



An  
Bord  
Pleanála

## Inspector's Report ABP321063-24

|                                     |  |
|-------------------------------------|--|
| <b>Development</b>                  | Protected Structure: Construction of a dwelling and all associated site works. |
| <b>Location</b>                     | Site at 138 Rock Road, Co. Dublin, A93P3F4.                                    |
| <b>Planning Authority</b>           | Dun Laoghaire-Rathdown County Council.   |
| <b>Planning Authority Reg. Ref.</b> | D24A/0561/WEB.   |
| <b>Applicant(s)</b>                 | Ryan Kavanagh.   |
| <b>Type of Application</b>          | Permission.  |
| <b>Planning Authority Decision</b>  | Refusal.   |
| <b>Type of Appeal</b>               | First Party  |
| <b>Appellant(s)</b>                 | Ryan Kavanagh.   |
| <b>Observer(s)</b>                  | None.  |
| <b>Date of Site Inspection</b>      | 11/02/2025.  |
| <b>Inspector</b>                    | Anthony Abbott King.   |

## **1.0 Site Location and Description**

- 1.1. The applicant site is located at St. 'Michael's' no.138 Rock Road on the south side of the Rock Road. This section of the Rock Road is a dual carriageway and forms part of the arterial coastal route linking the city centre with the southern suburbs (R118).
- 1.2. The development site comprises the side garden of no. 138 Rock Road – a protected structure. No. 138 Rock Road is a double-front Edwardian style detached two-storey house set within substantial grounds extending to the side and rear of the property.
- 1.3. The side garden development site is positioned between the gable elevation of no. 138 Rock Road and the shared property boundary with no.140 Rock Road – a protected structure.
- 1.4. No. 140 Rock Road is a distinctive single-storey over raised ground floor nineteenth-century villa style property. The house has an elongated elevation and distinctive turret feature at the eastern extremity of the front façade with an asymmetrical external stairway rising to first-floor entrance level.
- 1.5. There is an existing recently constructed gated dedicated vehicular and pedestrian access into the side garden of no. 138 Rock Road (development site) from the Rock Road.
- 1.6. The site area is given as 0.049 hectares.

## **2.0 Proposed Development**

- 2.1. The construction of a 2 / 3 storey infill dwelling house and all associated site works including in-curtilage car parking for 3 cars.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

Refuse planning permission for the following reasons:

- (1) The subject site consists of a restricted site, within the curtilage of two highly valued Protected Structures, which contribute to the established built

character of the area and urban form of the area and which are visually prominent from the public realm. The proposed development is considered to negatively impact on the setting, amenity and appreciation of the neighbouring protected structures, by reason of (i) inadequate separation distances between the existing and proposed dwellings resulting in the severing of the relationship between the existing protected structures and (ii) the height, massing, design and siting of the proposed dwelling which is considered to be visually incongruous and which fails to harmonise and integrate with the established unique character of the neighbouring dwellings, thereby detracting from same. Accordingly, it is considered that the proposed development fails to comply with Policy HER 8 'Work to a Protected Structure' and Section 12.11.2.1 'Works to a Protected Structure' of the County Development 2022-2028. Therefore to permit same would adversely affect and injure the character, setting and amenities of the Protected Structures. Accordingly, the proposed development is considered to be contrary to best conservation practice and to the proper planning and sustainable development of the area.

- (2) The subject site consists of a side garden area/ subdivided site, with a zoning objective of A, which seeks 'To provide residential development and improve residential amenity while protecting the existing residential amenities' in the Dun Laoghaire- Rathdown County Development Plan 2022-2028. Section 12.3.7.5 Corner/Side Garden Sites of the said Plan sets out the requirements for a dwelling in a side garden/corner site and on the basis of information submitted it is considered that the proposed dwelling fails to comply with same by reason of poor visual relationship between the existing and proposed dwelling on site and the adverse visual impact arising from the proposed development on site arising from the height, bulk, scale, mass and siting of the proposed development on a restricted site which results in a lack of harmony between the proposed and established dwellings. Accordingly, the proposed development is considered to be contrary the provisions of the Dún Laoghaire-Rathdown County Development Plan 2022-2028 and to the proper planning and sustainable development of the area.

### 3.2. Planning Authority Reports

#### 3.2.1. Planning Reports

The decision of the CEO of Dun Laoghaire-Rathdown County Council reflects the recommendation of the planning case officer.

#### 3.2.2. Other Technical Reports

##### Transport

Transport Planning Division do not object to the proposal in principle. However, the Division recommend the provision of 1 in-curtilage car parking space only citing *inter alia* SPPR 3 of 'The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities' (15 January, 2024).

##### Drainage

Drainage Division do not object to the development subject to condition.

##### Parks Division

Parks Division do not object to the development. However, Parks require clarification of the existing on site tree cover requesting the submission of additional information including an Arboricultural survey.

##### Conservation Division Architects Department

The subject site is framed by two designated protected structures at nos. 138 & 140 Rock Road. The Conservation Officer recommends the refusal of planning permission, based on development plan policy and architectural protection guidance, on the grounds that the principle of development within the curtilage of a protected structure is unacceptable.

The site has no capacity to absorb a new dwelling without significant and impactful consequences on the setting, amenity and appreciation of the two protected structures.

The subject houses are viewed within their context and any depreciation of the spatial context would visually detract from their setting and damage their integrity. The space between the two protected structures is integral to their appreciation and setting and informs the historical narrative of their evolution and building hierarchy.

There is insufficient separation distance between the development and the existing protected structures to afford either a suitable amenity, setting, or space to allow them to remain set pieces in their own right and to allow any successful integration.

The proposed development would sever the relationship between the protected structures, which positively contribute to the established built character of the Rock Road. No. 140 has a highly embellished external expression. It is an exemplar of its building typology. The house exudes importance and grandeur and it is deserving of the space around it.

