



An
Bord
Pleanála

Inspector's Report

320931-24

Development	New 3-bedroom dwelling in side garden area of existing dwelling
Location	25 Manorfields Rise, Castaheany, Dublin 15, D15K5V0
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW24A/0291
Applicant(s)	Nigel and Susan Crowley
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party v Refusal
Appellant(s)	Nigel and Susan Crowley
Observer(s)	Karl Lalor
Date of Site Inspection	3 rd March 2025
Inspector	Leah Kenny

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1.0 Site Location and Description

The subject site is the side garden of No. 25 Manorsfields Rise, Castaheany, Dublin 15; a corner property which presents, both to the front and side, onto Manorsfields Rise. The context (Castaheany) is a well-established suburban housing estate, comprising short terraces of 3 – 4 two storey houses.

The site has a stated area of 0.037ha.

2.0 Proposed Development

The proposed development comprises the construction of a new two-storey, three-bedroom dwelling house (with a stated floor area of 116.3 sqm) attached to the existing house and extending into the side garden. The ground floor includes a family room, a kitchen/dining area, and a utility store. The kitchen/dining room includes a single storey element which extends beyond the rear façade into the garden. The first floor has two double bedrooms, a single bedroom, and a bathroom.

Off-street car parking for 1no. space is provided to the front (east), while pedestrian access and the front door is located to the side (south).

A rear garden of 60.4sqm is proposed.

3.0 Planning Authority Decision

3.1. Decision

Fingal County Council decided to refuse permission, on the 5th of September 2024 for the development for two (2no.) reasons, summarised as follows:

- **Reason No. 1:** The proposed development would be incongruous with the streetscape along Manorsfield Rise, would negatively impact upon the current level of visual amenity enjoyed at this location and would materially contravene the residential zoning objective ('RS') for the area and the following policies and objectives (SPQHO39, SPQHO42, and DMSO032) of the Fingal Development Plan 2023 – 2029.
- **Reason No. 2:** The proposed house by reason of location, would be incongruous with development in the area, and would infringe the strong

building line prevailing on Manorfields Rise. If permitted, it would set an undesirable precedent for further similar developments in the vicinity.

3.2. Planning Authority Reports

3.2.1. Planning Report

The planning report is the basis of the planning authority's decision to refuse permission. The key considerations of the Case Planner's report relate to the 'RS' zoning, the planning history of the site, and matters raised in third-party submissions.

The report concludes that the dwelling would not be in keeping with the character of the area and would materially contravene Objective SPQHO39, Objective SPQHO42 and Objective DMSO032 of the Fingal Development Plan 2023-2029 and not be in keeping with the proper planning and sustainable development of the area.

3.2.2. Other Technical Reports

- Water services Department: No objection subject to conditions.
- Transportation Planning Section: No objection subject to conditions. It was noted that there is an existing lighting pole in the grass verge near the proposed new vehicular access. It was recommended that its relocation, if required, should be agreed with the Public Lighting Department prior to commencement of development.

3.2.3. Prescribed Bodies

- Uisce Eireann: No objection subject to conditions.

3.2.4. Third Party Observations

Four third party observations were submitted to the planning authority. The issues raised were as follows:

- The proposed development is out of scale with the prevailing character of the area and its design is not consistent with other houses in the estate.

- The proposal would significantly impact the privacy of neighbouring properties.
- The proposal would result in loss of natural daylight for neighbouring properties.
- The proposed development represents overdevelopment of the site.
- The proposed development would increase traffic and demand for parking within the estate.

4.0 Planning History

The subject site has an extensive planning history, as follows:

- **Ref FW24A/0172:** Permission was REFUSED on 10th June 2024 for a similar development comprising construction of a new three-bedroom dwelling in the side garden. The two reasons for refusal are the same as in this appeal case (i.e., contrary to zoning and policies, and infringement of the strong building line along Manorsfield Rise).
- **Ref F05A/1185 and PL06F.214904:** Permission was REFUSED on 11th October 2005 for a two storey, two bedroomed house and associated works. The reason reiterated concerns relating to the proposal infringing the building line and being incongruous in the context of the prevailing character of the area. The decision was upheld by An Bord Pleanála on 20th March 2006 (overturning the recommendation of the Inspector to grant permission) having regard to the proposal infringing the building line.
- **Ref. F05A/0702:** Permission was REFUSED on the 11th of July 2005 for a two-storey, two bedroomed house and associated works. The three reasons for refusal related to building line and precedent, width of the house (4.8m), being incongruous with the existing form of development in the surrounding area, and failure to comply with the minimum housing areas contained in the Fingal County Council Development Plan 2005-2011.

