



An
Bord
Pleanála

Inspector's Report

ABP-320990-24

Development	4 no. detached dwellings, alterations to existing boundary walls, landscaping, paving, walls and fences, solar panels, rainwater harvesting tanks with overflow to existing stream (SUDS), connection to existing pumping station and all associated site works.
Location	The Grange, Ballyboughal, Co. Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F24A/0651E
Applicant	Naul Road Development Ltd
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant	Naul Road Development Ltd
Observers	John & Lauren Turner; and, Andrew Carroll
Date of Site Inspection	14 th January 2025
Inspector	Matthew O'Connor

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Appendix 1 – Form 1: EIA Pre-Screening

Appendix 2 – Form 2: EIA Preliminary Examination

1.0 Site Location and Description

- 1.1. The appeal site is 0.16ha and comprises a parcel of undeveloped lands in an area known as 'The Grange' to the south of Ballyboughal, Co. Dublin. The site is accessible via an existing entrance on the western side of the R108. The subject site is served by a tarmacked roadway with a pedestrian footpath. The appeal site is rectangular in shape and the topography of is generally flat. The appeal site is bounded to the front (along the internal road) by a c. 2 metre high block wall. The northern (rear) boundary comprises a dense planted hedge. The eastern (side) is formed by a block wall and the western (side) boundary is currently undefined.
- 1.2. There is an existing 1.5 storey dwelling sited to the east of the appeal site and at the end of the roadway to the west of the site there are shed/storages buildings. The surrounding locality is characterised by its edge of village location with a number one-off dwellings on individual plots in close proximity. There are no Protected Structures or National Monuments within or immediately adjoining the appeal site. The site is not located within a Flood Zone.

2.0 Proposed Development

The development subject to this appeal comprises:

- 4 no. detached two storey 3-bed dwellings
- Local alteration to existing boundary walls,
- Landscaping, paving, walls and fences, solar panels, rainwater harvesting tanks with overflow to existing stream (SUDS),
- Connection to existing pumping station
- All associated site works.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Fingal County Council refused planning permission for the following four reasons:

- 1. The development, as currently proposed, would result in an intensification of use on a shared access road between residential and commercial/agricultural use and would endanger public safety by reason of traffic hazard. Accordingly,*

the proposed development would be contrary to the proper planning and sustainable development of the area.

- 2. Insufficient evidence is submitted to show that adequate sightlines can be achieved at proposed access roadway onto the site without impinging on the adjacent properties and it is not clear if the applicant has sufficient interest over necessary lands to over these lands to carry out necessary works in the addition these works are located outside the redline boundary of the subject site. To permit this development in the absence of this information could result in development that would endanger public safety and would be contrary to proper planning and sustainable development of the area.*
- 3. Having regard to the existing pattern and density of development in the area, the edge of village location of the site, and backland nature of the site and lack of connectivity to the village, the proposed development comprising 4 no. suburban style dwellings would constitute undesirable backland and piecemeal development which would be out of character with the prevailing pattern of development for the village and would be contrary to Objective SPQH042 – Development of Underutilised Infill, Corner and Backland Sites and Objective SPQH056 – Rural Villages as set out in the Fingal Development Plan 2023-2029. Furthermore, in the absence of pedestrian and cycle infrastructure form the subject lands linking to the village centre and given the poor availability of public transport at this location, the proposed development is largely car dependant and would promote unsustainable transport modes. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.*
- 4. Having regard to the insufficient information submitted on the capacity and condition of the existing pumping station and rising mains and lack of evidence to show that the applicant has sufficient interest over necessary lands and pumping station to maintain to cater for the proposed development, it is considered that the proposed development could be prejudicial to public health and would therefore be contrary to proper planning and sustainable development.*

3.2. Planning Authority Reports

3.2.1. Planning Report

- Planner's Report forms the basis for the decision to refuse planning permission.
- The report provides a description of the site, outlines the extensive planning history, identifies the 'RV' – Rural Village land use zoning designation and associated policy context from the Fingal Development Plan 2023-2029.
- The assessment notes that 'Residential' use class in 'Permitted in Principle' under the zoning the 'RV' – Rural Village zoning. The development would be permissible if the Planning Authority is satisfied the proposal is compatible with overall policies and objectives for the zone. However, the Planning Authority had concerns with respect to a number of elements of the proposal.
- With regard to the layout, design and visual impact, the Planning Authority note location of site in 'RV' – Rural zone but that the character is rural in nature.
- The Planning Authority note that the 4 no. dwellings comply with residential standards. The dwelling design is considered to be suburban in style and character and would not be reflective of rural dwellings on the edge of a rural village.
- As the site is located outside the village core, development is not considered to be proportionate to the pattern or grain of development on adjoining lands and would represent premature and piecemeal development of this edge of rural village site.
- The scheme would be car dependant and promotes unsustainable modes of transport. There is an absence of pedestrian and cycle infrastructure. The Planning Authority consider the additional 2 no. dwellings as a significant intensification on site and would have a significant negative impact on traffic movement or pedestrians.
- The Planning Authority note there is an existing gate located at the access would not comply with a Development Plan objective on Gated Communities.
- Transportation Planning Division require Additional Information. There are concerns regarding access and sightlines. The submitted drawings has

demonstrated the closing up of an agricultural entrance as conditioned by An Bord Pleanála under a previous application. The entrance works to be carried out under a separate application are not included in the red line boundary of the current proposal.

