 07th October 2024

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)