Other similar decisions (to refuse planning permission) in the area relating to new two-storey houses on corner sites include:

- **Ref F04A/1406:** Permission was REFUSED for a two-storey end-of-terrace house at Manorsfield Walk. The reason for the refusal was the breaking of the building line.
- **F05A/0529:** Permission was REFUSED for two-storey house at Manorfields View. The Decision was upheld on appeal to An Bord Pleanála who upheld the planning authority's concerns relating to the strong front building line prevailing along Manorfields View.

I also note other applications granted for new dwellings and or extensions in the side garden of similar corner sites in the wider area, including:

- **Ref. F05A/1611:** Permission was GRANTED for a single storey bungalow adjoining No. 72 Meadow Copse.
- **Ref. F03A/0627:** Permission was GRANTED for a two-storey dwelling adjoining No. 36 Meadow Drive.
- **F01A/1025 and F01A/1304:** Permission was originally refused for a three-bedroom dormer bungalow on the corner site of No. 45 Meadow Copse. Permission was however GRANTED in a subsequent decision.
- **F01A/0705** Permission was GRANTED 2 -bedroom bungalow to the side at Beechwood Downs.
- **F00A/0975:** Permission was GRANTED for a detached 2 storey house at 82 Castlewood.

5.0 Policy Context

5.1. National Considerations

The National Planning Framework (NPF) prioritises compact growth advocating an approach of consolidation and densification, particularly for the Dublin Region. *Sustainable and Compact Settlement Guidelines for Planning Authorities* (2024) state to achieve compact growth we will need inter alia ... more intensive use of previously developed land and infill sites, in addition to the development of sites in locations served by existing facilities and public transport.

5.2. Development Plan

The current Fingal County Development Plan 2023-2029 (the Development Plan) was made on the 22nd of February 2023 and came into effect on 5th April 2023.

In the Development Plan the site is zoned Objective 'RS' Residential *"to provide for residential development and protect and improve residential amenity."*

Building on the national priority for compact growth, the Development Plan seeks to promote the regeneration of Fingal's towns and villages by making better use of under-used land and buildings within the existing built-up urban footprint and to drive the delivery of quality housing and increased housing options. This is evident in the Core Strategy (including Policy CSP2 Compact Growth and Regeneration), and Housing Policy (including Policy SPQHP10 (Support Compact Growth) and Objective SPQH09 (Consolidated Residential Development)).

Section 3.5.13 of the Development Plan specifically addresses 'Compact Growth, Consolidation and Regeneration'. Policies and objectives of relevance to the subject appeal are:

- **Policy SPQHP38 – Compact Growth, Consolidation and Regeneration.**
Promote compact growth in line with the NPF and RSES through the inclusion of specific policies and targeted and measurable implementation measures that *inter alia* encourage infill/brownfield development.
- **Objective SPQHO37 – Residential Consolidation and Sustainable Intensification.** Promote residential consolidation and sustainable intensification at appropriate locations, through the consolidation and rejuvenation of infill/brown-field development opportunities in line with the principles of compact growth and consolidation to meet the future housing needs of Fingal.
- **Objective SPQHO38 – Residential Development at Sustainable Densities.**
Promote residential development at sustainable densities throughout Fingal in accordance with the Core Strategy, particularly on vacant and/or under-utilised sites having regard to the need to ensure high standards of urban design, architectural quality and integration with the character of the surrounding area.

The following objectives are also relevant having regard to the infill / corner site nature of the proposed development:

- **Objective SPQHO39 - New Infill Development:** New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.
- **Objective SPQHO40 – Development of Corner or Wide Garden Sites:** Favourably consider proposals providing for the development of corner or wide garden sites within the curtilage of existing dwellings in established residential areas subject to the achievement of prescribed standards and safeguards set out in Chapter 14 Development Management Standards.
- **Objective SPQH042 – Development of Underutilized Infill, Corner and Backland Sites:** Encourage and promote the development of underutilised infill, corner, and backland sites in existing residential areas subject of the character of the area and environment being protected.

