



An
Bord
Pleanála

Inspector's Report

ABP-320844-24

Development

Modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works.

Location

Taylor's Folly, Ballyedmonduff Road, Stepaside, Dublin 18

Planning Authority

Dun Laoghaire Rathdown County Council

Planning Authority Reg. Ref.

D24A/0014

Applicant(s)

Kevin Davis

Type of Application

Permission

Planning Authority Decision

Refuse Permission

Type of Appeal

First Party

Appellant(s)

Kevin Davis

Observer(s)

None

Date of Site Inspection

16th April 2025

Inspector

Bernadette Quinn

1.0 Site Location and Description

- 1.1. The site, with a stated area of 0.203ha is located on the eastern side of Ballyedmonduff Road approximately 2 km south of Stepside and 2 km north of Glencullen. The site forms part of a larger landholding which includes two dwellings, farm buildings and agricultural lands. The appeal site itself contains a two storey derelict dwelling and adjoining derelict sheds. The derelict dwelling is comprised of external stone walls and has no roof or windows.
- 1.2. The site is accessed from a private road which serves the existing two dwellings and the farm and which is accessed off Ballyedmonduff Road. The site slopes from west to east such that the appeal site is below the level of the road and slopes further to the east with views of the surrounding area and Dublin Bay.

2.0 Proposed Development

- 2.1. Permission is sought for modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works. The works include the renovation and extension of the derelict dwelling to provide for a dwelling with a total floor area of 188 sq.m. Permission is also sought for an on-site wastewater treatment system.

3.0 Planning Authority Decision

3.1. Decision

By order dated 05th September 2024, Dun Laoghaire Rathdown County Council issued notification of the decision to refuse planning permission for one reason as follows:

The site of the proposed development is located in an area zoned 'Objective G; to protect and improve high amenity areas' under the Dún Laoghaire Rathdown County Development Plan 2022-2028. It is not considered, from the documentation submitted, that the applicant has clearly demonstrated a genuine requirement for housing in the area based on the Applicant's 'principal employment' being in agriculture. The proposed development would therefore be contrary to the objective

to protect the rural character of the countryside and to foster sustainable development, in that it would contribute to a pattern of urban sprawl, lead to demands for the uneconomic provision of public services and community facilities and would set an undesirable precedent for similar development in the area. The development would contravene the policy objectives for rural housing in 'High Amenity' lands as outlined under Policy PHP23, of the County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The Planning Officers report dated 05/03/2024 can be summarised as follows:

- The site comprises a derelict house dating from c.1817 in stone blockwork. The derelict building is not included in the Record of Protected Structures.
- While it is noted that the subject development seeks to 'renovate' the derelict building in situ, it is acknowledged that this structure has been in a state of dereliction and vacancy for a number of decades, and as such the proposed development constitutes additional, one-off rural housing.
- The documentary evidence and planning report submitted confirms that the Applicant has now assumed full control over the running of the family landholding. This is further supported by a letter from the Applicant's father, confirming the Applicant has taken over the stewardship of the associated herd/flock number.
- It is considered that deficiencies remain in the submitted application to demonstrate compliance with Section 12.3.10 One-Off Housing in the Countryside and PHP23 of the Development Plan in relation to the Applicant's indicated commitment and need to engage in full-time employment to operate a full-time business from the proposed home.
- The Applicant's current profession is not related to agriculture nor is it supported by qualifications relating to the same and an additional one-off rural house relating to the farm was permitted under Ref. D17A/0524 to the

Applicant's sibling on grounds that its residents adhered with the same (albeit under a previous County Development Plan) requirements in relation to control of one-off rural housing.

- The proposal results in a neutral impact on protected views along Ballyedmonduff Road toward east and west-facing perspectives.
- Further information is requested requiring the Applicant to adequately justify the need for an additional dwelling in the rural area (and beyond what is permitted and built to date), clarify their commitment to engage in full-time employment which is underpinned by relevant expertise and qualifications, and outline a clear rationale detailing why a family flat is not a suitable alternative.
- Further information is recommended in relation to the existing foul sewage system for the existing building.