- Landscaping proposals and boundary treatments are noted. Report received from Parks & Green Infrastructure Division indicates 'no objection' subject to conditions regarding public space provision, hedgerow works and implementation of a landscaping plan.
- In terms of impacts on residential amenity, it is not anticipated that the development will result in any undue level of overshadowing or loss of natural light on adjoining properties.
- Water Services indicate 'no objection' in respect of surface water drainage, subject to condition. Additional information is required to demonstrate capacity and condition of the pumping system. Details are also required in relation to the ownership and maintenance.
- Uisce Eireann raise no objection subject to condition regarding water services infrastructure.
- In respect of Part V, the applicant informed that they will enter into negotiation with the Planning Authority in terms of compliance with requirements. An Exemption Certificate should be submitted and could be requested as part of Additional Information request.
- No issues raised with respect to AA. Comments returned from Inland Fisheries Ireland (IFI) regarding location of site within Ballyboughal System and that adequate capacity of foul/surface water drainage is required.
- No issues raised with respect to EIA.

3.2.2. Other Technical Reports

- Parks & Green Infrastructure: No objection, subject to condition.
- Transportation Planning: Additional information requested.
- Water Services: Additional information requested.
- Housing Department: Report received, no objection.

3.3. Prescribed Bodies

- Uisce Éireann: No objection, subject to condition.
- Inland Fisheries Ireland: Report with comments on ensuring services/drainage do not impact on watercourses.

3.4. Third Party Observations

3.4.1. Two third party observations were received by the Planning Authority. The observations are broadly summarised as follows:

Development Type & Density

- Overdevelopment of the site.
- Development would be inconsistent with pattern of development in the area.
- 12 no. sites are identified for development under Ballyboughal Local Area Plan. The application site is not one of those sites.
- The development would 'leapfrog' other sites in the built-up area and this should be avoided.
- There is scope for additional application for at least 2 no. more houses.
- If additional dwellings are granted the density would be at or close to maximum permitted density for the Dublin Region.
- The development is incongruous with the existing dwellings in the immediate area.
- Proposed dwellings are reminiscent of suburban-style dwellings and do not promote or protect the character of the Rural Village.
- Scale should be proportionate to the surrounding area.

Previous Planning History & Piecemeal Development

- Number of previous applications on the site and there is continued effort to develop the lands.
- Design suggests that the applicant intends to submit further applications to build more houses on the site under separate applications.
- Piecemeal development can circumvent comprehensive planning scrutiny and result in inadequate infrastructure, environmental degradation, and a loss of community infrastructure.

- A pool/games room was built on site to the west (under F05B/0637) with condition to be used as ancillary domestic use. The structure was sold in 2023 as a commercial premises and is therefore a breach of planning permission.
- Applicant intends to enter into a Part V agreement with Planning Authority however the application for 4 no. dwellings is being done to facilitate additional applications for more dwellings.

Impacts on Residential and Visual Amenities

- The proposed dwellings are taller than previous dwellings approved on site.
- The development would bring at least 10 more vehicles in the area.
- The proposed 3-bed dwellings could be transformed into 4 or 5 bedroom dwellings if attic is converted.
- Provision of window openings will overlook the rear of the properties to the east and south of the site
- Dwellings will result in a loss of privacy.

Road /Traffic Safety

- Proposed development lacks pedestrian and cycle infrastructure for pedestrians accessing the site from the village which is at odds with proper planning and sustainable development.
- Shared use of private access road with HGVs accessing the commercial business at the end of the road.
- The new access arrangement was approved prior to commercial business operating.
- The private access road is narrow and not designed to accommodate additional traffic.
- Inadequate entrance layout and create a traffic hazard in and out of the site.

Environmental Concerns

- Increased run-off could exacerbate local flooding issues on the R108, further impacting the environmental and creating hazard for local road users.
- Increase in motor vehicle traffic.

Impact on property value

- The development would impact on property value due to increased traffic, noise and loss of privacy.
- The rural setting of the area is a significant factor in property value and a dense housing scheme would diminish property value.

4.0 Planning History

There is a considerable planning history associated with the subject site and immediate surrounding area. Applications deemed to be of relevance are detailed as follows:

Subject Site:

F23A/0374 Permission REFUSED by Fingal County Council for a new residential infill development at The Grange, Ballyboughal, Fingal, Co. Dublin, with the development to consist of the provision of 2 no. detached two storey 4-bed dwellings, local alteration to existing boundary walls, landscaping, swale with overflow to existing stream (SUDS), connection to existing pumping station and all associated site and other works. Applicant: Naul Road Developments Ltd.

This application was appealed to An Bord Pleanála under Ref. ABP-318005-23 and the decision to refuse was overturned and permission granted.

F22A/0403 Permission REFUSED by Fingal County Council for the provision of 1 no. detached two storey, 4-bed dwelling. local alteration to existing boundary walls, landscaping, swale with overflow to existing stream (SuDS), connecting pump station and all associated site and other works. Applicant: Naul Road Developments Ltd.

This application was appealed to An Bord Pleanála under Ref. ABP-314914-22 and the decision to refuse was overturned and permission granted.

F22A/0071 Permission REFUSED for a new residential infill development at The Grange, Ballyboughal , Fingal , Co. Dublin with development to consist of the provision of 3 no. detached two storey 4 bed dwellings, a bin store, the relocation of a ESB pole local alteration to existing footpaths, alterations to the existing site entrance and existing

boundary walls, landscaping, soakaways, SUDS with overflow to existing stream, connection to existing pumping station and all associated site and other works. Applicant: Naul Road Development.

F17A/0156 Permission REFUSED for a dormer bungalow and ancillary works with the existing access road and entrance being utilised for site access on infill site. Applicant: P. Gough.

F08A/0035 Permission REFUSED by Fingal County Council for a dormer bungalow and associated site works with access from existing road on lands adjoining existing dwelling. Applicant: Julia C. O'Donovan.

This application was appealed to An Bord Pleanála under Ref. PL06F.228520 and the decision to refuse was upheld.

F06A/1902 Permission REFUSED by Fingal County Council for 3 no. dormer bungalows and associated site works on lands adjoining existing dwelling with access from existing road. Applicant: G. Donovan.

This application was appealed to An Bord Pleanála under Ref. PL06F.222348 and the decision to refuse was upheld.