Chapter 14 of the Development Plan sets out the standards and criteria to be considered in respect of new residential development. Section 14.10 specifically addresses Additional Accommodation in Existing Built-up Areas.

Section 14.10.1 advises that development of infill housing on underutilised infill and corner sites in established residential areas will be encouraged *“where proposals for development are cognisant of the prevailing pattern of development, the character of the area and where all development standards are observed.”*

It further sets out that *“while recognising that a balance is needed between the protection of amenities, privacy, the established character of the area and new residential infill, such development provides for the efficient use of valuable serviced land and promotes consolidation and compact growth.”*

Finally, it also encourages contemporary design and advises that all new dwellings shall comply with Development Plan standards in relation to accommodation size, garden area and car parking as set out in Table 14.8.

Development Management objectives of relevance to the subject appeal are as follows:

- **Objective DMSO31 - Infill Development:** New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings.
- **Objective DMSO32 - Infill Development on Corner / Side Garden Sites:** Applications for residential infill development on corner/side garden sites will be assessed against the following criteria:
 - Compatibility with adjoining structures in terms of overall design, scale, and massing. This includes adherence to established building lines, proportions, heights, parapet levels, roof profile and finishing materials.
 - Consistency with the character and form of development in the surrounding area.
 - Provision of satisfactory levels of private open space to serve existing and proposed dwelling units.
 - Ability to safeguard the amenities of neighbouring residential units' ability to maximise surveillance of the public domain, including the use of dual frontage in site specific circumstances.
 - Provision of side/gable and rear access arrangements, including for maintenance.'
 - Compatibility of boundary treatment to the proposed site and between the existing and proposed dwellings. Existing boundary treatments should be retained / reinstated where possible.
 - Impact on street trees in road-side verges and proposals to safeguard these features.
 - Ability to provide a safe means of access and egress to serve the existing and proposed dwellings.

- Provision of secure bin storage areas for both existing and proposed dwellings.

Section 14.10.1 also sets out that development proposals must assess levels of overbearance and potential to cause significant levels of overlooking to neighbouring properties.

5.3. Natural Heritage Designations

The site is not located within a designated Natura 2000 site, it does not adjoin such a site nor is it within the zone of influence of such sites.

6.0 The Appeal

6.1. Grounds of Appeal

The following summarises the key grounds of appeal that the Applicant / Appellant has submitted:

- The development would be a positive gain for the area, providing much needed housing on an established serviced site.
- The reasons for refusal are not for any breach of any regulation, nor for any breach of any Policy or Objective of the Development Plan but simply for visual reasons.
- The application has overcome issues with previous applications on the same site in that all materials used match existing houses in the vicinity. The roof line and front and rear building lines match the existing houses on the terrace. All housing standards and associated requirements are met or exceeded.
- The existing side building line is considered not a reason for refusal and is pointed out that there is no 'strong building lines.' In the estate and significant staggering of building lines occur routinely throughout the estate and indeed in the corner house immediately opposite the application site.
- The proposal is fully compliant with all aspects of the Development Plan and in line with Government policy and direction i.e. to increase densities in established residential areas.

- The proposal was assessed by the Local Authority for other issues to include overlooking, overshadowing, densities, proximity to the street and other structures, drainage issues, transport and compliance with required housing standards and passed the test in all areas.

6.2. Planning Authority Response

The Planning Authority referred to the Chief Executive's report relating to the development and its consideration of the undue impact on the amenities of the area. It reiterated that the existing character of the Manorfields area does not include interruptions in the established building line such as currently proposed.

In the event of a successful appeal, the Planning Authority recommends *inter alia* a financial contribution in accordance with its Section 48 Development Contribution Scheme.

6.3. Observations

One observation was received on the First Party Appeal. The contents reiterated concerns made to Fingal County Council by observers on the application relating to scale, design, residential amenity, building line, and parking.

7.0 EIA Screening

- 7.1.1. 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.

8.0 Assessment

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

- Visual Amenity
- Building Line

8.1.2. At the outset, having regard to the residential zoning ('RS') of the area where the appeal site is located, Development Plan Policy SPQHP38 and Objectives SPQHO37 (Residential Consolidation and Sustainable Intensification) and SPQHO38 (Residential Development at Sustainable Densities) for the densification of existing urban areas and the efficient use of valuable serviced residential land, I conclude that the proposed development is acceptable in principle.