Following a request for further information the planning officers report dated 05/09/2024 can be summarised as follows:

- The response in relation to the existing foul sewage system for the existing building is acceptable.
- The Applicant's response relies on the stated positive heritage planning gain that the restoration of the original farmhouse would provide.
- On review of the submitted information and in accordance with Policy Objective HER20: Buildings of Vernacular and Heritage Interest in particular, it is considered that the rehabilitation of the original farmhouse, returning it to residential use, would result in a heritage planning gain within a sensitive rural context.
- The development is not considered to be urban-generated noting the existing and long-established and heritage related nature of the subject structure, the immediate family link to the site, and cited need to undertake agricultural work on the said surrounding family landholding.
- Adequate evidence has been provided outlining why the construction of a family flat is not a suitable alternative in this instance.

- It is accepted that the Applicant already works from and will continue to work from the family landholding. It is also noted that the subject development would not be urban-generated, and sufficient evidence has been provided with relevant expertise relating to agriculture.
- Having regard to the Objective 'G' zoning of the site, and policies and objectives as set out in the Development Plan, it is considered that the development would not detract from the amenities of the area, is consistent with the provisions of the Development Plan and a grant of permission subject to conditions is recommended.

3.2.2. A report of the senior planner is attached to the recommendation to grant permission which states that the recommendation to grant permission is not agreed with and recommends that permission should be refused. The report acknowledges the planning gain that would arise due to the refurbishment of this historic building; however it is considered that the planning authority is precluded from a favourable decision given that the applicant does not meet the criteria under the rural housing policy. It is recommended that a decision to refuse permission be made.

3.3. Other Technical Reports

- Drainage Planning: No objection subject to condition.
- Transportation Planning: No objection subject to condition.
- Conservation Planning: No objection subject to condition.
- Environmental Health Officer: Further Information required in relation to decommissioning of the existing foul sewerage system.

3.4. Prescribed Bodies

None on file.

3.5. Third Party Observations

None on file.

4.0 Planning History

- 4.1. There is no recent planning history associated with the appeal site itself. The following application is located on the overall landholding, approximately 200m north of the appeals site:

D17A/0524: Permission granted by the Planning Authority to Sarah Davis for the construction of a single detached, 4 bed farmhouse dwelling part single storey part single storey with garden level to the rear, packaged waste water treatment system and sand polishing filter, and all ancillary site services and infrastructure and driveway with access from the existing entrance off the Ballyedmonduff Road.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The Dun Laoghaire Rathdown County Development Plan 2022-2028 is the relevant development plan for the area. The subject site is zoned objective 'G' - To protect and improve high amenity areas. 'Residential' which is 'in accordance with Council Policy for Development in Rural Areas' is listed as being 'Open for Consideration' under this land use zoning.
- 5.1.2. Policy relating to rural housing includes Section 4.3.1.6 wherein Policy Objective PHP23 relates to the Management of One-off Housing: It is a Policy Objective to restrict the spread of one-off housing into the rural countryside and to accommodate local growth into identified small villages subject to the availability of necessary services. One-off housing will only be acceptable where it is clearly shown that it is not urban-generated, will not place excessive strain on services and infrastructure, or have a serious negative impact on the landscape and where there is a genuine local need to reside in a rural area due to locationally-specific employment or local social needs (subject to compliance with the specific zoning objectives). (Consistent with NPO 19 of the NPF and RPO 4.80 of the RSES).

Section 4.3.1.6 states the following: It is recognised that much of the demand for one-off housing is urban-generated resulting in an unsustainable pattern of development, placing excessive strain on the environment, services, and

infrastructure. In order to protect the rural character of the countryside and foster sustainable development it is necessary to restrict the growth of urban-generated 'one-off' housing and only facilitate genuine and bona fide cases for new residential development within the County's rural areas.

Development proposals will be evaluated in accordance with the provisions of the 'Sustainable Rural Housing Guidelines for Planning Authorities', 2005 (and any amendment thereof), Circulars SP 05/08 and PL 2/2017, and the following criteria:

Within areas designated with zoning Objective 'G' ("to protect and improve high amenity areas") dwellings will only be permitted on suitable sites where the applicant can demonstrate to the satisfaction of the Planning Authority that:

- There is genuine requirement for housing in the area because their principal employment is in agriculture, hill farming or a local enterprise directly related to the area's amenity potential.
- The proposed development will have no potential negative impacts for the area in such terms as visual prominence or impacts on views and prospects, or the natural or built heritage.