F04A/0948 Permission REFUSED for the construction of 5 no. 2-storey, 4 bedroom residential units, including associated external works, landscaping and a new entrance. Applicant: Gerry Walsh.

F00A/0425 Permission REFUSED for three bungalows with biocycle units. Applicant: Ms. C Rooney.

Adjoining lands to the west (side)

F24A/0835E Permission GRANTED by Fingal County Council on 06/01/2025 for new residential infill development at The Grange, Ballyboughal, Fingal, Co. Dublin, with development to consist of the provision of 1 no. detached single storey 2-bed dwelling, local alteration to existing boundary walls, landscaping, paving, walls and fences, solar panels, rainwater harvesting tank with overflow to existing stream (SUDS), connection to existing pumping station and all associated site and other works.

F23A/0622 Permission REFUSED by Fingal County Council for the provision of a detached one storey 2-bed dwelling, local alteration to existing boundary walls with new entrance gates, landscaping, swale with overflow to existing streams, (SUDs), connection to existing pumping station and all associated site and other works. Applicant: Naul Road Development Ltd.

This application was appealed to An Bord Pleanála under Ref. ABP-318724-23 and the decision to refuse was overturned and permission granted.

F22A/0676 Permission REFUSED for the provision of 1 no. single storey storage shed, local alteration to existing boundary walls, landscaping, soakpit, SUDS and all associated site and other works. Applicant: Naul Road Development Ltd.

This application was appealed to An Bord Pleanála under Ref. ABP-315955-23 and the decision to refuse was upheld.

Adjoining lands to the north (rear)

F24A/0907E Permission for a proposed single storey dwelling, storage structure, site walls, relocation of entrance gates granted under planning with Reg. Ref. No. F23A/0493, changes to landscaping, widening of the existing driveway to 5.5m wide, mini roundabout, SUDS (rainwater butts & permeable surfaces), connection to existing services and all associated site and other works. Applicant: Key More Estates Ltd.

This application is currently at Additional Information stage.

F23A/0493 Planning permission GRANTED 13/03/2024 by Fingal County Council for a proposed single storey dwelling. storage structure, site walls and gates, relocation of existing site entrance gates, soakpit, landscaping, SUDS and all associated site and other works. Applicant: Key More Estates Limited.

F23A/0472 Permission GRANTED for a proposed single storey extension to the rear of existing single storey gate lodge with hip roof to match existing, internal layout modifications, landscaping, modifications to

existing rear courtyard, new windows, SUDS and all associated site and other works. Applicant: Key More Estates Limited.

Lands to the east

F22A/0239 Permission GRANTED for alterations to the existing site entrance and piers to allow for increased sightlines, the relocation of a ESB pole, landscaping and all associated site and other works. Applicant: Naul Road Development Ltd.

5.0 Policy Context

5.1. Development Plan

5.1.1 The Fingal Development Plan 2023-2029 is the relevant Development Plan for the appeal site.

5.1.2. The appeal site is zoned 'RV' – Rural Village which has an objective to *'protect and promote the character of the Rural Village and promote a vibrant community in accordance with an approved land use plan, and the availability of physical and community infrastructure'*.

5.1.3. The Vision for this zoning designation is as follows:

'Protect and promote established villages within the rural landscape where people can settle and have access to community services, including remote work hubs. The villages are areas within the rural landscape where housing needs can be satisfied with minimal harm to the countryside and surrounding environment.

The villages will serve their rural catchment, provide local services and smaller scale rural enterprises. Levels of growth will be managed through approved land use plans to ensure that a critical mass for local services is encouraged without providing for growth beyond local need and unsustainable commuting patterns'.

Chapter 3: Sustainable Placemaking and Quality Homes

5.1.4. Section 3.5.13 of the Development Plan relates to Compact Growth, Consolidation and Regeneration. The following objectives are considered to be relevant:

- **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 SPQH042 - Development of Underutilised Infill, Corner and Backland Sites:**

Encourage and promote the development of underutilised infill, corner and backland sites in existing residential areas subject to the character of the area and environment being protected.

5.1.5. Section 3.5.15.1 of the Development Plan relates to 'Rural Villages'. The following policies and objectives are considered to be relevant:

- **Policy SPQHP51 – Protection of Rural Villages:**

Support and protect Fingal's Rural Villages by ensuring their appropriate sustainable development to preserve the character and viability of villages and support local services

- **Policy SPQHP52 – Growth of Rural Villages:**

Ensure that Fingal's Rural Villages accommodate additional growth in accordance with levels set out under the Housing Strategy in order to protect and enhance the character of existing settlements.

- **Policy SPQHP53 – Vitality of Town and Village Centres:**

Encourage appropriate residential, social and community uses in town and village centres in order to enhance their vitality and viability while recognising diversity within communities and promoting balanced socially and economically sustainable communities

- **Objective SPQHO56 – Rural Villages:**

Facilitate appropriate development within Rural Villages subject to compliance with the following:

- i. The scale of new residential development shall be in proportion to the pattern and grain of the existing settlement and shall be located within the defined development boundary.*

- ii. *Encourage and promote compact growth within Rural Villages including infill, brownfield development together with redevelopment of derelict/underutilised properties.*
- iii. *All development shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.*
- iv. *New commercial development should be centrally located within the village and contribute positively to the streetscape and public realm.*
- v. *Encourage new community and social facilities in conjunction with residential development.*

Chapter 14: Development Management Standards

5.1.6. This chapter sets out the development standards and criteria to ensure development occurs in an orderly and efficient manner. Proposals must comply with the standards and criteria that apply to particular development types, be consistent with the objectives set out in the Development Plan. In considering the subject proposal, I consider the following to be applicable:

- Section 14.5 – Consolidation of the Built Form: Design Parameters.
 - Table 14.4 – Infill Development
- Section 14.6 – Design Criteria for Residential Development in Fingal.
 - Objective DMSO1 – Screening for Appropriate Assessment
 - Objective DMSO2 – Screening for Environmental Impact Assessment
 - Objective DMSO19 – New Residential Development
 - Objective DMSO20 – Schedule of Accommodation
 - Objective DMSO21 – Floor Plans for Residential Development
- Section 14.6.5 – Open Space Serving Residential Development
- Section 14.6.6 – External Factors for Consideration
- Section 14.8 – Housing Development/Standards
- Section 14.8.3 – Private Open Space
- Section 14.10 – Additional Accommodation in Existing Built-Up Areas

- Objective DMSO32 – Infill Development on Corner / Side Garden Sites
- Section 14.10 - Additional Accommodation in Existing Built-Up Areas
 - Objective DMSO196 – Public Foul Sewerage Network Connections.
 - Objective DMSO197 – Foul and Surface Water Drainage Systems
- Section 14.13.2 – Quantity
 - Objective DMSO52 – Public Open Space Provision
 - Objective DMSO53 – Financial Contribution in Lieu of Public Open Space
 - Objective DMSO54 – Financial Contribution in Lieu of Open Space Provision in Smaller Developments
- Section 14.20.3 - Sustainable Urban Drainage Systems (SuDS)
 - Objective DMSO202 – SuDS

5.2 National and Regional Plans

5.2.1. The following regional and national planning documents are relevant:

- *Project Ireland 2040 - National Planning Framework (NPF), 2018-2040*
- *Eastern & Midland Regional Assembly: Regional Spatial & Economic Strategy (RSES) 2019 to 2031.*

5.3 National Guidance

5.3.1. The following national planning guidance are relevant:

- *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities (2024).*
- *Design Manual for Urban Roads and Streets (DMURS) (2019).*

5.4 Natural Heritage Designations

5.4.1. The appeal site is not located within any designated Natura 2000 sites. The nearest designated sites are the Rogerstown Estuary Special Area of Conservation (Site Code: 000208) which is located approximately 5.13km to the east and Rogerstown Estuary Special Protection Area (Site Code: 004015) which is located approximately 5.94km to the east of the site.

5.5. EIA Screening

5.5.1. Having regard to the nature and scale of the subject development, which is for the construction of 4 no. dwellings on an infill site within a rural village, there is no real likelihood of significant effects on the environment arising from the subject development. The need for Environment Impact Assessment can, therefore, be excluded. See Form 1 and Form 2 attached to this report.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1 The First Party appeal has been prepared and submitted on behalf of the applicant against the Planning Authority's decision to refuse permission. The grounds of appeal can be summarised as follows:

- The proposal, site background, site context, Development Plan and legislative framework is set out.

Refusal Reason No. 1

- The access is no longer used for agricultural purposes and has not been in use for agricultural purposes for an extended time period.
- A Right of Way exists but is not practical for everyday use for large agricultural machinery which is why an access to the north is used.
- These matters were accepted by An Bord Pleanála under Ref. ABP-318005-24 (Pl. Ref. F23A/0374).

Refusal Reason No. 2

- A default speed limit of 50 kmph is applied to cities, towns and village as per DMURS.
- The Transportation Planning Division, under F22A/0239 quoted DMURS requiring sightlines of 45 metres either side of the entrance in 50 KPH zones.
- The reason for refusal cites inadequate sight lines but the board definitively determined this not to be an issue under the previous application.
- 70 metres sightlines have been provided as required by the Transportation Planning Division under previous application.

- An Bord Pleanála previously assessed this issue and considered that subject to compliance with F22A/0239, that the sightlines necessary to comply with DMURs could be satisfied.
- An Bord Pleanála imposed a planning condition requiring compliance with Ref. Ref. F22A/0239 to address the matter of sightlines and the applicant is content to accept such a condition.
- The provision of 2 no. additional houses would not lead to any significant intensification to give rise to an undue traffic hazard.

Refusal Reason No. 3

- The refusal reason mirrors the Planning Authority's previous refusal reason. The applicant has previously demonstrated to the satisfaction of An Bord Pleanála that the development did not constitute piecemeal development or out of character with the pattern of development.
- The addition of 2 no. dwellings does not undermine the merit of An Bord Pleanála's previous determinations for development on the site.
- The pattern and density of the immediate area is illustrated and the proposed development would be entirely in keeping with same.
- The location of the site at the edge of the village is of no import. The site is set back from the public road and represents the infilling of a vacant site surrounded by dwellings.
- Previous masterplans for the village are not applicable as they have expired. The development is within the settlement boundary and there are no policies or objectives precluding against development of the lands.
- The refusal reason citing a lack of public transportation is not justified as all dwellings in rural villages are car dependent in the absence of public transport.
- There is no cycle infrastructure in Ballyboughal. An Bord Pleanála has previously indicated that pedestrian/cycle connectivity is not required at this location.

Refusal Reason No. 4

- The Water Services Department did not recommend outright refusal due to insufficient information and sought further information however the Planning Authority have deemed it necessary to include as a refusal reason.

- An Engineering Report has been submitted to clarify the capacity and condition of the existing pumping station.
- The original design for the pumping station allowed for a total of 14 no. housing units.
- A revised Site Layout Plan has been submitted amending the layout of the foul pipe away from an adjoining property and in the control of the applicant.
- The management and maintenance of the pumping stations is entirely the responsibility of the applicant and a management company has been set up to ensure the pumping station is maintained on a regular basis. A certificate of incorporation is appended.
- The site can be adequately serviced in terms of foul drainage so as not to be prejudicial to public health.

6.2. Planning Authority Response

- A response from the Planning Authority has been received on file and reaffirms its 4 no. reasons for refusal. The response indicates that should the appeal be successful that provision be made for a financial contribution for shortfall in open space and/or any Special Development Contributions; the inclusion of a Bond/Cash Security (for residential developments of 2 or more units) and inclusion of conditions where a tree bond or contribution in respect of a shortfall of play provision facilities are required.