Furthermore, the design of the building proposed would be visually incongruous. The range of materials / finishes together with the composition proposed is not contextually appropriate competing with the protected structures. Its scale, height, materiality and perceived bulk is not contextually appropriate.

The provision of an infill house at this location in the 'space' between two protected structure at no. 138 Rock Road (St. Michael's) and at no. 140 Rock Road (Glena) would have a seriously adverse visual impact on the setting of the protected structures and the period streetscape on the Rock Road and would set a poor precedent for the development of the curtilage of a protected structure.

The Conservation Officer requests that the massing and material finish of the infill house be significantly amended in order to mitigate the impact on the receiving environment if a planning permission is granted. A small scale, simple unassuming dwelling, devoid of grand architectural components and details taking reference from a garden structure would minimise impacts.

## 4.0 Planning History

The following planning history is relevant:

Under Reg. Ref: 305427-19 (Board Order ABP-305427-19) planning permission was granted for the subdivision of the existing residential plot at no. 138 Rock Road to provide a development site for a future proposed house together with the provision of a new vehicular and pedestrian entrance.

Condition no. 2 is relevant and states:

Prior to commencement of development, the developer shall submit revised drawings showing the proposed new vehicular entrance modified to be of a set-back, Bell-mouth design (e.g. similar to existing as-built entrance), and with gates that open inward only to the planning authority for written agreement.

Reason: In the interests of visual harmony, the conservation of the architectural heritage and to safeguard any special architectural or historical interest of the site, and in the interest of pedestrian safety.

Condition no. 3 is relevant and states:

This permission relates only to the proposed site sub-division and new vehicular and pedestrian entrances.

Reason: In the interest of clarity and orderly development.

## 5.0 Policy and Context

### 5.1. Development Plan

The Dun Laoghaire-Rathdown County Development Plan 2022-2028 is the local planning policy document. The following policy objectives are relevant:

- Chapter 13 (Land Use Zoning Objectives) Table 13.1.1 (Development Plan Zoning Objectives) is relevant.

The area zoning objective is “A”(Map 2) *To provide residential development and improve residential amenity while protecting the existing residential amenities.*

Residential is a permitted in principle use.

#### Urban Consolidation

- Chapter 2 (Core Strategy), Policy Objective CS11 – Compact Growth - is relevant and states:

*It is a Policy Objective to deliver 100% of all new homes, that pertain to Dublin City and Suburbs, within or contiguous to its geographic boundary.  
(Consistent with RPO 3.2 of the RSES).*

It is noted that Figure 2.9 (Core Strategy Map) defines the boundary of Dublin City and Suburbs. The development site is located within the boundary.

- Chapter 4 (Neighbourhood-People, Homes and Place), Policy Objective PHP18 (Residential Density) is relevant and states:
  - *Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.*
  - *Encourage higher residential densities providing that proposals provide for high quality design and ensure a balance between the protection of the existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development.*

Policy Objective PHP19 (Existing Housing Stock-Adaptation) is relevant and *inter alia* states:

*Densify existing built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods.*

Policy Objective PHP20 (Protection of Existing Residential Amenities) states:

*It is a Policy Objective to ensure the residential amenity of existing homes in the Built Up Area is protected where they are adjacent to proposed higher density and greater height infill developments.*

#### Infill Housing

- Chapter 12 (Development Standards) Section 12.3.7 (Additional Accommodation in Existing Built-Up Areas) in particular Section 12.3.7.5 (Corner/Side Garden Sites) and Section 12.3.7.7 (Infill) are relevant.
- Section 12.3.7.5 provides assessment criteria for infill houses located on development sites in corner / side gardens.

- Infill development is required to accord with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. 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, gateways, trees, landscaping, and fencing or railings.

#### Private Open Space

- Section 12.8.3.3 (Private Open Spaces) Table 12.10 (Private Open Space) is relevant:

| house type          | Private Open Space requirement (minimum) |
|---------------------|--|
| 1-2 bedroom         | 48 sq. m. *                              |
| 3 bedroom           | 60 sq. m.                                |
| 4 bedroom (or more) | 75 sq. m.                                |

#### Heritage Architecture

- Chapter 11 (Heritage and Conservation) is relevant..

11.4.1.2 Policy HER8 (protected structures) is relevant and *inter alia* states:

- i. *Protect structures included on the RPS from any works that would negatively impact their special character and appearance.*
- ii. *Ensure that any development proposals to Protected Structures, their curtilage and setting shall have regard to the ‘Architectural Heritage Protection Guidelines for Planning Authorities’ published by the Department of the Arts, Heritage and the Gaeltacht.*
- iii. *Ensure that all works are carried out under supervision of a qualified professional with specialised conservation expertise.*
- iv. *Ensure that any development, modification, alteration, or extension affecting a Protected Structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout, and materials.....*



viii *Protect the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the Protected Structure.*

Furthermore Chapter 12 (Development Standards) in the matter of works to a protected structures and to protected structures and attendant grounds is relevant.

Section 12.11.2.1 (works to Protected structures) is relevant and *inter alia* states:

*Alterations and interventions to Protected Structures shall be executed to the highest conservation standards and shall not detract from their significance or value. Interventions should be kept to a minimum and all new work should relate sensitively to the fabric, scale, proportions, and design of the Protected Structure. Works should follow a cautious....*

Section 12.11.2.3 (Development within the Grounds of a Protected Structure) *inter alia* states:

*Any proposed development within the curtilage, attendant grounds, or in close proximity to a Protected Structure, has the potential to adversely affect its setting and amenity. The overall guiding principle will be an insistence on high quality in both materials, and design, which both respects and complement the Protected Structure, and its setting.*

#### Vehicular Entrances and Car Parking Standards

- Section 12.4.5.1 (Parking Zones) & Table 12.5 (Car Parking Zones and Standards) is relevant.