5.1.3. In Chapter 8, Section 8.4.5 Policy Objective GIB6: Views and Prospects states that it is a Policy Objective to preserve, protect and encourage the enjoyment of views and prospects of special amenity value or special interests, and to prevent development, which would block or otherwise interfere with Views and/or Prospects. The Development Plan Maps include an objective 'To Preserve Views' to the east and west along Ballyedmonduff Road, including along the section of the road fronting the appeal site.

5.1.4. Chapter 11 refers to Heritage and Conservation wherein Section 11.4.3.2 includes Policy Objective HER20: Buildings of Vernacular and Heritage Interest which outlines support for the retention, where appropriate, and rehabilitation and suitable reuse of existing older buildings/structures/features.

5.1.5. Chapter 12 sets out Development Management Standards with Section 12.3.10 relating to one-off-housing in the countryside.

Applications received for one-off dwellings in lands zoned objective 'B' or 'G' will be assessed having regard to:

- The applicant's full-time employment or their commitment to operate a full-time business from their proposed home in a rural area (to discourage commuting to towns and cities).
- How their existing or proposed business contributes to and enhance the rural community.
- The nature of an applicant's employment or business being compatible with rural areas (in order to discourage applicants whose business is not location dependant e.g. telesales or telemarketing).

In all cases, the applicant shall submit the following details with planning applications for residential development within a rural area:

- A map showing all existing family owned property and lands.
- A rationale as to why a particular site has been chosen for development.
- A strong justification in relation to the need for an additional dwelling in the rural area.
- A rationale clearly detailing why a family flat is not a suitable alternative.
- Documentary evidence to show how the applicant complies with rural housing policy.
- A site suitability report in relation to waste water treatment.

Section 12.3.9 of the Development Plan relates to demolition and replacement dwellings.

- 5.1.6. The subject site is located within the Landscape Area 7 (Glencullen Valley), which is described in Appendix 8 (Landscape Character Areas) as "possibly the most tranquil, unspoilt, high amenity area in the County". The Strategy for this area includes guidance for new development in this highly sensitive landscape.

5.2. **National Planning Framework (NPF) – Project Ireland 2040 (2025)**

- 5.2.1. National Policy Objective 28 states that 'In rural areas under urban influence, facilitate the provision of single housing in the countryside based on the core consideration of demonstrable economic or social need to live in a rural area and

siting and design criteria for rural housing in statutory guidelines and plans, having regard to the viability of smaller towns and rural settlements.

5.3. Ministerial Guidelines

5.3.1. Sustainable Rural Housing, Guidelines for Planning Authorities (2005)

The appeal site is located within a rural area under strong urban pressure. The Guidelines state that these areas exhibit characteristics such as proximity to the immediate environs or close commuting catchment of large cities and towns, rapidly rising population, evidence of considerable pressure for development of housing due to proximity to such urban areas, or to major transport corridors with ready access to the urban area, and pressures on infrastructure such as the local road network.

5.4. Natural Heritage Designations

5.4.1. The appeal site is not located within or adjacent to any designated sites. The closest designated sites are:

- Knocksink Wood SAC (Site Code: 000725) and Knocksink Wood pNHA approximately 3km to the south.
- Wicklow Mountains SAC (Site Code: 00212) approximately 3.5km to the southwest.
- Wicklow Mountains SPA (Site Code: 004040), approximately 3.5km to the southwest.

5.5. EIA Screening

5.6. The proposed development has been subject to preliminary examination for environmental impact assessment (refer to Form 1 and Form 2 in Appendices of this report). Having regard to the characteristics and location of the proposed development and the types and characteristics of potential impacts, it is considered that there is no real likelihood of significant effects on the environment. The proposed development, therefore, does not trigger a requirement for environmental impact assessment screening and an EIAR is not required.