6.3. Observations

- Two observations have been received respectively from the owners of the property to the east and southeast. The matters raised are largely consistent with the submissions received at planning application stage. The observations are summarised as follows:
 - Object to development on grounds outlined in original submission.
 - Planning history on the site is reflective of applicant's sustained attempt at piecemeal development.
 - There will be additional dwellings on adjoining lands which go against the current grain and will set a negative precedent and intensification of development.

- Development is not in compliance with the local area development plan.
- Type and density of development will adversely affect the privacy of neighbouring property.
- The mix of commercial and residential road traffic combined with the local road layout and lack of pedestrian and cycling infrastructure will constitute an increased traffic hazard.
- The planning history and repeated refusals by Fingal County Council suggest that they have misgivings regarding the aspirations of the applicants and effect on the local area.
- Successive and differing styles of development on the site and adjacent area suggest a lack of cohesive or strategic planning approach for this area which will be detrimental to neighbouring properties.
- The applicant has previously been granted permission for an adjacent site with condition that its use is restricted to private activities yet was later sold as a commercial premises.
- The Planning Authority has refused permission for this application in the first instance based on the unsuitability of the development and concerns relating of public health and public safety.

7.0 Assessment

Having examined the application details and all other documentation on the appeal file, including the appeal submission, and inspected the site, and having regard to relevant local, regional and national policies and guidance, I consider that the main issues in this appeal are those raised in the grounds of appeal. The issues can be addressed under the following headings:

- Principle of Development
- Design and Layout
- Access and Transportation
- Site Services
- Appropriate Assessment (Screening)

7.1. Principle of Development

- 7.1.1. The proposed development relates to 4 no. detached houses. By way of brief background, planning permission was granted on this site for 2 no. dwellings under ABP-318005-23 which overturned a decision to refuse permission (Reg. Ref. F23A/0374). This relatively recent application had followed an initial grant for 1 no. dwelling under ABP-314914-22 which overturned a decision to refuse permission (Reg. Ref. F22A/0403).
- 7.1.2. The Planning Authority's third reason for refusal effectively relates to the principle of development and generally follows previous Planning Authority refusal reasons set out under Reg. Refs. F23A/0374 and F22A/0403. The refusal reason refers to the existing pattern of development in the area and the backland nature of the site which is considered to represent piecemeal development and be out of character with the prevailing pattern of development. As such, the proposal would be contrary to Objective SPQH042 (Development of Underutilised Infill, Corner and Backland Sites) and Objective SPQH056 (Rural Villages) of the Fingal Development Plan 2023-2029.
- 7.1.3. The grounds of appeal note that the third refusal reason mirrors previous Planning Authority decisions on the subject site. The First Party claims that it has successfully argued to An Bord Pleanála that the previous development for 2 no. dwellings did not constitute piecemeal development and was not out of character with the pattern of development in the area. The First Party contends that the addition of 2 no. dwellings as part of the subject proposal does not undermine the previous conclusions drawn by the Board and that the 4 no. dwellings would be in keeping with the prevailing pattern of development for the Rural Village.
- 7.1.4. In considering the proposal, I note the subject site is zoned 'RV' – Rural Village in the Fingal Development Plan 2023 - 2029 which has an objective to *'protect and promote the character of the Rural Village and promote a vibrant community in accordance with an approved land use plan, and the availability of physical and community infrastructure'*. 'Residential' development is 'permitted in principle' within this zoning designation and therefore, I consider that the provision of 4 no. dwellings is acceptable in principle – subject to compliance with the parameters for such development types as set out in the Development Plan. Having regard to

the objectives specifically referenced in the Planning Authority's refusal reason - Objective SPQH042 and Objective SPQH056, I shall consider the proposal under each objective.

7.1.5. Objective SPQH042 of the Development Plan effectively seeks to promote the development of underutilised infill, corner and backland sites in existing residential areas subject to the character of the area and environment being protected. I consider that the proposal for 4 no. dwellings constitutes a small-scale development on an underutilised infill site within the zoned settlement boundary of Ballyboughil and is consistent with the Development Plan objective. I have reviewed the site location and observed the built character of the village and note that there is a broad mix of development types ranging from established linear cottages, conventional housing estates and smaller clusters of detached dwellings. The immediate surrounds of the appeal site comprises a number of detached dwellings on individual plots in relatively close proximity. Furthermore, permission has been recently approved in the immediate locality for additional dwellings which is illustrative of the changing built environment in the area. Therefore, having regard to the established pattern of development in the Ballyboughil and considering the infill nature of the proposed development within the zoned settlement boundary, I am satisfied that the proposal would not detract from the character of the village. It is my view that the proposed development would accord with Objective SPQH042 of the Development Plan.

7.1.6. Objective SPQH056 of the Development Plan seeks to facilitate appropriate development within Rural Villages and sets out a number of criteria to be complied with such as: the scale of new residential development shall be in proportion to the pattern and grain of the existing settlement and shall be located within the defined development boundary; encouraging and promoting compact growth (including infill development); and, all developments shall enhance the existing village character and create or strengthen a sense of identity and distinctiveness for the settlement.

7.1.7. I consider that the 4 no. dwellings on this infill site within the zoned settlement boundary would meet the above criteria as the detached houses would be in proportion to the established pattern of development in the settlement and would promote compact growth on the basis of their infill nature. I am satisfied that this

opinion has been formed by An Bord Pleanála under previous decisions on this site. In my view, the addition of a further 2 no. dwellings from the two dwellings already approved on this site would accord with the objective to encourage compact growth and would seek to maximise the yield of units on zoned lands. As previously outlined, there is a variation of residential typologies and groupings already established within the development boundary of the Rural Village. I do not consider that the pattern and grain of development is restricted to the immediate site context but rather applies to the settlement as a whole. Furthermore, the proposed development is offset from the southern approach to Ballyboughal and would be well screened on account of existing vegetation and established development. As such, I do not consider that the proposal would detract from the existing village character or detract from the sense of identity and distinctiveness of the settlement. Therefore, it is my view that the proposed development would accord with Objective SPQH056 of the Development Plan.