The following national and regional planning policy documents are relevant in the context of sustainable residential land-use and the strategic policy objective to achieve compact growth:

- The National Planning Framework (NPF) (Project Ireland 2040) (Government of Ireland 2018).

- The Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Regional Assembly (EMRA), (June 2019).
- The Department of Housing, Local Government and Heritage ‘The Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities’, (15 January, 2024).
- Architectural Heritage Protection Guidelines for Planning Authorities (2004).

## 5.2. **Natural Heritage Designations**

The following Natura 2000 sites are located in the general vicinity of the proposed development site:

- The South Dublin Bay and River Tolka Special Protection Area approximately 30m north-east of the site (Site Code 004024)
- The South Dublin Bay Special Area of conservation approximately 190m northeast of the site (Site Code 000210)

## 5.3. **EIA Screening**

Having regard to the nature and scale of the proposed development for one infill dwelling house in an established urban area, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development. The need for EIA can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 6.0 **The Appeal**

### 6.1. **Grounds of Appeal**

The grounds of appeal, prepared by Martin Noone Architect on behalf of the applicant, are summarised below:

- There appears to be an established and prior intention to prevent and exclude any development on the subject site noting the previous application for the

subdivision of the original parent site. It is claimed that the conservation department of the planning authority affected an objective assessment of the application and pre-empted the decision to refuse permission.

- The weight placed by the conservation department on the architectural importance of the two adjoining protected structures is considered excessive and without available or accessible analysis or support documentation.
- It is noted that the application did not generate submission or objection from the general public, the Heritage Council, An Taisce, 'An Comhairle Ealaíon, Fáilte Éireann', the Departments of Culture, Heritage etc.
- The appellant cites the proximate comparable example at "Summerville", 21 Cross Avenue, Booterstown, Co. Dublin, A94K1VO (A protected Structure), permitted under Reg. Ref: PL. Reference D22A/0325, for a two-storey contemporary infill development in a side garden taken from the curtilage of a protected structure.
- The permitted development at 21 Cross Avenue authorises the construction of a building of entirely dissimilar design, materials and scale to the existing protected structure. There is no loss of amenity, quality, character, historical interest as is perceptible from the constructed infill development.
- The development the subject of this appeal is designed as a contemporary response to the site between nos. 138 & 140 Rock Road. The proposal is aligned with the aspirations of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- The proposed building is of a smaller visual scale to the adjoining dwellings, has a lower ridge height, recedes from the building lines of both buildings and does not impede visibility of the salient elevations and elements of the two protected structures.
- The palette of proposed material finishes comprising clay brick, granite, weathered zinc and weathered timber are considered sympathetic materials and reflect the character, colour textures and materiality of nos. 138 & 140 Rock Road.

- The form of the proposed dwelling takes its lead from the vigorous visual appearance of no. 140 Rock Road while avoiding imitation and replication.
- An objective analysis of the receiving streetscape shows that the two protected structures have very different characteristics in terms of design and appearance. The structures at nos. 138 & 140 Rock Road area juxtaposed against one another at an unusual angle.
- No. 140 fills its site fully from boundary wall to boundary wall. The visual difference between the structures is such that planning permission would be refused for no.140 if no.138 was in place and the assessment applied the same parameters as have been applied to the refusal of the application the subject of appeal.
- “Eclectic Diversity” is an appropriate designation for this area. It is claimed it would be invalid to apply a rigid exclusive character to the area that would prevent the insertion of a smaller scale, largely deferential, visually subservient dwelling, which in material fabric echoes the existing built fabric.

## 6.2. **Applicant Response**

N/A first party appeal

## 6.3. **Planning Authority Response**

The planning authority refer the Board to the previous planners report. It is considered that the grounds of appeal do not raise any new matters that would justify a change of attitude.

## 6.4. **Observations**

None

## 7.0 **Assessment**

- 7.1. The following assessment covers the points made in the appeal submission and is consideration of the overall application. It is noted there are no new substantive matters for consideration.

*Development proposal within context*

- 7.2. The applicant proposes to construct a part 2/ 3 storey detached infill house, with a front and rear garden, within a subdivision of an existing large detached dwelling house at 138 Rock Road – a protected structure.
- 7.3. Planning permission for the sub-division of the plot was previously granted planning permission under Reg. Ref: D19A/0442 (Board Order ABP-305427-19). The Board granted permission subject to condition having regard to the nature, extent and design of the proposed development, which did not detail the exact position or physicality of a dwelling house.
- 7.4. The house the subject of this appeal would elevate as a 2-storey dwelling to the front and a 3-storey dwelling to the rear. The infill house would have in-curtilage car parking in the front garden accessed from the existing authorised vehicular access from the Rock Road (Board Order ABP-305427-19).
- 7.5. The house would exhibit a contemporary design solution. It would have a mansard style roof with a front and rear pitch masking a flat roof behind. There would be a semi-enclosed courtyard to the front of the house and external access stairs would ascend to the first floor entrance. The house foot print on site would measure 11150mm x 7200mm (approximately 80 sqm.) excluding the forecourt.
- 7.6. The internal floor area of the infill house is given as 206 sqm. The bedroom and reception accommodation would be inverted providing for the main living space at first floor level.
- 7.7. The first floor would comprise an open plan living room / dining / kitchen area and ancillary space. The applicant states that the proposed living areas are raised to first floor level in common with no. 140 Rock Road adjoining to the west in order to avail of the views over Dublin Bay and distant Dun Laoghaire.
- 7.8. The first floor would be accessible by both front and rear stairways. The bedroom accommodation would be located at ground floor level and at attic / second floor level within the volume of the mansard style roof.

*Summation of reasons for refusal*

- 7.9. The planning authority refused planning permission for 2 reasons. The appellant claims that the planning assessment *inter alia* was influenced by the conservation

department of the planning authority in their weighting of the architectural importance of the two adjoining protected structures, which it is claimed is excessive and without available or accessible analysis or support documentation.