6.0 The Appeal

6.1. Grounds of Appeal

A first party appeal can be summarised as follows:

- The report of the planning officer endorsed the proposal and recommended that permission be granted and this was overturned by the senior planner. The sole issue for consideration is whether the Board should concur with the case officer or with the senior planner.
- The refusal reason raises no objection to the principle of restoring the historic building, design, access, sewerage treatment, residential amenity or visual impact.
- The local authority conservation officer report supports the proposal.
- The pivotal consideration for the appeal is whether the building should be restored and occupied or allowed to deteriorate.
- There are parallels between this case and appeal reference ABP-311339-21 relating to restoration of heritage buildings in the countryside and their use for residential purposes.
- The Council's assessment did not question the applicant's links to the area, that he hails from a farming family, or that the proposal is for the applicant's own occupation.
- Details of the applicant's agricultural involvement in the family farm are outlined. The basis for the senior planner's concern relating to the applicant's principal employment in agriculture is questioned and the planning officers report accepts the applicant's involvement on the family farm.
- The proposal is primarily a restoration proposal and the planning gain which would arise as a result of the refurbishment of the historic building is noted by the Planning Authority.
- It is not clear why greater weight is not placed on policy HER20 of the development plan relating to vernacular buildings.

6.2. Planning Authority Response

Response received states no new issues raised which would justify a change of attitude to the proposed development.

6.3. Observations

None received.

7.0 Assessment

- 7.1. Having examined the application details and all other documentation on file, including the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local and national policies and guidance, I consider that the substantive issue in this appeal relates to the planning authority's reason for refusal.
- 7.2. The development is described as a modification to an existing 19th century building to create a two-storey dwelling. A Structural Report submitted with the application notes that the original roof and first floor are no longer in place, internal dividing walls have collapsed, chimney breasts exist up to eaves level, the top of the chimney breasts and the A gables have been removed down to eaves level and that the building has been unoccupied for a long period of time and an agricultural corrugated roof was placed at eaves level to provide cover for the building to be used as a farm shed. The PA noted that the subject development seeks to 'renovate' the derelict building in situ and acknowledged that this structure has been in a state of dereliction and vacancy for a number of decades, and as such the proposed development constitutes additional, one-off rural housing. I agree with the Planning Authority, having regard to the current condition of the building that the proposal should be assessed as a new rural dwelling in accordance with the relevant policies and objectives of the Development Plan.
- 7.3. The site is zoned objective 'G' in the Development Plan, with the stated objective "To protect and improve high amenity areas". Residential use which is in accordance with Council Policy for Development in Rural Areas, is listed as being 'Open for Consideration' under this land use zoning.

7.4. Section 4.3.1.6 of the Development Plan includes Policy Objective PHP23: Management of One-off Housing which states that one-off housing will only be acceptable where it is clearly shown that it is not urban-generated. This Section states that new residential development in rural areas will only be facilitated if there is a genuine and bona fide case for such development. This Section further states that within areas designated with zoning Objective 'G' dwellings will only be permitted on suitable sites where the applicant can demonstrate to the satisfaction of the Planning Authority that:

- There is a genuine requirement for housing in the area because their principal employment is in agriculture, hill farming or a local enterprise directly related to the area's amenity potential.
- The proposed development will have no potential negative impacts for the area in such terms as visual prominence or impacts on views and prospects, or the natural or built heritage.

7.5. In support of the application, the applicant submitted the following documentary evidence to the planning authority:

- Land registry details relating to lands at Ballyedmonduff in the ownership of Patrick Davis.
- Letter from the Irish Farmers Association, confirming the applicant's membership and involvement with the Association.
- Lease of Farmland dated 1st November 2023 between the landholder (Patrick Davis) and the applicant for a period of 30 years.
- Completed application form from the applicant to the Department of Agriculture, Food and the Marine for keeper of animals.
- Applicant's driver's license confirming place of residence.
- Letters from primary, secondary and third level educational institutions confirming the applicant's attendance and address.
- Letters from the applicants previous and current employers.
- Bank details relating to the applicant confirming the applicant's address.

- Letter from the Applicant's father confirming the Applicant has taken over the stewardship of the associated herd/flock number.