7.1.8. To conclude, having regard to the location of the appeal site within the designated settlement boundary of a Rural Village, the objectives of the Fingal County Development Plan namely, Objective SPQH056 regarding facilitating appropriate development within Rural Villages and Objective SPQH042 in relation to the development of underutilised infill/backland sites and having regard to the characteristics of the surrounding area, I do not consider the proposal would represent an undesirable backland or piecemeal development which would be out of character with the prevailing pattern of development for Ballyboughal. It is my view that the proposal at this location is representative of an infill development on an underutilised site within the settlement boundary of a Rural Village and would be consistent with the abovementioned objectives of the Development Plan for such development and the promotion of compact growth. Therefore, I do not consider that the proposal should be refused for reasons relating to the principle of development and permission should be granted.

7.2. Design and Layout

7.2.1. The design and layout of the proposed development is relevant in terms of residential development and forms a key consideration in the assessment of proposals for dwellings in line with Development Plan standards.

- 7.2.2. Table 14.4: Infill Development of Section 14.5: 'Consolidation of the Built Form: Design Parameters' if the Development Plan sets out the parameters for infill developments. According to the Development Plan, proposals for infill development will be required to provide a high-quality design response to the context of the infill site, taking cognisance of architectural form, site coverage, building heights, building line, grain, and plot width; examine and address within the overall design response issues in relation to overbearance, overlooking and overshadowing; respect and compliment the character of the surrounding area having due regard to the prevailing scale, mass, and architectural form of buildings in the immediate vicinity of the site; provide a positive contribution to the streetscape including active frontage, ensuring that the impacts of ancillary services such as waste management, parking and services are minimised; and promote active street frontages. Taking these matters into account, I am satisfied that the design of the 4 no. units has been appropriately considered and the layout and configuration is consistent with the above guidance.
- 7.2.3. Section 14.8: Housing Development/Standards of the of the Fingal Development Plan 2023-2029 is applicable. I consider that the proposed development accords with the various provisions of the Development Plan. The dwellings share the same design and internal layout and are indicated as having a floor area of approximately 128sq.m and the floor areas comply with Section 14.8.1: Floor Areas of the Development Plan. Each dwelling will be served by dedicated areas of private open space which exceeds the requirements set out in Table 14.8: Private Open Space and is therefore compliant with Objective DMSO27 (Minimum Private Open Space Provision) of the Development Plan. The proposed dwellings have a separation distance of 2.53 metres which is compliant with Objective DMSO26 (Separation Distance between Side Walls of Units). The units have a conventional suburban-style house design which would not be out of context with established development in the wider settlement and are each dwellings is orientated to address the internal road and the scheme forms its own building line.
- 7.2.4. Overall, I am satisfied that the proposed development constitutes an appropriate infill development on an underutilised site with the settlement boundary of Ballyboughal and accords with Objective DMSO31 (Infill Development) as the scheme will respect the height and massing of existing residential dwellings in the

immediate vicinity and will inform the physical character of the area as defined by the existing internal road and footpath.

- 7.2.5. I note that the Observers refer to concerns about potential negative impacts on their respective properties as a result of the proposed development. Having regard to the design, layout and siting of the proposed dwellings relative to the properties of the Observers, I am satisfied the dwellings would maintain the same orientation and building line to the neighbouring property to the west which removes any direct overlooking and first floor level windows. The proposed dwellings will have a separation of in excess of 40 metres from the other Observer's property located to the southeast of the appeal site and are screened by an established mixed hedgerow. Therefore, I am satisfied that the proposed development would not result in any negative residential amenity impacts such as overlooking or loss of privacy on neighbouring properties. Furthermore, I note the concerns raised by the Observers in respect of the devaluation of property. Having regard to my assessment, I am satisfied that the proposed development would not seriously injure the amenities of the area.
- 7.2.6. The Planning Authority's report refers to gates at the existing entrance from the R108 and indicates that the proposed development would contravene Objective DMSO30 of the Development Plan in respect of Gated Communities. At the time of my inspection, I observed no gates at this entrance. Therefore, I do not consider this matter to be applicable to the subject proposal. As shall be indicated in Section 7.3, the subject development will be restricted to use the alternative access arranged approved on foot of Reg. Ref. F22A/0239. I am satisfied that this requirement allays concerns regarding the development being gated.
- 7.2.7. The proposed development does not include the provision of Public Open Space. Table 14.12 of the Development Plan requires a minimum provision of 12% of site area for public open space. Objective DMS053 (Financial Contribution in Lieu of Public Open Space) of the Development Plan states that the Council has the discretion to accept a financial contribution in lieu of the remaining open space requirement to allow provision for the acquisition of additional open space or the upgrade of existing parks and open spaces subject to these additional facilities meeting the standards specified in Table 14.11. Objective DMS054 (Financial Contribution in Lieu of Open Space Provision in Smaller Developments) of the

Development Plan requires that an equivalent financial contribution in lieu of open space provision in 'smaller developments of less than three units' where the open space generated by the development would be so small as not to be viable.

7.2.8. As no Public Open Space is being provided within this development, I consider that a financial contribution in accordance with Section 48 of the Planning & Development Act 2000 should therefore be sought in lieu of the Public open space provision. The Parks and Green Infrastructure Division has calculated the public open space provision as 350sq.m based on the scale of development and I consider same to be reasonable.

7.3. Access and Transportation

7.3.1. The Planning Authority's first and second refusal reasons are based on access/transportation considerations. Under the first reason refusal, the Planning Authority indicates that the development would result in an intensification of use of a shared access road residential and commercial/agricultural use and would endanger public safety by reason of traffic hazard. The Planning Authority's second refusal reason refers to insufficient evidence being submitted to show that adequate sightlines can be achieved at proposed access roadway onto the site without impinging on the adjacent properties. It is further indicated by the Planning Authority that it is unclear as to whether or not the applicant has sufficient interest over the lands to carry out the works (which are outside of the red line site boundary).

7.3.2. The First Party contends that the existing access is no longer used for agricultural purposes and that alternative access to lands is utilised. The matters of access were previously considered and accepted by An Bord Pleanála under Ref. ABP-318005-24 (Reg. Ref. F23A/0374) which related to the development of 2 no. dwellings. I note that the First Party has not addressed the Planning Authority's reference to the potential commercial intensification of the access road. An observation received claims that commercial activity is ongoing in a shed unit to the west of the appeal. At the time of my inspection, I observed a lorry unit at this shed however, I was unable to determine its relationship to that premises. Notwithstanding the contentions of the Observer relating to alleged commercial activity to the west of the appeal, I note that such issues of apparent unauthorised

development are a matter for the Planning Authority and is outside of the remit of the Board for consideration in this appeal.

7.3.3. In relation to the second refusal reason and the Planning Authority's concerns regarding sightlines. I note that the Planning Authority granted permission for a separate application on lands adjacent to the appeal site for alterations to the existing site entrance and piers to allow for increased sightlines onto the R108 (Reg. Ref. F22A/0239). In its assessment, the Planning Authority considered that sightlines of approximately 70 metres sight lines in both directions from the proposed entrance were achievable and that the proposed access was considered to be an improvement on the existing situation. The revised entrance was also not considered as an intensification of use. At the time of my site inspection, I observed that no such works had commenced in respect of this application. However, the permission remains 'live'.

7.3.4 With respect to the access arrangement from the R108 to serve the appeal site, An Bord Pleanála has previously assessed this matter. The Board granted planning permission under ABP-314914-22 (for a single dwelling on the subject site). Condition No 3 of that decision to grant permission stated that the proposal was to comply with the terms and conditions of Reg. Ref. F22A/0239. The subsequent application for 2 no. dwellings, submitted under Reg. Ref. F23A/0374 and granted by An Bord Pleanála under ABP-318005-23 concurred with the imposition of this previous condition in its assessment. As this particular matter has been before the Board twice in recent years, I consider that the position is clear and I find no reason to deviate from it. I am satisfied that subject to compliance with permission Reg. Ref. F22A/0239, the required sightlines necessary to comply with DMURS can be achieved to serve the proposed development given the edge of village location. Therefore, should permission be granted, the terms and conditions of Reg. Ref. F22A/0239 shall be carried out and implemented in full prior to the commencement of any such works on foot of the subject development. I am satisfied that this can be addressed by way of condition in the event of a grant.

7.3.5. In respect of the matter of intensification of use, I consider that the proposed development of 4 no. infill houses, an increase of two dwellings from that previously approved under ABP-318005-23 would be acceptable at this location -

subject to the necessary site works being carried out as approved under Reg. Ref. F22A/0239. As I have stipulated, this revised entrance shall be carried out and completed prior the commencement of any works on the appeal site and as I have noted, I am satisfied that this matter can be reasonably addressed by way of condition should permission be granted. I am of the view that no significant intensification occurs at this site on account of the appeal site being within the delineated development boundary of the Rural Village and that the addition of 2 no. dwellings would not constitute a traffic hazard at this location.

7.3.6. The third refusal reason for refusal also refers to the absence of pedestrian and cycle infrastructure from the subject lands linking to the village centre, poor availability of public transport and car dependency for the promotion of unsustainable transport modes. I note that this particular matter has been raised by the Planning Authority in previous applications on the subject site. I am of the view that this matter has been sufficiently addressed by An Bord Pleanála under previous appeals on this site insofar as there is no policy provision in the operative Development Plan necessitating the delivery of a footpath/cycle at this location. Furthermore, whilst I would acknowledge that the provision of pedestrian/cycle connectivity is an important consideration, I am of the view that the requirement for the First Party to provide a footpath and cycle infrastructure on the R108 would be excessive given the infill nature of the proposed development. As such, I am of the view that a refusal of planning permission would not be warranted.

7.3.7. To conclude, having regard to the permitted upgrade of the entrance under Reg. Ref. F22A/0239 to serve the appeal site, the nature and scale of the proposed infill development and its location within the settlement boundary of a Rural Village; I consider the design of the entrance/access arrangement complies with the required standards. I am also satisfied that the development would not result in an intensification of this entrance nor have a significant negative impact on traffic/pedestrian movements or promote unsustainable transport modes given the location of the site in a Rural Village. I recommend that permission be granted.

7.4. Site Services

7.4.1. The Planning Authority's fourth refusal reason is based on the consideration that insufficient information was submitted in respect of the capacity and condition of

the existing pumping station and rising mains and that there is a lack of evidence that the applicant has sufficient interest over necessary lands and pumping station to maintain to cater for the proposed development. In my view, this refusal reason has derived from the items of request for Additional Information set out in the Water Services report.

- 7.4.2. As part of the grounds of appeal, the First Party has submitted a Engineering Report in respect of the on-site pumping station. It is claimed that there is adequate capacity in the system as the original design was for 14 no. housing units. Should the subject development be approved, 9 no. dwellings would be connected to the pumping station. The report submitted on behalf of the First Party provides calculations for the system in respect of the pump main; septicity check; sump and overflow chamber. Photographs have been provided demonstrating the in-situ tank. According to the grounds of appeal, the pumping station, pumps and rising mains have been maintained and remain in the ownership of Naul Road Development Ltd. The First Party states the event that permission is granted, the pumping station will be transferred to a management company for benefit of all units. A certificate of incorporation from the Companies Registration Office (CRO) has been included with the appeal. The First Party indicates that an application to Uisce Eireann for a water and wastewater connection will be required as normal. A revised Site Layout Plan has been submitted with the appeal showing the proposed foul pipe running along the internal road which is in the control of the First Party and will not traverse the neighbouring property to the immediate east.
- 7.4.3. I have reviewed the particulars submitted with the appeal and I am satisfied that the First Party has demonstrated the condition and capacity of the pumping station. I note the revisions to the foul line which is detailed as being on lands in their control and I accept the responsibility of this system coming under the control of a management company. Therefore, I consider the First Party has suitably addressed refusal reason No. 4 of the Planning Authority's decision. I am of the view that water supply and drainage arrangements can be conditioned in the event of a grant of permission in addition to connection agreements with Uisce Eireann.

8.0 Appropriate Assessment (Screening)

- 8.1. I have considered the subject development in light of the requirements S177U of the Planning and Development Act 2000 (as amended).
- 8.2. The subject development is located in a rural area approximately 5.13km from the Rogerstown Estuary SAC (Site Code: 000208) and 5.94km Rogerstown Estuary SPA (Site Code: 004015) which are the nearest European Sites respectively. The subject development comprises the development of 4 no. houses on an infill plot.
- 8.3. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment as there is no conceivable risk to any European site. The reason for this conclusion is as follows:
- The scale and nature of the development;
 - The distance to the nearest European site and the lack of direct connections; and,
 - Taking into account the screening determination of the Planning Authority.
- 8.4. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore a retrospective Appropriate Assessment (Stage 2) under Section 177V of the Planning and Development Act 2000 (as amended) is not required.

9.0 Recommendation

- 9.1. I recommend that permission be GRANTED for the following reasons and consideration and subject to the conditions listed below.

10.0 Reasons and Considerations

- 10.1. Having regard to the location of the subject site within the designated development boundary for Ballyboughal Village, the policies and objectives of the Fingal County Development Plan 2023- 2029 in relation to Rural Villages, the land use zoning objective for 'RV' - Rural Village and the nature, location and extent of the proposed development and the established pattern of development in the vicinity of the site; it is considered that, subject to compliance with the conditions set out below, the proposed infill residential development would not seriously injure the

character or residential amenities of the area, would be acceptable in terms of traffic safety, would be in accordance with the provisions of the Fingal County Development Plan 2023-2029 with respect to residential developments and the proper planning and sustainable development of the area.

11.0 Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, 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 and amended by those drawings submitted to An Bord Pleanála on the 4th October 2024, 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.

Reason: In the interest of clarity.

2. (a) The proposed development shall comply with the terms and conditions of Planning Reference F22A/0239, save where amended by the terms and conditions herein.

(b) The access works at the junction with the R108 as permitted under Reg. Ref. F22A/0239 shall be completed in full prior to the commencement of any development works on subject site and upon completion shall be agreed in writing by the planning authority.

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

3. The site shall be landscaped in accordance with the Landscaping Plan shown on drawing number A.03.01.7 and the Landscaping Specification shown on drawing number A.03.01.9, as submitted to the planning authority and shall be implemented in full no later than the first planting season following substantial completion of construction works. 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.

Reason: In the interest of residential and visual amenity.

4. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, noise management measures, construction traffic management and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

5. The disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: To prevent flooding and in the interests of sustainable drainage.

6. 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.

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

7. The developer shall comply with the requirements of the planning authority pertaining to Section 97, Part V of the Planning and Development Act 2000 (as amended), and same shall be agreed in writing with the planning authority prior to the commencement of development.

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

8. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

9. The developer shall pay to the planning authority a financial contribution of €68,017.06 (sixty eight thousand, seventeen euro and 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 accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

10. The developer shall pay to the planning authority a financial contribution in lieu of 350 square metres of public open space benefitting the development in the area of the planning authority which is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the adopted Development Contribution Scheme made under Section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning

authority may facilitate and shall be subject to any indexation provisions of the Scheme at the time of payment.

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

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Matthew O Connor
Planning Inspector

30th January 2025

Appendix 1 - Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	ABP-320990-24		
Proposed Development Summary	4 no. detached dwellings, alterations to boundary walls, landscaping, SUDS, connection to existing pumping station and associated site works.		
Development Address	The Grange, Ballyboughal, Co. Dublin.		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	
2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?			
Yes	X		Proceed to Q3.
No			
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q4
4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	X	Class 10 (b)(i) Construction of more than 500 dwelling units - The proposed development is subthreshold as it relates to the construction of 4 no. dwellings.	Preliminary examination required (Form 2)
5. Has Schedule 7A information been submitted?			
No	X	Pre-screening determination conclusion remains as above (Q1 to Q4)	
Yes		Screening Determination required	

Inspector: _____

Date: _____

Appendix 2 - Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-320990-24
Proposed Development Summary	4 no. detached dwellings, alterations to boundary walls, landscaping, SUDS, connection to existing pumping station and associated site works.
Development Address	The Grange, Ballyboughal, Co. Dublin.
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).	The proposal comprises the development of 4 no. house in a Rural Village. The size of the development would not be described as exceptional in the context of the existing environment. The proposal will not produce significant waste, emissions or pollutants. By virtue of its development type, it does not pose a risk of major accident and/or disaster, or is vulnerable to climate change.
Location of development (The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).	The proposed development is situated in a Rural Village. There are no significant environmental sensitivities in the vicinity – potential impacts on the SACs is addressed under Appropriate Assessment (Screening).

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 limited nature and scale of the proposed development (i.e. 4 no. dwellings on zoned lands), there is no potential for significant effects on the environmental factors listed in section 171A of the Act.
Conclusion		
Likelihood of Significant Effects	Conclusion in respect of EIA	Yes or No
There is no real likelihood of significant effects on the environment.	EIA is not required.	Yes

Inspector:

Date:

DP/ADP: _____

Date: _____

(only where Schedule 7A information or EIAR required)