- 7.10. The first reason for refusal relates to the adverse impact on the setting, amenity and appreciation of the adjoining protected structures at nos. 138 & 140 Rock Road. The planning authority concluded that inadequate separation distances between the existing and proposed dwellings would result in the severing of the relationship between the existing protected structures and that the height, massing, design and siting of the proposed dwelling would be visually incongruous failing to harmonise and integrate with the established unique character of the neighbouring dwellings.
- 7.11. The second reason for refusal relates to the failure of the proposed dwelling to comply with Section 12.3.7.5 of the development plan, which sets out the development management requirements for an infill dwelling in a side garden / corner site by reason of adverse visual impact and poor visual relationship between the existing and proposed dwelling arising from the height, bulk, scale, mass and siting of the proposed development on a restricted site which results in a lack of harmony between the proposed and established dwellings.

*Assessment sub-headings*

- 7.12. The relevant planning matters are interrogated under the following sub-headings:
- Zoning
  - Compact growth & urban consolidation
  - The Sustainable Residential Development and Compact Settlement Guidelines (2024)
  - Infill residential development
  - Protected structure status
  - Architectural Heritage Protection Guidelines (2004)
  - Corner site development criteria
  - Internal configuration and room space standards
  - Impact on existing residential amenities

- Open space provision
- Vehicular access & Parking
- Other matters

### Zoning

- 7.13. The development site comprises the side garden of an existing dwellinghouse located within an established suburban area where piped services are available.
- 7.14. The site is zoned Objective “A” in the Dun Laoghaire-Rathdown Development Plan 2022-2028, which seeks *to provide residential development and improve residential amenity while protecting the existing residential amenities.*
- 7.15. Residential development is acceptable in principle and may be permitted where the proposed development is compatible with the overall policies and objectives for the zone.

### Compact growth / urban consolidation

- 7.16. National Planning Framework (NPF 2018) and the Regional Spatial and Economic Strategy (RSES) for the Eastern and Midland Region (EMRA) (2019) encourage and support the densification of existing urban / suburban areas and, as such, promote the use of performance based criteria in the assessment of developments to achieve well designed and high quality outcomes.
- 7.17. The strategic objective of compact development is supported in principle by densification of urban / suburban sites in particular lands accessible by walking, cycling and public transport.
- 7.18. The development site is located approximately 500m from Booterstown Dart Station and has direct access to high frequency (12 minute frequency) bus service, which operate along the Rock Road, including the nos. 4 and 7 Dublin Bus routes.
- 7.19. Figure 2.9 (Core Strategy Map) of the Dun Laoghaire-Rathdown Development Plan 2022-2028 defines the boundary of “Dublin City and Suburbs”(Urban). The development site is located within the boundary line defining the city and suburbs.
- 7.20. Chapter 2 (Core Strategy), Policy Objective CS11 – Compact Growth – is to deliver 100% of all new homes, that pertain to “Dublin City and Suburbs”, within or

contiguous to its geographic boundary. The proposed development would provide an additional house within “Dublin City and suburbs”.

7.21. The Sustainable Residential Development and Compact Settlement Guidelines

Residential Development and Compact Settlements Guidelines for Planning Authorities (January 2024) set national planning policy and guidance in relation to the planning and development *inter alia* for urban settlements with a focus on sustainable residential development and the creation of compact settlement.

7.22. The Guidelines expand on higher-level policies of the National Planning Framework, setting policy and guidance that include development standards for housing. Chapter 5 (Development Standards for Housing) provides *inter alia* guidance for separation distance, private open space, public open space, car parking, bicycle parking and storage and daylight standards.

7.23. The following assessment is informed by the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities.

7.24. Infill development

The Dun Laoghaire Rathdown County Development Plan 2022-2028 provide a comprehensive policy framework to support compact growth and urban consolidation. Policy PHP18 (Residential Density) seeks to increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill / brownfield having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.

7.25. Chapter 12 (Development Standards), Section 12.3.7 (Additional Accommodation in Existing Built-Up Areas), Section 12.3.7.7 (Infill) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 encourages infill housing development in accordance with Policy Objective PHP19 (Existing Housing Stock-Adaptation).

7.26. Policy Objective PHP19 *inter alia* promotes densification of built-up areas in the County through small scale infill development having due regard to the amenities of existing established residential neighbourhoods. These matters are discussed in detail below.

Protected Structure Designation



- 7.27. The properties at nos. 138 & 140 Rock Road are included in the Record of Protected Structures (RPS), as provide for in the Dun Laoghaire-Rathdown County Development Plan 2022-2028.
- 7.28. Section 11.4.1.2 Policy HER8 (Protected Stuctures) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 *inter alia* states to protect structures, included on the RPS, from any works that would negatively impact their special character and appearance.
- 7.29. Furthermore, Section 12.11.2.1 (Works to Protected Structures) of the development plan *inter alia* requires alterations and interventions to protected structures to be executed to the highest conservation standards and works shall not detract from their significance or value.
- 7.30. The planning authority conservation officer recommends the refusal of planning permission on the grounds that the principle of development within the curtilage of a protected structure is unacceptable in the instance of the application under appeal, as the development site has no capacity to absorb a new dwelling without significant and impactful consequences on the setting, amenity and appreciation of the two adjoining protected structures.
- 7.31. 'St. Michael's' No. 138 Rock Road (DLR RPS 11) is a late 19<sup>th</sup> century / early 20<sup>th</sup> century (the property is extant 1907) is a 3-bay 2-storey detached house with pitched slate roof, brick chimney stacks, and red brick walls. The front elevation has single-storey bay windows on either side of the entrance porch with lean-to slate roofs.
- 7.32. No. 138 Rock Road has been extended to the side and back. It is now intended to build an additional dwelling house in the side garden in the location of a previous grant of permission for the subdivision of the historic curtilage of the protected structure.
- 7.33. The adjoining house at 'Glena' No. 140 Rock Road (DLR RPS 10) is a multi-bay single storey over raised basement villa type detached house circa.1890. The house has a pitched roof with decorative clay ridge, brick chimney stacks, red brick and granite walls. There is a distinctive turret at the extremity of the front elevation (to the east) located proximate to the boundary with no.138 Rock Road.