- 7.6. Details submitted with the planning application and appeal state that the applicant has taken over running the family farm which has an area of approximately 14.16 hectares and that although he works outside of the farm, he spends a substantial amount of time working the land as detailed in the appeal. The planning officers report accepts the applicant's involvement on the family farm based on the documents submitted. However, the Senior Planner's report considers the applicant does not meet the criteria under the rural housing policy.
- 7.7. Having reviewed the documents submitted with the application I note that none of the information submitted provides evidence that the applicant's principal employment is in agriculture as required in Section 4.3.1.6 of the Development Plan. The applicant has confirmed that he is in employment which is not related to the farm and stated that he has taken over the running of the farm. I note that the information submitted confirms that the applicant's place of residence is on the farm and that he grew up on the farm and that he is employed in a job that is not related to or located on the farm. The documents submitted in relation to the applicant's agricultural employment comprise a letter from the Irish Farmers Association confirming the Applicant's membership and involvement with the Association, a copy of a lease of farmland between the applicant's father and the applicant for a period of 30 years and an application form from the applicant to the Department of Agriculture, Food and the Marine for keeper of animals. The planning application also includes a letter from the applicant's father stating that the applicant has taken a thirty year lease on the farm holding and taken over the stewardship of the associated herd/flock number. Section 12.3.10 of the Development Plan includes details of documents required to be submitted with applications for residential development in rural areas with requirements including documentary evidence to show how the applicant complies with the rural housing policy. Whilst I consider it reasonable that farming activity could be carried out alongside another source of off-farm employment, I do not consider the applicant has submitted sufficient documentary evidence to demonstrate that his **principal** employment is in agriculture, for example details of income in this regard. I do not consider the applicant has demonstrated a requirement for a house on 'G' zoned land at this location. Having regard to the

above, I do not consider the proposal is in accordance with the 'G' Zoning Objective and I do not consider the proposal is acceptable in principle.

- 7.8. I note that Policy Objective PHP23: Management of One-off Housing states that it is a Policy Objective to restrict the spread of one-off housing into the rural countryside and that one-off housing will only be acceptable where it is clearly shown that it is not urban-generated and where there is a genuine local need to reside in a rural area due to locationally-specific employment or local social needs (subject to compliance with the specific zoning objectives). Noting the requirement of Section 4.3.1.6 of the Development Plan relating to the genuine requirement by applicants for housing on lands zoned 'G' because their principal employment is in agriculture, hill farming or a local enterprise, having regard to my findings above I am of the opinion that the proposal does not comply with Policy Objective PHP23.
- 7.9. The PA requested further information which required the applicant to justify an additional dwelling beyond that of the family dwelling and dwelling permitted under ref. D17A/054, which was permitted on the basis of a housing need related to the same landholding/farm. In response, the applicant stated in relation to permitted dwelling under D17A/0524 that circumstances of the applicant in that case have changed such that the Davis family farm require a separate individual to work the land and manage agricultural activity on the land holding. I note that no details or documentary evidence have been submitted to support the case that the applicant under D17A/0524 is no longer engaged in running the farm. I consider that granting permission for a second house, where a house has previously been permitted under ref. D17A/054, which was permitted on the basis of a housing need related to the same landholding/farm, and in the absence of evidence that the applicant's principal employment is in agriculture, fails to comply with Policy Objective PHP23: Management of One-off Housing or the 'G' zoning objective of the lands.
- 7.10. The appeal outlines that the proposal is primarily a restoration proposal, that the PA noted the planning gain as a result of the refurbishment of the historic building and questions why greater weight is not placed on Policy Objective HER20 relating to the retention, rehabilitation and suitable reuse of existing older buildings.
- 7.11. The PA requested further information which required the applicant to justify an additional dwelling beyond that of the family dwelling and dwelling permitted under

ref. D17A/054, which was permitted on the basis of a housing need related to the same landholding/farm. In response, the applicant stated that it is considered that the applicant satisfies the rural housing policy and queried why the PA might relegate the importance of the original Taylor's Folly dwelling to a position which is below the rural housing test and noted that page 251 of the Development Plan states the retention and reuse of an existing structure will be preferable to replacing a dwelling.