8.1.3. Furthermore, the development on a corner site within the curtilage of an existing property and within an established residential area is actively encouraged and supported by Objective SPQHO39 (New Infill Development), Objective SPQHO40 (Development of Corner or Wide Garden Sites) and Objective SPQHO42 (Development of Underutilised Infill, Corner and Backland Development Sites). However, development proposals must also be *inter alia* cognisant of the prevailing pattern of development / character of the area, have minimal impact on existing residential amenity and meet with the prescribed standards and safeguards set out in Chapter 14 (Development Management Standards) of the Development Plan.

8.1.4. In respect of residential amenity, I note the following:

- In terms of the potential for overlooking, the proposed rear windows maintain the same separation distance to the rear boundary of the site as the existing house and oppose the front garden / parking and side elevation of No. 23 Manorsfields Rise. Accordingly, I am satisfied that the proposed development will not result in overlooking.
- Having regard to the orientation of the subject site relative to the path of the sun, I am satisfied that the proposed development will not result in any undue overshadowing.
- While I note the concerns of neighbouring residents of the potential use of Manorsfields Rise for additional and / or overspill parking; the proposed development meets the maximum car parking standards, and this car parking can be provided within the curtilage of the new dwelling.

- 8.1.5. Having regard to the foregoing, I do not consider the proposed development would seriously injure the residential amenities of the area or of property in the vicinity.
- 8.1.6. I also note that the proposed development meets the necessary standards for a 3-bedroom as set out in Chapter 14 of the Development Plan and specifically Section 14.6.4 Residential Standards and Table 14.8 in relation to accommodation size, garden area and car parking. Compliance with the necessary residential standards was acknowledged by the Planning Authority.
- 8.1.7. In complying with Development Plan standards in relation to accommodation size, garden area and car parking of both the existing and proposed dwelling and in safeguarding existing residential amenities, the proposed development also complies with many of the specified criteria of Policy Objective DMSO32 - Infill Development on Corner / Side Garden Sites. The remaining criteria include those matters raised by the Planning Authority in its grounds for refusal, namely visual amenity and building line.

8.2. Visual Amenity

- 8.2.1. I note the concern of both the Planning Authority and observers that the proposed development is not in keeping with the layout and character of the estate.
- 8.2.2. In terms of design, I have reviewed the drawings submitted as part of the application. I consider the design approach to comply with the following requirements of Objective DMSO32 - Infill / Side Garden Housing Developments:
- The overall proportions, heights, parapet levels, roof profile and fenestration arrangements are consistent with the adjoining house, houses in the vicinity and throughout the estate.
 - The use of red brick at ground floor level and pebble dash at first floor level are traditional in form and match what is used along Manorfields Rise and throughout the estate.
 - Much of the boundary treatment is retained as is.
- 8.2.3. From these perspectives, I consider the proposed development to be in keeping with the existing houses in the terrace, which is acceptable in terms of visual amenity.

- 8.2.4. I do acknowledge that locating the main entrance to the dwelling to the side (and not the front) is not a characteristic of the original estate; however, it is a design innovation which is increasingly evident as 'infill development' on corner sites in other suburban housing estates and indeed is also recommended as a corner site typology, for example in *Design Manual for Quality Housing*. One of the benefits of the approach is that it introduces active frontage and surveillance of the public realm (acknowledged by one of the criteria of Objective DMSO32) and avoids a blank façade.
- 8.2.5. Overall, I consider the proposed development in respect of its design, height, and materiality to be in keeping with existing houses along Manorsfield Rise and sufficiently retains the integrity of physical character of the area, while acknowledging the opportunity which an infill / side garden housing development presents. I therefore consider it to comply with Objective SPQHO39, Objective DMSO31 and Objective DMSO32.