- 7.34. Nos. 138 & 140 Rock Road are listed in the RPS for their architectural, artistic and historic special interest. No. 140 Rock Road is also listed for its cultural special interest having been the home of Count John McCormack.
- 7.35. Firstly, in the matter of demolition works to the protected structure at no. 138 Rock Road, the applicant proposes to demolish the existing high wall and fence that divides the front and rear garden of the property on the western side of the dwelling house in order to facilitate the construction on the infill house. The stone from the wall is to be reused in the completion of the new site boundaries.
- 7.36. I consider the level of demolition works to the existing structure and ancillary features on site to be of a minor nature. This aspect of the proposal is considered reasonable subject to the re-use of the existing boundary stonework. This matter can be dealt with by way of condition if a positive recommendation is recorded.
- 7.37. Secondly, in the matter of infill construction works, the applicant proposes to build an additional dwelling house within the curtilage of no. 138 Rock Road, which would be proximate to the shared property boundary with no.140 Rock Road.
- 7.38. The infill house would be sited 4700mm from the western gable of no. 138 Rock Road on the street frontage and 2900mm from the shared property boundary with no. 140 Rock Road. It is noted that no.140 Rock Road is constructed tight with the property boundary with no.138 Rock Road.
- 7.39. The applicant has clarified that the proximity of no. 140 Rock Road to the shared property boundary is a legacy of infill development between the eastern gable of no. 140 Rock Road and the property boundary with no.138 Rock Road.
- 7.40. Section 11.4.1.2 Policy HER8 (Protected Structures) Paragraph (viii) mandates the protection of the curtilage of protected structures and to refuse planning permission for inappropriate development within the curtilage and attendant grounds that would adversely impact on the special character of the protected structure.
- 7.41. The conservation officer's opinion in the matter of refusal of planning permission is that the range of materials / finishes together with the composition proposed is not contextually appropriate competing with the protected structures.
- 7.42. I consider that the positioning of the infill house within the curtilage of no. 138 Rock Road and its physicality are the key determinants in assessing the potential adverse

impacts on the existing house and its setting at no. 138 Rock Road and the adjoining protected structure at no. 140 Rock Road. These matters are interrogated below.

Architectural Heritage Protection Guidelines (2004).

7.43. The conservation officer further to Policy Objective HER 8 cites relevant extracts from the Architectural Heritage Protection Guidelines (2004) including Section 6.86 (the planning authority should discourage the infilling of gardens, lanes or courtyards of architectural and historical interest), Section 6.8.7 (development should not be permitted where the planning authority considers that additions would seriously compromise the architectural significance of a protected structure and its setting) and Section 15.5.2 (the relationship between the protected structure and the street should not be damaged / new works should not adversely impact on views of the principal elevations).

7.44. I note the relevant provisions of the Architectural Heritage Protection Guidelines (2004). I considered that the heritage provisions of the development plan and the guidance provided by the Architectural Heritage Protection Guidelines must be read within the overall policy context provided by the development plan, which supports urban consolidation.

Corner / Side Garden Site Criteria

7.45. Section 12.3.7.5 (Corner/Side Garden Sites) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 refers to the sub-division of the curtilage of an existing dwelling house to provide an additional residential unit within a built-up area.

7.46. The guidance criteria for infill development on corner sites *inter alia* include an assessment of the size, design, layout, relationship with the existing dwellings and immediately adjacent properties and the impact of the proposal on existing amenities.

*Relationship with existing dwellings*

7.47. The conservation officer states that there is insufficient separation distance between the development and the existing protected structures to afford either a suitable amenity, setting, or space to allow them to remain set pieces in their own right and to allow any successful integration.

- 7.48. The conservation officer is of the opinion that the infill house would depreciate the spatial context visually detracting from the setting of the protected structures framing the development site and damage their integrity.
- 7.49. The development site comprises an irregular shaped plot that tapers inward from the street frontage. The street frontage is the widest extent of the development site. The width of the street frontage on the Rock Road is given as 18.6m. The main facade of infill house would be set back from the Rock Road front property boundary by 14.5m.
- 7.50. The principle of the development of an infill house between nos. 138 & 140 Rock Road has been established by a prior grant of planning permission. However, the location on site, scale, height, massing and finish of the infill house did not form part of the previous planning assessment.
- 7.51. I note the minimum separation distance between the proposed infill house of 2600mm with no. 138 Rock Road and 1400mm with the shared property boundary with no. 140 Rock Road.
- 7.52. I consider that the minimum separation distances are modest. However, the funnel shape of the site opening outward toward the front property boundary creates a significant open context within the streetscape to successfully frame the infill house and to differentiate it spatially from the adjoining properties.
- 7.53. I have conducted a detailed site visit. I have visually assessed the spatial gap between nos. 138 & 140 Rock Road with reference to the submitted drawings. I consider that an infill house can be accommodated. However, I have reservations in the matter of the physicality of the proposed infill house. These matters are interrogated below.

#### *Building line*

- 7.54. The infill house would follow the established suburban pattern of development comprising a detached house with a front and rear garden. The applicant claims that the location and disposition of the house on site echoes the organic relationships between the existing buildings on either side of the Rock Road noting the variation in the building lines of more southerly dwellings.
- 7.55. The applicant highlights the organic and somewhat dis-ordered arrangements of nos. 136, 138 & 140 Rock Road. The applicant claims that this “disordered” arrangement

contributes strongly to the physical charm, presence and character of these 3 existing buildings and the larger grouping they form on the Rock Road.