- 7.12. The Planning Officer considered that, in accordance with Policy Objective HER20, the rehabilitation of the original farmhouse and returning it to residential use would result in a heritage planning gain within a sensitive rural context. The Planning Officer noted that the development is not seen to be urban-generated noting the existing and long-established and heritage related nature of the subject structure, the immediate family link to the site, and cited need to undertake agricultural work on the said surrounding family landholding, and considered that sufficient evidence has been provided to ensure that the additional development would not have undue adverse impact on the surrounding rural setting.
- 7.13. I consider that an assessment under Policy Objective HER20 can only be considered where the proposal is in accordance with the underlying zoning objective. As noted in Section 7.7 and Section 7.8 above, I do not consider the proposal is acceptable in principle as it would contravene the 'G' zoning objective and Policy Objective PHP23 as I do not consider the applicant has demonstrated that his principal employment is in agriculture. I therefore do not consider that a grant of permission can be considered based on compliance with Policy Objective HER20.
- 7.14. The appeal refers to planning permission granted in appeal reference ABP-311339-21 relating to restoration of heritage buildings in the countryside and their use for residential purposes. I note that the referenced planning application is not located within the administrative area of Dun-Laoghaire Rathdown County Council and I do not consider it is relevant to this assessment.
- 7.15. Having reviewed the file and inspected the site I am satisfied that the proposal is acceptable in relation to visual impact, vehicular access and wastewater treatment.

8.0 Water Framework Directive Assessment Screening

- 8.1. The subject site is located approximately 2 km south of Stepside and 2 km north of Glencullen. The proposed development comprises the modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works as outlined in section 2.1 of this report.
- 8.2. No water deterioration concerns were raised in the planning appeal. I have assessed the proposed development (refer to Appendix 4) 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 waterbodies 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/or groundwater water bodies either qualitatively or quantitatively.

The reason for this conclusion is as follows:

- The small scale of development and the nature of works
 - The location-distance from nearest Water bodies and lack of hydrological connections
- 8.3. 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 WFD objectives and consequently can be excluded from further assessment.

9.0 AA Screening

9.1. Screening Determination

Finding of no likely significant effects

- 9.1.1. In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other

plans or projects would not be likely to give rise to significant effects on Knocksink Wood SAC (Site Code: 000725), Wicklow Mountains SAC (Site Code: 00212), Wicklow Mountains SPA (Site Code: 004040), Rockabill to Dalkey Island SAC (Site Code: 003000) in view of the conservation objectives of this site and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The Nature of works
- Location-distance from nearest European site and lack of connections.

10.0 Recommendation

10.1. I recommend that permission be refused for the reasons and considerations set out below.

11.0 Reasons and Considerations

Having regard to the site's location in an area zoned 'G - High Amenity' in the Dún Laoghaire-Rathdown County Development Plan 2022-2028 with the objective 'to protect and improve high amenity areas' where dwellings will only be permitted on suitable sites where the applicant can demonstrate a genuine requirement for housing in the area because their principal employment is in agriculture, hill farming or local enterprise, directly related to the areas amenity potential, the Board is not satisfied, on the basis of the information submitted with the application and the appeal, that the applicant has demonstrated a genuine requirement for a house in the area based on the applicant's 'principal employment' being in agriculture. The development would contravene the policy objectives for rural housing in 'High Amenity' lands as outlined in Section 4.3.1.6 and Policy Objective PHP23, of the County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has

influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Bernadette Quinn
Planning Inspector

22nd September 2025

Form 1

EIA Pre-Screening

Form 1 - EIA Pre-Screening

Case Reference	ABP-320844-24
Proposed Development Summary	Modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works.
Development Address	Taylor's Folly, Ballyedmonduff Road, Stepside, Dublin 18
	In all cases check box /or leave blank
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (For the purposes of the Directive, "Project" means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a 'Project'. Proceed to Q2. ☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	State the Class here
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	

☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	
☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	State the Class and state the relevant threshold
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	Class 10(b)(i) and (iv), Schedule 5 Part 2, EIA is mandatory for developments comprising over 500 dwelling units. The proposal for one dwelling is significantly below this threshold and is sub threshold.