8.3. **Building Line**

- 8.3.1. In terms of layout, the estate comprises semi-detached, and terrace houses laid out in blocks of three and four units. To the front of the terraces, the building line is punctuated by protruding porches for all houses.
- 8.3.2. The gables of end houses / corner sites within the estate present to the perpendicular road and are separated by either narrow side passages or wide side gardens extending into the rear garden. In these cases, the dominant feature is the high rendered and capped garden wall which defines the plot to the pavement. Furthermore, the transition from one road to another perpendicular road results in a typical suburban arrangement whereby the open and setback nature of houses on one road (which allows for off-street parking and a front garden) is punctuated by the projecting rear and side garden walls of the end house, and the corner house itself of the perpendicular road.
- 8.3.3. Protecting an established building line can maintain harmony within a streetscape whereas breaching an established building line can be very discordant especially in an urban context, mid-terrace or there is a very singular plot and/or building typology. However, in this instance we are dealing with suburban housing estate and a corner

plot. I agree with the First Party that there is no consistent or defining building line strategy within the housing estate. Staggering and variations in the building line are evident from the protruding porches to every house, to the separations between the short terraces, to the variable positioning of the dwellings on corner sites throughout the estate.

- 8.3.4. Corner sites have often been a particular challenge in designing suburban housing estates, and they are often characterised by larger plots resulting in weak urban structure. I consider this to be the case in this instance. However, it is this weak structure that also provides opportunity for further infill development. I also consider that corner sites, such as the subject site, have the potential for design solutions which challenge standard conventions such as building line and indeed building design, where appropriate. I consider this is supported by current policy and design guidelines which recognise that a balance is needed between the protection of amenities, privacy, the established character of the area on one hand and new residential infill which provides for the efficient use of valuable serviced land and promotes consolidation and compact growth on the other hand (as provided for within the Chapter 14 of the Development Plan).
- 8.3.5. The Planning Authority considered that the proposed development breached the established building line on all sides, and this provides the main justification for its refusal. I consider that having regard to the nature of corner site, its context, the nature of the proposed design, and having regard to existing policy and guidelines, the proposed house is acceptable in terms of visual amenity having regard to the existing layout of the houses in this section of the estate.
- 8.3.6. In terms of the front building line, the proposed house does step forward of the main terrace façade line at ground floor level – however this is modest and in keeping with the protruding front porches throughout the estate. In this regard, the proposed development maintains the same depth (1.59m) as the front porches of the other houses along this terrace (i.e., No. 25 Manorsfield Rise and No 27 and 20 Manorsfield (presented either as a single porch or double porches)) and adopts the same design references. Acknowledging that the step forward extends along the whole façade presenting to the front but also acknowledging the end of terrace nature of proposed house, I am satisfied that this has the effect of book ending the terrace from the front, and this is acceptable in terms of visual amenity.

- 8.3.7. Given the proposed development is at right angles to houses 1 to 23 on Manorsfields Rise there is no building line to be maintained. The proposed new dwelling is to be located set back 0.9m behind a new 0.9m high rendered and capped block wall. The existing 2.2m high rendered and capped block wall boundary wall is maintained for 9m. As there are other instances within the housing estate where the side gable is very close to the public pavement, I am satisfied that the proposed development would not be incongruous, noting also my consideration of the design approach where the main entrance to the dwelling is to the side (and not the front) as set out above.
- 8.3.8. Finally, to the rear the proposed new dwelling includes a single storey kitchen / diner which extends beyond the main rear facade building line into the garden (by approximately 3.5m). Having regard to the corner site context, and its single storey nature I consider this to be acceptable.
- 8.3.9. Having regard to the foregoing, and in particular the characteristics of the corner site, I am satisfied that the proposed building appropriately addresses its context from a building line perspective.

8.4. Material Contravention

I note that the Planning Authority's reason for refusal states that the proposed development materially contravenes Objective SPQHO39, Objective SPQHO42 and Objective DMSO032 of the Fingal Development Plan 2023-2029. These policies refer to either a general approach to development in residential areas or a range of detailed aspects / criteria and is not, in my view, sufficiently specific so as to justify the use of the term "materially contravene" in terms of normal planning practice. The Board should not, therefore, consider itself constrained by Section 37(2) of the Planning and Development Act.

8.5. Concluding Assessment

- 8.5.1. I am satisfied that the development of a dwelling in the proposed side garden / corner site of No. 25 Manorsfield Rise is actively encouraged in policy where proposals for development are cognisant of the prevailing pattern of development, the character of the area and where all development standards are observed. I believe that this is the case in the instance of the subject proposal.