- 7.56. I note on the day of my site visit that the building line along this section of the Rock Road is not uniform. An indicative building line is clearly evident. However, it is nuanced and the houses on this stretch of the road are angled to their main frontage. I consider the informality of the building line is a characteristic of the streetscape.
- 7.57. The planning case officer considers that the siting of the infill house to the front of the parent dwelling on site is not considered appropriate. I do not concur with the planning case officer per se. I consider that the insertion of the proposed dwelling into the streetscape at an angle to the public road between the building lines of nos. 138 & 140 Rock Road is valid.
- 7.58. However, I consider that the scale, height and roof profile of the proposed infill house, given the limited separation distances between the man house at no. 138 Rock Road (2600mm) and the adjoining property at no. 140 Rock Road (1400mm) both protected structures, creates a dominant volume in the “space” between no. 138 & 140 Rock Road, which would be inconsistent with heritage objectives on the site.

*Scale, height, massing and roof profile*

- 7.59. Section 2.11.2.3 (Development within the Grounds of a Protected Structure) of the Dun Laoghaire-Rathdown County Development plan 2022-2028 *inter alia* states proposed development within the curtilage, attendant grounds, or in close proximity to a protected structure, has the potential to adversely affect its setting and amenity.
- 7.60. The overall guiding principle will be an insistence on high quality in both materials, and design, which both respects and complement the protected structure, and its setting. The conservation officer requests that the massing and material finish of the infill house be significantly amended in order to mitigate the impact on the receiving environment if a planning permission is granted.
- 7.61. The infill house would exhibit a 2-storey street elevation with a steep pitch roof profile. The ground floor of the infill house would be treated as a raised basement partly screened by forecourt walls to the front of the building.

- 7.62. The front facade would be characterised by a prominent external staircase alighting at first floor level signalled by a projecting entrance canopy. Furthermore, the building would cantilever above the ground floor exhibiting a north-eastern corner projection of the first-floor footprint.
- 7.63. The side elevations would exhibit angled projections and a two-storey flat roof projection on the west elevation (boundary with no. 140 Rock Road) open at ground floor level. The three-storey rear elevation would exhibit a three storey rear projection, internal garden stairs (expressed as a curvilinear form at ground level) and a first floor partly enclosed balcony.
- 7.64. The conservation officer in the event of a grant of permission promotes a small scale, simple unassuming dwelling, devoid of grand architectural components and details taking reference from a garden structure, which would minimise impacts.
- 7.65. The planning case officer highlights significant concern in the matter of the elevation design of the proposed infill house stating that the building is over complicated by reason of the projections and angles, finishes and roof profile of the proposed dwelling. I note these concerns.

*Example of infill development in the vicinity cited by the appellant*

- 7.66. The appellant cites the proximate comparable example at “Summerville”, 21 Cross Avenue, Booterstown, Co. Dublin, A94K1VO (A protected Structure), permitted under Reg. Ref: PL. Reference D22A/0325, for a two-storey contemporary infill development.
- 7.67. The infill house is constructed in the side garden of “Summerville”, a protected structure, the site carved from the historic curtilage of the main house. The photographic record accompanying this assessment includes photographs of the infill building cited by the appellant.
- 7.68. I note the scale, footprint and location of the infill house. The position of the infill house represents a generous separation distance from the existing house on site. I also note that the subject dwelling is predominantly 2-storey with a flat roof profile and is differentiated from the existing building stock by its contemporary design.

- 7.69. It is not within the scope of this assessment to redesign the development proposal. However, I acknowledge the positive characteristics of the cited infill house on Cross Avenue including its two storey height, flat roof profile and contemporary design.

*Modification of the infill house design*

- 7.70. I do not disagree with the summation of the overall design of the proposal as over complicated and dominant. However, I consider that the dominance and visual discordance of the infill house as presently designed can be significantly mitigated by modification.
- 7.71. I consider that the removal of the second floor and mansard style roof would significantly reduce the volume of the infill house in the gap between the protected structures *inter alia* in terms of scale, height, bulk and roof profile.
- 7.72. I further consider that a flat roof profile as evidenced at the appellant cited infill house on Cross Avenue would be a more appropriate building design given the sensitivity of the receiving environment located between two protected structures.
- 7.73. I am of the opinion that the modified building would not compete with the protected structures adjoining being subservient in terms of building scale, elevation frontage, bulk, height and massing.
- 7.74. The modification of the development to omit the second floor in its entirety and replace the mansard style roof with a flat roof can be dealt with by way of condition if a positive recommendation is recorded.

*Material finish*

- 7.75. The applicant proposed a contemporary design solution to the infill of the development site. I consider the contemporary design approach valid.
- 7.76. I note Section 12.11.2.3 (Development within the Grounds of a Protected Structure) the overall guiding principle will be an insistence on high quality in both materials, and design, which both respects and complement the protected structure and its setting.
- 7.77. The appellant states that the proposed palette of material finishes comprising clay brick, granite, weathered zinc and weathered timber are considered sympathetic materials and reflect the character, colour textures and materiality of nos. 138 & 140 Rock Road.

7.78. I consider the material palette proposed by the appellant appropriate given the objective to differentiate the infill house from the historic building stock adjoining. The detail of the elevation finishes can be regulated, given the sensitivities of the site, by way of condition if a positive recommendation is recorded.

Internal configuration and room space standards

7.79. In the matters of the residential amenity of future occupiers, I consider in general the proposal would satisfy standards for new houses and that the development would provide a reasonable standard of accommodation on site.

7.80. I note that the access from the ground floor to the first floor within the substantive footprint of the ground and first floor would appear to be solely by lift access.

Residential amenities of adjoining properties

7.81. The rear elevation of the infill house would fenestrate south over the proposed dedicated rear garden carved out of the substantial grounds of the main house at no. 138 Rock Road, as such, there would be no direct overlooking of neighbouring properties.

7.82. I note side elevation windows at first floor level in both the eastern and western elevations.

7.83. The west facing elevation of the existing house on site exhibits a blank gable. Therefore, there would be no conflict between opposing windows arising from the east elevation side fenestration. Furthermore, in terms of overlooking the position of the existing gable of no. 138 Rock Road would screen the rear amenity space of the existing house.

7.84. The western elevation openings appear to be of glass block construction. The openings would light a hall (which has access to alternative fenestration) and an ancillary space.

7.85. Notwithstanding the screening provided by the mature planting along the shared property boundary with no. 140 Rock Road, I consider that the proximity of the openings in the western side elevation to the property boundary would warrant their removal if a positive recommendation is recorded. This can be dealt with by way of condition.



- 7.86. Although I consider that there would be no direct overlooking arising from the rear window openings given their orientation. I would concur with the planning case officer that the proposed external balcony on the rear elevation at first floor level would lead to the undue overlooking of the private amenity area of the existing house on site.
- 7.87. The omission of the balcony can be dealt with by way of condition if a positive recommendation is recorded.

#### Open Space

- 7.88. The rear garden would be greater than 15m in length and would have a width of approximately 8m (approximately 125 sqm.). I consider that the south facing rear garden would satisfy quantitative and qualitative open space standards. The truncated rear garden of no. 138 Rock Road would remain substantial.

#### Car parking

- 7.89. The applicant proposes to use the existing dedicated vehicular access to the site from the Rock Road granted under the previous permission (Board Order ABP-305427-19) and to provide an extensive in-curtilage car parking area to the front of the infill house comprising 3 car parking spaces.
- 7.90. The Transport Planning Division of the planning authority cite SPPR3 (Car Parking) of the Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities (2024). The Division consider that a maximum parking provision of 1 number car parking space is appropriate for the proposed new house at this location.
- 7.91. The Division recommend the in-curtilage front garden parking spaces should be reduced from 3 to 1 car parking space and the excess area should be landscaped. The size of the proposed driveway / parking / hardstanding area should not significantly exceed the minimum car parking space length of 5.5m dept and minimum width of 3m.
- 7.92. The appellant has appended an extract from the planners report at 21 Cross Avenue (Reg. Ref: PL. Reference D22A/0325) highlighting compliance with Table 12.5 (car parking standards and zones) of the Dun Laoghaire-Rathdown County Development

Plan 2022-2028 in the provision of 2 car parking spaces as required for a dwelling house with 3 or more bedrooms in zone 2.

- 7.93. I note the development plan car parking requirement in Zone 2. However, SPPR 3 of the Sustainable Residential Development and Compact Growth Guidelines for Planning Authorities, Section (i) states:

*In city centres and urban neighbourhoods of the five cities, defined in Chapter 3 (Table 3.1 and Table 3.2) car-parking provision should be minimised, substantially reduced or wholly eliminated. The maximum rate of car parking provision for residential development at these locations, where such provision is justified to the satisfaction of the planning authority, shall be 1 no. space per dwelling.*

- 7.94. I concur with the Transport Planning Division of the planning authority that the excessive in-curtilage parking should be omitted from the development given the accessible suburban location of the development proximate to frequent public transport and the requirement of the Guidelines to minimise car parking provision within city urban neighbourhoods.

- 7.95. The reduction in the in-curtilage car park provision to one car parking space can be dealt with by way of condition.

#### *Other Matters*

- 7.96. The applicant notes that a small number of semi-mature trees are scheduled for removal. The Parks Division of the planning authority has no objection to the proposed development. However, it is noted that there are several existing trees on site and specifically along the western boundary. The applicant has clarified that the mature trees to the front of the site along the northern boundary will be fully retained.
- 7.97. The Parks Division require clarification of the existing tree cover on site and the submission of a comprehensive Arboricultural survey and method statement. I consider the requirement reasonable. This matter can be dealt with by way of condition.

### *Conclusion*

- 7.98. I conclude that the principle of development in the side garden of no. 138 Rock Road is acceptable.
- 7.99. The previous planning application provided for the subdivision of the curtilage of no. 138 Rock Road, a protected structure. However the grant of permission did not determine the location and physicality of an infill house.
- 7.100. The receiving environment is a sensitive infill site given the protected status of the adjoining houses and their settings at nos. 138 Rock Road and 140 Rock Road
- 7.101. I consider that the applicant has successfully positioned the infill house within the development site. Furthermore, I consider both spatially and by reason of a contemporary design solution that the new infill house would successfully differentiate itself from the adjoining houses in the streetscape.
- 7.102. However, the overall design of the proposal is over complicated and dominant. I consider that the scale, height and roof profile of the proposed infill house, given the limited separation distances between the main house at no. 138 Rock Road (2600mm) and the adjoining house at no. 140 Rock Road (1400mm) both protected structures, creates a dominant volume in the “space” between no. 138 & 140 Rock Road, which would be inconsistent with heritage objectives on the site.
- 7.103. I conclude that the proposed infill house in terms of its scale, height, bulk and roof design would warrant a refusal of planning permission given site sensitivities. However, significant mitigation of the impact of the proposal on the receiving environment can be achieved by the removal of the second floor and the replacement of the mansard style roof with a flat roof.
- 7.104. An alternative option for the Board is a grant of planning permission subject to condition. I detail a grant of permission below, which provides for the modification of the development proposal.
- 7.105. **Appropriate Assessment Screening**
- I have considered the proposed development in-light of the requirements S177U of the Planning and Development Act 2000 (as amended).

The subject site is located within an established urban area and is connected to piped services. The development is proximate to a European Site(s). However, no direct pathways to the European site are evident.

The proposed development comprises the construction of an infill dwelling house as set out in Section 2.0 of this report.

No significant nature conservation concerns were raised in the planning appeal.

Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because it could not have any effect on a European Site given the small-scale nature of the development.

I conclude 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.

7.106. Likely significant effects are excluded and therefore Appropriate Assessment (under Section 177V of the Planning and Development Act 2000) is not required.

## **8.0 Recommendation**

8.1. I recommend a grant of permission subject to condition having regard to the reasons and considerations stated below.

## **9.0 Reasons and Considerations**

Having regard to the grounds of appeal, the residential zoning objective, which seeks to provide residential development and improve residential amenities while protecting the existing residential amenities, the policy framework provided by the Dun Laoghaire-Rathdown County Development Plan 2022-2028, including the record of protected structures of which nos. 138 & 140 Rock Road form part, It is considered subject to compliance with the attached conditions that the proposed development of an infill house would not adversely impact on the special character of the protected structures, would be consistent with Policy HER8 (protected

structures), Section 12.3.7.5 (Corner/Side Garden Sites) and Section 12.11.2.3 (Development within the Grounds of a Protected Structure) of the Dun Laoghaire-Rathdown County Development Plan 2022-2028 and, as such, would be consistent with the proper planning and sustainable development of the area.

## 10.0 Conditions

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| 1. | <p>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, 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><b>Reason:</b> In the interest of clarity.</p>  |
| 2. | <p>Prior to the commencement of development the developer is requested to submit for the written agreement of the Planning Authority revised elevation and section drawings and floor plans providing for the following modifications:</p> <ul style="list-style-type: none"> <li>(i) The second floor shall be omitted in its entirety from the development. The mansard style roof shall be replaced with a flat roof.</li> <li>(ii) The first floor window openings in the west elevation shall be omitted from the development.</li> <li>(iii) The first floor rear elevation balcony shall be omitted from the development and the viewing area incorporated internally within the floor plan providing for standard fenestration.</li> </ul> <p><b>Reason:</b> In the interest of residential and visual amenity and in order to protect the integrity of the setting of the protected structures at nos. 138 (St. Michael's) and 140 ('Glena') Rock Road.</p> |

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| 3. | <p>The stone from the existing subdivision wall between the front and rear Garden of no. 138 Rock Road, which is to be demolished in order to facilitate the construction of an infill house on site, shall be reused in the completion of new site boundaries.</p> <p><b>Reason:</b> In the interests of visual amenity and in order to protect the integrity of the setting of the protected structure at (St. Michael's) no. 138 Rock Road.</p>   |
| 4. | <p>Prior to the commencement of development, the applicant shall submit a revised site plan for the written agreement of the planning authority in compliance with the recommendation of the Transportation Planning Division of the Planning Authority to reduce the in-curtilage front garden car parking area to one car parking space only and to replace the excess parking area with appropriate landscaping.</p> <p><b>Reason:</b> In order to clarify the scope of the permission and in compliance with SPPR3 of the Sustainable Residential Development and Compact Growth Guidelines.</p>   |
| 5. | <p>Prior to the commencement of development the applicant shall submit for the written agreement of the planning authority a comprehensive Arboricultural Survey (including tables laying out standard information on the trees surveyed) comprising a detailed written document along with detailed drawings and plans (at a scale of 1: 200 / 250) categorising all trees on site including root protection areas, evaluating Arboricultural impacts and showing tree protection areas in accordance with BS 5837:2012 / Trees in relation to design, demolition and construction, and an Arboricultural Method Statement.</p> <p><b>Reason:</b> To protect trees and planting during the construction period in the interest of visual amenity.</p> |
| 6. | <p>The developer shall enter into water and wastewater connection agreements with Irish Water.</p> <p><b>Reason:</b> In the interest of public health.</p>   |
| 7. | <p>Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.</p>   |

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|     | <b>Reason:</b> In the interest of public health.   |
| 8.  | <p>Details of 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><b>Reason:</b> In the interest of visual amenity and in order to protect the special character and appearance of the adjoining protected structures at nos. 138 &amp; 140 Rock Road.</p>  |
| 9.  | <p>Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 800 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.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>   |
| 10. | <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 and Development Act 2000. 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 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 the Board to determine the proper application of the terms of the Scheme.</p> <p><b>Reason:</b> It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the</p> |

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|  | Development Contribution Scheme made under section 48 of the Act be applied to the permission. |
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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.

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Anthony Abbott King  
Planning Inspector

12 February 2025



## Form 2

### EIA Preliminary Examination

|   |  |                  |
|---|--|------------------|
| <b>An Bord Pleanála Case Reference Number</b>   | <b>ABP- 321063-24</b>  |                  |
| <b>Proposed Development Summary</b>   | Infill Residential Unit  |                  |
| <b>Development Address</b>  | No. 138 Rock Road, Booterstown   |                  |
| <p><b>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.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>       |  |                  |
| <p><b>Characteristics of proposed development</b><br/>(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).</p>   | <p>The development would have a modest footprint (80 sqm.) and would not require demolition works comprising the development of a side garden of an existing dwelling house.</p>   |                  |
| <p><b>Location of development</b><br/>(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>It is noted that the development is located proximate to a European Site (30m), however, the proposal is small scale in nature is located on residential lands within an established suburban area on piped services.</p>                             |                  |
| <p><b>Types and characteristics of potential impacts</b><br/>(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>  | <p>Having regard to the modest nature of the proposed development, its mature suburban location and absence of in combination effects, there is no potential for significant effects on the environmental factors listed in section 171A of the Act.</p> |                  |
| <b>Conclusion</b>   |  |                  |
| <b>Likelihood of Significant Effects</b>  | <b>Conclusion in respect of EIA</b>  | <b>Yes or No</b> |
| 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.  | No               |

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| There is a real likelihood of significant effects on the environment. | EIAR required. | No |
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Inspector:  
Date: \_\_\_\_\_

DP/ADP: \_\_\_\_\_ Date: \_\_\_\_\_  
(only where Schedule 7A information or EIAR required)