4. Has Schedule 7A information been submitted AND is the development a Class of Development for the purposes of the EIA Directive (as identified in Q3)?	
Yes ☐	
No ☒	Pre-screening determination conclusion remains as above (Q1 to Q3)

Inspector: _____ Date: _____

Form 2 - EIA Preliminary Examination

Case Reference	ABP-320844-24
Proposed Development Summary	Modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works.
Development Address	Taylor's Folly, Ballyedmonduff Road, Stepaside, Dublin 18
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).	Briefly comment on the key characteristics of the development, having regard to the criteria listed. Proposal for one residential unit in a rural area where the pattern of development includes one off dwellings is not out of context at this urban location and will not give rise to any significant waste or pollutants.
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).	Briefly comment on the location of the development, having regard to the criteria listed The closest European sites are Knocksink Wood SAC (Site Code: 000725) approximately 3 km to the south and Wicklow Mountains SAC (Site Code: 00212) and Wicklow Mountains SPA (Site Code: 004040), approximately 3.5km to the west There are no protected structures or recorded monuments in the vicinity.
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).	Having regard to the characteristics of the development and the sensitivity of its location, consider the potential for SIGNIFICANT effects, not just effects. The proposed development is not likely to give rise to any significant impacts locally or transboundary impacts. Construction impacts will be short term and temporary and can be adequately mitigated and managed.
Conclusion	

Likelihood of Significant Effects	Conclusion in respect of EIA
There is no real likelihood of significant effects on the environment.	EIA is not required.
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.
There is a real likelihood of significant effects on the environment.	EIAR required.

Inspector: _____ Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)

Appendix 3: Screening for Appropriate Assessment Test for likely significant effects

Step 1: Description of the project and local site characteristics

Brief description of project	The proposal is for Modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works (refer to section 2 of Inspectors report for detailed description)
Brief description of development site characteristics and potential impact mechanisms	The site has an area of 0.203 hectares, is located in a rural area approximately 2 km south of Stepside Village. The area is largely agricultural in nature and there are a number of detached dwellings on large sites in the vicinity. Access to the site is from an existing vehicular entrance from Ballyedmonduff Road. The site slopes from west to east and contains a derelict dwelling and outbuildings. The closest European sites are Knocksink Wood SAC (Site Code: 000725) approximately 3 km to the south and Wicklow Mountains SAC (Site Code: 00212) and Wicklow Mountains SPA (Site Code: 004040), approximately 3.5km to the southwest of the site. Surface water is proposed to be discharged to a soakpit. Foul water will be treated by way of an onsite wastewater treatment system. Result of the site suitability assessment confirm the site is appropriate for onsite wastewater treatment. There are no drainage channels or watercourse within the site. The closest watercourse is Loughlinstown River (Shanganagh_010), located approx. 250m to the north. This river flows in an easterly direction and enters the Irish Sea near Loughlinstown.
Screening report	Y
Natura Impact Statement	N
Relevant submissions	None

The AA Screening Report considers European sites within a 10km radius and identifies eight sites for consideration for AA Screening. The Planning Authority considered seven sites for AA Screening. I consider that there is no ecological justification for consideration of the sites beyond those listed below, and I have only included those sites with any possible ecological connection or pathway in this screening determination.

Step 2. Identification of relevant European sites using the Source-pathway-receptor model

European Site (code)	Qualifying interests ¹ Link to conservation objectives (NPWS, date)	Distance from proposed development (km)	Ecological connections ²	Consider further in screening ³ Y/N
Knocksink Wood SAC (Site Code: 000725)	Petrifying springs with tufa formation (Cratoneurion) [7220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae) [91E0]	3km	No spatial overlap, therefore no direct connection with this SAC. No hydrological or ecological connection via air or land.	N
Link to Conservation Objectives: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000725.pdf				
Wicklow Mountains SAC (Site Code: 00212)	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Alpine and Boreal heaths [4060] Calaminarian grasslands of the Violetalia calaminariae [6130] Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe) [6230]	3.5km	No spatial overlap, therefore no direct connection with this SAC. No hydrological or ecological connection via air or land. The appeal site is not of interest for mobile species relevant to this SAC.	N

	Blanket bogs (* if active bog) [7130] Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) [8110] Calcareous rocky slopes with chasmophytic vegetation [8210] Siliceous rocky slopes with chasmophytic vegetation [8220] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0] Lutra lutra (Otter) [1355]			
Link to Conservation Objectives: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002122.pdf				
Wicklow Mountains SPA (Site Code: 004040)	Merlin (Falco columbarius) [A098] Peregrine (Falco peregrinus) [A103]	3.5km	No spatial overlap, therefore no direct connection with this SPA. No hydrological or ecological connection via air or land. The site does not support the habitats relevant to this SPA. The appeal site is not of interest for mobile species relevant to this SPA.	N
Link to Conservation Objectives: https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004040.pdf				
Rockabill to Dalkey Island SAC (Site Code: 003000)	Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]	8.5km	No spatial overlap, therefore no direct connection with this SAC. No direct hydrological or ecological connection via air or land. Indirect	N

			connection unlikely having regard to the distance and settlement of particles and dilution. The site does not support the habitats relevant to this SAC.	
Link to Conservation Objectives:			https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO003000.pdf	
¹ Summary description / cross reference to NPWS website is acceptable at this stage in the report ² Based on source-pathway-receptor: Direct/ indirect/ tentative/ none, via surface water/ ground water/ air/ use of habitats by mobile species ³ if no connections: N				
Step 3. Describe the likely effects of the project (if any, alone <u>or</u> in combination) on European Sites No potential for likely significant effects on European sites during the construction or operational phase has been identified.				
Step 4 Conclude if the proposed development could result in likely significant effects on a European site I conclude that the proposed development (alone) would not result in likely significant effects on Knocksink Wood SAC (Site Code: 000725), Wicklow Mountains SAC (Site Code: 00212), Wicklow Mountains SPA (Site Code: 004040), and Rockabill to Dalkey Island SAC (Site Code:003000). The proposed development would have no likely significant effect in combination with other plans and projects on any European site(s). No further assessment is required for the project. No mitigation measures are required to come to these conclusions.				

Screening Determination

Finding of no likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of the information considered in this AA screening, I conclude that the proposed development individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European Site(s) in view of the conservation objectives of these sites and is therefore excluded from further consideration. Appropriate Assessment is not required.

This determination is based on:

- The nature and scale of the works

- Location-distance from nearest European site and lack of direct connections between the application site and the SAC/SPA
- Taking into account the screening determination by the PA.

Appendix 3 – Water Framework Directive Screening

WFD IMPACT ASSESSMENT STAGE 1: SCREENING			
Step 1: Nature of the Project, the Site and Locality			
An Bord Pleanála ref. no.	320844-24	Townland, address	Taylors Folly, Ballyedmonduff Road, Stepside, Dublin 18
Description of project		Modification to an existing 19th century building so as to create a two-storey dwelling, together with all associated site works.	
Brief site description, relevant to WFD Screening,		The site is located within a rural area at an elevation of approximately 250m contour. The soil type is well drained granite till. The Kill of the Grange Stream_010 is situated circa 848m to the west. The closest watercourse is Loughlinstown River (Shanganagh_010), located approx. 250m to the north.	
Proposed surface water details		SuDS and soakpit on site.	
Proposed water supply source & available capacity		Uisce Éireann mains water connection – no capacity issues	

Proposed wastewater treatment system & available capacity, other issues		Onsite waste water treatments system. No issues identified.				
Others?		No				
Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Waterbody	250m north	Shanganagh_010	Good	Not at risk	-	Pathway from surface water run-off connected to Loughlinstown River (Shanganagh_010)
Groundwater Waterbody	Underlying Site	Wicklow (IE_EA_G_076)	Good	At risk	Agriculture and unknown	Underlying GWB
Step 4: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.						

CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Site clearance/Construction	Wicklow (IE_EA_G_076) & Shanganagh_010 River	Pathway exists	Siltation, pH (concrete), hydrocarbon spillages Deterioration of water quality	Standard construction practice	No	Screened out
OPERATIONAL PHASE							
2.	Discharges to Ground or surface water	Wicklow (IE_EA_G_076) & Shanganagh_010 River	Pathway exists	Spillages Deterioration of water quality	SUDs features	No	Screened out

DECOMMISSIONING PHASE							
3.	NA	NA	NA	NA	NA	NA	NA