- 8.5.2. I further consider the proposed development to be an appropriate infill development, which complies with Objective SPQHO39, Objective SPQHO42, Objective DMSO31, Objective DMSO32 and the relevant requirements of Section 14 of the Development Plan.

9.0 AA Screening

- 9.1.1. I have considered the proposed light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 9.1.2. The subject site is not located within or directly adjacent to any European Site, furthermore the proposed development comprises construction of a new dwelling in an established suburban estate. In addition, no nature conservation concerns were raised in the planning appeal.
- 9.1.3. 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:
- Nature of works e.g. small scale and nature of the development in a serviced suburban area;
 - The distance from the nearest European site and lack of connections; and
 - Taking into account screening report/determination by Fingal County Council.
- 9.1.4. 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.

10.0 Recommendation

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

11.0 Reasons and Considerations

Having regard to the zoning objective for the area as set out in the Fingal Development Plan 2023 – 2029 - in particular: Policy SPQHP38 and Objectives SPQHO37 and SPQHO38 supporting the densification of existing urban areas and the efficient use of valuable serviced residential land; Objectives SPQHO39, SPQHO40 and Objective SPQHO42 supporting development on a corner site within the curtilage of an existing property and within an established residential area; and having regard to the requirements of Objective DMSO31 and Objective DMSO32; it is considered that having regard to the nature of the appeal site, the established pattern of residential development in the area and the overall design and scale of the development proposed, subject to compliance with the conditions set out below, the proposed development would not be out of character with existing development in the area and would not seriously injure the visual or residential amenities of the area or of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

12.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 15th of July 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>Details of the materials, colours, and textures of all the external finishes of the proposed development shall be submitted to and agreed in writing with the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of visual amenity</p>

3.	<p>The details of the works to the public footpath and verge shall be agreed in writing with the Operations and Public Lighting Department of the Planning Authority prior to commencement of development, including:</p> <ul style="list-style-type: none"> (a) The foundations of the dwelling wall adjacent to the boundary with the public footpath. This shall be designed, supervised, and certified by a suitable qualified person with professional indemnity. A copy of this certificate and associated drawing details of the foundations to be submitted to the planning authority for record purposes. (b) The relocation of the existing lightning pole, if required. (c) The dishing of the kerb. <p>All works to be carried out at the applicants' expense and to the requirements of the Planning Authority.</p> <p>Reason: To ensure a satisfactory standard of development</p>
4.	<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>
5.	<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>
6.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning</p>

	<p>and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Leah Kenny
Planning Inspector

13th March 2025

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	320931-24		
Proposed Development Summary	New dwelling in side garden area of existing dwelling		
Development Address	25 Manorfields Rise, Castaheany, Dublin 15, D15 K5V0		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)	Yes	✓	
	No		
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	✓	The development is of a Class (Class 10(b)(i)) – Schedule 2	Proceed to Q3.
No			Tick if relevant. 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	✓	The relevant threshold for Class 10(b)(i) is the "Construction of more than 500 dwelling units".	Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	✓	At 1 no. unit the proposed development is significantly below the threshold of the "Construction of more than 500 dwelling units".	Preliminary examination required (Form 2)

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

Inspector: _____ Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference Number	320931-24
Proposed Development Summary	New dwelling in side garden area of existing dwelling
Development Address	25 Manorfields Rise, Castaheany, Dublin 15, D15 K5V0
The Board carried out a preliminary examination [ref. Art. 109(2)(a), Planning and Development regulations 2001, as amended] of at least the nature, size or location of the proposed development, having regard to the criteria set out in Schedule 7 of the Regulations. This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.	
Characteristics of proposed development (In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).	A single residential unit development is not out of context in this established suburban area and will not result in any significant waste or pollutants.

<p>Location of development</p> <p>(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).</p>	<p>The application is a corner garden site in an established suburban housing estate, it is removed from sensitive natural habitats and designated sites, and there are no Protected Structures in the vicinity.</p> <p>I do not consider that there is potential for the proposed development to negatively affect environmental sensitivities in the area.</p>
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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).	<p>The site is in a suburban location within surrounding residential uses. A single residential unit development is not likely to give rise to any significant impacts locally. Construction impacts will be short term and temporary and can be adequately mitigated and managed.</p>
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Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	No
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: