



An
Bord
Pleanála

Inspector's Report

ABP-321149-24

Development	Renovation and extension of dwelling with all ancillary internal and external works.
Location	Kedleston, 60 Inchicore Road, Kilmainham, Dublin 8, D08 T3C1
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	3671/24
Applicant(s)	Caroga Ltd
Type of Application	Planning permission
Planning Authority Decision	Grant permission subject to 15no. conditions
Type of Appeal	Third Party
Appellant(s)	Michael Carty
Observer(s)	Annette Clancy Angela Rolfe on behalf of Inchicore Road Residents Group Trish Murphy on behalf of Rosemount Court Management Committee

Irish Georgian Society

Oliver Durrant

Ross Hamer

Rory Lonergan

Dermot Dix and Pamela Dix

Eilis O'Connor

An Taisce

Cora Carbajo and Ronan O'Connor

Date of Site Inspection

05th February 2025

Inspector

Sarah O'Mahony

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1.0 Site Location and Description

- 1.1. The 0.1ha site comprises a detached two-storey dwelling situated in Kilmainham, west of Dublin city centre and 600m west of Heuston train station compound. The Dublin-Cork railway tracks are situated immediately adjacent the northern boundary of the site. Kilmainham Gaol is situated 140m southeast of the site. The dwelling is named 'Kedleston' and also has an address referred to as 60 Inchicore Road. Access is provided from the R839 Inchicore Road to the south while the R148 Chapelizod Bypass/Con Colbert Road is situated north of the railway tracks.
- 1.2. Adjacent land to both the east and west is in residential use with a three-storey apartment building to the east and some two and three storey terraced dwellings to the west. The dwelling on the site is set back 30m from the road with its own narrow vehicular driveway along the eastern boundary. To the west of the driveway and southwest of the dwelling lies Kilmainham Congregational Church which is recorded on the Dublin City Record of Protected Structures (ref 3988) and which is now in residential use. The church is positioned slightly in front of the subject dwelling with a 6m separation distance between both buildings. The northern elevation of the church forms the formal property boundary between it and the open space to the west of the dwelling however there is a hedgerow also present which provides some limited separation to the rear of the church.
- 1.3. The private open space associated with the dwelling is situated to the west and north (side and rear) of the dwelling. There is a vegetated buffer at the north between the rear garden boundary and the railway embankment. The railway track itself is situated 2-3m below the surrounding ground level.

2.0 Proposed Development

- 2.1. Planning permission is sought for development which comprises the following:
 - Alterations to existing 157.3m² dwelling comprising:
 - omission of 2 no. windows at first-floor level at the southern (front) elevation to provide 1 no. larger window, enlarging 2 no. windows along the western elevation at ground and first floor levels and replacement of all with PVC/aluminium windows;

- alterations to the roof profile inclusive of the removal of 3 no. chimneys and addition of a small apex to the front of the structure;
- external insulation to be fixed to the exterior walls and new materials to comprise proprietary self-coloured render/sand cement or selected brick;
- 268.78m² extension of the dwelling to include two-storey rear extension and single storey side extension with associated reconfiguration of the internal layout of the structure. The proposed works will increase the number of bedrooms from 4 no. to 6 no;
- alterations to front boundary treatment inclusive of widening the existing shared (vehicular and pedestrian) entrance to 3 metres and provision of a sliding gate and replacement of boundary wall with railings;
- construction of a shared surface to provide 2 no. car parking spaces, bicycle parking and a bin shed with 6.38 sq. internal floor area; and
- all ancillary works inclusive of landscaping and boundary treatments necessary to facilitate the development.

3.0 Planning Authority Decision

3.1. Further Information

3.1.1. 3no. items of further information were sought as follows:

- Design alterations to respect the integrity and dominance of the existing dwelling, reduce impacts to the protected structure and protect neighbouring residential amenity including revising the width of the two storey extension, retain the chimneys, revise the external insulation on the rear elevation, revise the proposed materials for the windows – PVC or aluminium was considered inappropriate and timber was suggested in the request, and omit the proposal to amalgamate two windows on the front elevation and associated insertion of a mini-gable;
- Submit boundary treatment details;
- Submit a daylight, sunlight and shadow analysis to demonstrate impacts to the apartment block to the east, and

- Submit an Archaeological Impact Assessment (AIA).

3.1.2. The Applicant submitted boundary proposals as part of the further information response as well as the daylight, sunlight and shadow analysis assessment. The Applicant suggested carrying out the AIA prior to the commencement of development by means of a compliance condition which the Planning Authority agreed to. With regard to the design changes, the rear extension was reduced, the proposed amalgamation of windows and mini-gable were omitted and a wet dash was proposed to be applied as a final finish to the external insulation all in compliance with the request. The response still proposed removal of the chimneys and provision of PVC windows however while also suggesting that the Applicant would accept a condition to provide AluClad windows in the event the Local Authority disagreed with the PVC.

3.2. **Decision**

3.2.1. A notification of decision to GRANT permission was issued by Dublin City Council on 30th September 2024 subject to 15 no. conditions including conditions requiring the structure to be inhabited as one single dwelling unit, that flat roofs will not be used as balconies or terraces and that windows of both the existing and proposed structures shall be finished with AluClad material. An archaeological impact assessment is also required due to the proximity of the site to the adjacent church.

3.3. **Planning Authority Reports**

3.3.1. Planning Reports

- The Planners report recommendation to grant permission is consistent with the notification of decision which issued.
- Following receipt of the further information response, the report considered that the development was acceptable and that the proposal would not have a significant or adverse visual impact on the surrounding area or the adjacent protected structure.
- Appropriate Assessment (AA) issues are screened out however the report did not consider Environmental Impact Assessment issues.

3.3.2. Other Technical Reports

- **Transportation Planning:** A report is received which notes that the proposed entrance alterations would not impact on the existing street tree and the entrance would be within the permitted widths.
- **Drainage Division:** A report is received which states no objection to the proposal subject to standard conditions regarding compliance with codes of practice and utilisation of SUDs.
- **Conservation Officer:** Two reports are received and I note the latter, following receipt of the further information response, is critical of the lack of heritage expertise with recognised RIAI qualifications and disagrees with some of the conclusions drawn in the Applicant's further information response. The report emphasises that retention of the chimneys is a more appropriate and sensitive approach and considers that the application of external insulation and sand render to the building would have a serious injurious impact on the special character of the building and setting of the adjacent protected structure. Finally, the report maintains that timber window frames would be the most appropriate and that the photographs submitted by the Applicant of PVC windows in neighbouring buildings supports the argument that the material is inappropriate. I also note in the earlier report at the application stage that a recommendation is made to retain as much of the roadside boundary wall as possible and that works to widen the entrance should only comprise relocating the eastern pillar which should be carefully carried out in accordance with best conservation practice.
- **Archaeology Section:** Two reports are received and I note the latter, following receipt of the further information response, outlines how the Applicant failed to respond to the request to submit an AIA. It outlines concerns about the possible archaeological impact due to the widespread ground level reduction proposed. It concludes by recommending that archaeological testing should be carried out prior to the commencement of development.

3.4. Prescribed Bodies

- **Iarnród Éireann:** Submission received highlighting dangers of working adjacent to railway lines and the obligations of same under the Railway Safety Act 2005. The submission also suggests conditions such as retaining the existing boundary

between the site and the railway, maintaining a buffer zone of 4m, ensuring no overhang occurs and no deciduous trees are planted adjacent that boundary due to the danger fallen leaves can create.

- An Taisce: Submission received welcoming the retention and renovation of the existing dwelling but objecting to the proposed extension on the grounds of the visual impact to the setting and character of the adjacent church.
- A referral was also sent to the Department of Housing, Local Government and Heritage who did not respond.

3.5. Third Party Observations

3.5.1. 16 no. observations were received from the following all objecting to the proposed development. Some objections also welcomed renovation of the dwelling but as outlined below, also raised concerns regarding the extent of works proposed.

1. Karol O'Mahony
2. Ross Hamer
3. Denis Conway and Elaine Sisson
4. Miceal Murray
5. Michael Carty
6. Pamela Dix
7. Dr. Annette Clancy
8. Rosemount Management Committee
9. Anegla Rolfe on behalf of Inchicore Road Residents Group
10. Mitch Lindsay
11. The New Kilmainham Historical Society
12. Oliver Durrant
13. Rory Lonergan
14. Cora Corbajo and Ronan O'Connor
15. Dermot Dix

3.5.2. The observations raised the following concerns:

- Impact to the adjacent church and historical character of the area,
- Impact to character of existing dwelling, lack of upkeep,
- Overshadowing impact to Rosemount Court apartments to the east,
- Misleading drawings and lack of documentation including an Architectural Heritage Impact Assessment,
- Impact to bats which may inhabit the area, lack of Ecological Impact Assessment,
- Pattern of planning history – proposal does not address previous refusals,
- Scale of the proposed extension dominates existing dwelling and facilitates overlooking and overshadowing, poor quality materials and finishes proposed,
- Construction stage impacts including damage to adjacent property,
- Contravention of Dublin City Development Plan 2022- 2028,
- Climate impacts and sustainability,
- Gated development style is inappropriate for single family home and contravenes principles of permeability, proposed development has been designed for multi-occupancy and/or institutional residence rather than a family home,
- Previous removal of trees on the site negatively affected the historical setting of the area,
- Increased risk and hazard to road users, particularly cyclists, restricted sightlines,
- Non-compliance with building regulations.

4.0 Planning History

- DCC ref.: 2223/21, ABP ref.: 310135-21: Planning permission sought to demolish an existing two-storey detached dwelling and construct a terrace of five number three bedroom three-storey houses with single storey extensions to the rear on the two number end of terrace houses, together with bin store, bike rack and new entrance wall and railings, including widening of the existing vehicular

access/entrance, six number car park spaces, landscaping and all ancillary site works. Permission was REFUSED for two reasons as follows:

1. Having regard to the policies and objectives of the Dublin City Council Development Plan 2016-2022; the proximity of the proposed development to the Protected Structure, and the design, form, height, siting and materials of the proposed development, it is considered that the proposed development would be unsympathetic to the character of the Protected Structure, its historic curtilage and its setting, and would seriously injure the amenity, legibility and special architectural character of the Protected Structure and its historic and architectural setting. Furthermore, the proposed development would result in an unacceptable level of overlooking into the northern elevation of this Protected Structure and would be contrary to Policy CHC2 of the Dublin City Development Plan 2016-2022 and contrary to the proper planning and sustainable development of the area.
 2. The proposed development of five houses on this site, due to the insufficient private amenity space to cater for this development would represent overdevelopment of this site and would seriously injure the residential amenities of the future occupants of the houses and would be contrary to the proper planning and sustainable development of the area.
- DCC ref.: 5089/22, ABP ref.: 315608-23: Planning permission sought for (i) demolition of the existing two-storey dwellinghouse (157.5m²) on the site, and (ii) development of a residential scheme, totalling four number residential houses (comprising four number three bed, three-storey houses). The development will be served by 18 number bicycle parking spaces to be provided at surface level and five number car parking spaces (including one number mobility impaired user parking space). (iii) Associated site and infrastructural works are also proposed, which include: foul and surface water drainage, landscaping, boundary treatments, electric gate at site entrance and all as associated site development works necessary to facilitate the development. Permission was REFUSED for two reasons as follows:
 1. The proposed development, by reason of its proximity to the Protected Structure Kilmainham Congregational Church, and by reason of its design,

form, height, siting, and materials, is unsympathetic to the character of the Protected Structure, its historic curtilage and its setting. The development as proposed would seriously injure the amenity, legibility and special architectural character of the Protected Structure and its historic and architectural setting. Furthermore, the proposed development would result in an unacceptable level of overlooking into the northern elevation of this Protected Structure and would appear overbearing. The development as proposed would be contrary to Chapter 11, BHA 2, Development of protected structures and Chapter 15, Section 15.13.4, Backland Housing of the Dublin City Development Plan 2022-2028 and would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The characterful 20th Century house (Kedleston) makes a positive contribution to the special historic and architectural character of the area. The demolition of this structure would have an adverse impact on the historic and architectural character, setting and context of the area and the Protected Structure and would fail to retain and re-use a building that is of historic interest. The development would, therefore, be contrary to Chapter 11, Policy BHA11, Rehabilitation and Reuse of Existing Older Buildings, and Chapter 15, Section 15.15.24, Retention and Reuse of Older Buildings of Significance which are not protected, of the Dublin City Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.

- Enforcement case ref. E0879/20 regarding parking commercial vehicles and demolition of pillars and wall. Case closed.
- Endangered building ref. C0010/21 – The Local Authority Case Planner's report states this file was open at the time of writing.

5.0 Policy Context

5.1. Development Plan

- 5.1.1. The site is governed by the policies and provisions contained in the Dublin City Development Plan 2022-2028 (referred to hereafter as the CDP). The site is zoned

Z1 for Sustainable Residential Neighbourhoods use where the objective is *to protect, provide and improve residential amenities*.

- 5.1.2. Policy BHA2 refers to the development of protected structures and their curtilage and seeks to ensure such structures are protected from works which would negatively impact their special character and appearance. Specifically, Part (d) is noted as follows:

“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.”

- 5.1.3. Appendix 16 provides direction and clarity on the required technical approach to carry out sunlight and daylight assessments. It also contains information on what standards are appropriate and what information should be contained in daylight and sunlight reports to enable the planning authority to complete a robust assessment of potential impacts and mitigation measures.

- 5.1.4. Appendix 18 refers to ancillary residential development and states that extensions to existing dwellings should not dominate the existing building and should normally be of an overall scale and size to harmonise with the existing house and adjoining buildings. It also states that appropriate separation distances should be applied to avoid any overbearing effect between neighbouring dwellings but specifically states that the requirement for a 22m separation distance may not be required.

5.2. Sustainable Residential Development and Compact Settlement Guidelines

- 5.2.1. The guidelines, hereafter referred to as the Compact Settlement Guidelines, set out a context to create higher density settlements to underpin sustainable development principles. Specific Planning Policy Requirements (SPPRs) are set out including SPPR 1 which refers to minimum standards for separation distances between residential units and opposing windows in habitable rooms.

5.3. Architectural Heritage Protection Guidelines for Planning Authorities

- 5.3.1. Part 2 of the Guidelines contain detailed guidance to support Planning Authorities and Developers when a protected structure, a proposed protected structure or the exterior of a building within an ACA is the subject of development proposals. It includes conservation principles, specifications of repair works and a guide on how to consider proposals for a range of architectural features including ironmongery, stonework, roofs and windows etc. It also provides advice regarding shopfronts, attendant grounds and the curtilage of historic buildings. Lastly, it sets out guidance regarding improvements such as following a major disaster or fire, general enabling and temporary works and improving access.

5.4. Natural Heritage Designations

- 5.4.1. The Grand Canal proposed Natural Heritage Area (pNHA) is situated 600m south of the site. The site is also situated 6.6km west of South Dublin Bay Special Area of Conservation and pNHA and South Dublin Bay and River Tolka Estuary Special Protection Area.

5.5. Built Heritage

- 5.5.1. The site is situated adjacent to a former church titled the Kilmainham Congregational Church, dating from 1790-1810 and which is recorded on the Record of Protected Structures (RPS) ref no. 3988 and the National Inventory of Architectural Heritage (NIAH) ref no. 50080043). The NIAH record provides the following description and appraisal of the building:

- Description: *Detached three-bay single-storey former Congregational chapel, built c.1800, now in use as house. Hipped slate roof, cast-iron rainwater goods. Rendered walls. Round-headed window openings to front (south) elevation, having timber sash windows with timber Y-tracery, and cut granite sills. Fixed timber-framed Y-tracery windows to east elevation. Elliptical-headed door opening to east elevation, having double-leaf timbered panelled door, flanked by carved stone engaged colonettes supporting cornice. Freestanding sign to south, with painted lettering and wrought-iron frame. Garden to front, with granite steps to footpath leading to double-*

leaf wrought-iron pedestrian gate, flanked by red brick piers, rendered boundary walls with wrought-iron railings.

- Appraisal: *This church is identified as a 'Meeting House' on the first edition Ordnance Survey map of 1837, and as a 'Congregational Church' on the 1907 Ordnance Survey map. The church has retained its early form, and has recently been sensitively renovated as a house, and was awarded second place in the Irish Georgian Society Conservation Awards, 2010. The church retains much of its early character, with attractive features such as early tracery windows, granite steps, railings and gates, all adding texture and variety to what is otherwise a plain building. This well-built and plainly detailed church is typical of the Dissenter aesthetic. It served as a chapel for a community of Welsh railway workers. Situated north of Inchicore Road, the church is one of the earlier buildings in the area, to the west of Kilmainham Gaol, constructed 1796.*

5.5.2. The site is situated within the Zone of Archaeological Constraint for the Recorded Monument DU018-020 (Historic City), which is listed on the Record of Monuments and Places (RMP). The site is also situated within a Zone of Archaeological Interest in the Dublin City Development Plan with the same reference number of DU018-020.

5.6. EIA Screening

5.6.1. The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended. No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

6.0 The Appeal

6.1. Grounds of Appeal

One appeal was received from Michael Carty and family objecting to the proposed development on the following grounds:

- Impact to internal light in the adjacent church. This concern is centred around the simplistic form and fittings of the original structure, reflecting the reformist ethos of

the religion practised within. The appeal states that the large windows and high levels of natural light are a key feature of the building. It suggests that the aspect, outlook and 'internal calmness' would be impacted by the extension while the proposed line of pleached trees to be situated along the northern elevation for privacy would impact internal light.

- Impact to the exterior setting of the church. The appeal suggests that the church has no primary elevation and therefore the north and south elevations should have equal bearing. It also suggests in this context that the open space to the north which forms part of the Kedleston property is still part of the attendant grounds of the church, maintaining the open setting for light, ventilation and aspect.
- The Daylight and Sunlight Analysis did not take account of the proposed pleached trees. The appeal submits that section G1.1 of Appendix G of the BRE Guidelines states 'However very little light can penetrate dense belts of evergreen trees and the shade they cause will be more like that of a building or wall.' And further highlights Section G3.2 which states 'Evergreen trees where no light can penetrate all year round should always be included as solid'. The appeal further provides calculations of achievable Visible Sky Component (VSC) in the church following establishment of a solid line of evergreen pleached trees and submits that the resulting VSC would not meet the BRE guidelines. It therefore concludes that the trees cannot be positioned there without materially impacting the interior of the protected structure and its occupants right to enjoy their home.
- Visual impact of proposed pleached tree screen on aspect and outlook from the church.
- Lack of Architectural Heritage Impact Assessment.
- Documentation errors and misleading data. It is suggested that the internal layout of the protected structure is misrepresented on the application drawings. Photographs and internal drawings of the church are provided.
- Inappropriate separation distances between the new extension and the church giving rise to overlooking which the proposed landscaping with pleached trees would not resolve. It is suggested that the principle of a 16m requirement set out in SPPR1 of the Compact Settlement Guidelines applies in this case and is not solely restricted

to above first floor opposing windows. Revised cross section drawings are submitted which it is suggested correctly illustrate the internal church layout.

- Lack of landscaping detail. Proposal is vague and lacks information regarding species, plant height, plant distance and season etc.
- Impact to the church and boundary walls to west and east of the existing driveway as a result of proposed ground reductions up to 1.6m in depth. Permission for underpinning or undercutting shared walls will not be forthcoming.
- Concern regarding proposed use and scale of proposed shed close to vehicular entrance and subsequent impact on the historical character and setting of the area.
- Proposed renovation of existing dwelling is inappropriate, would remove features of historical and architectural value adding to the character of the area. The proposed extension is dominant, out of proportion to the dwelling and does not comply with Section 16.10.12 of the Development Plan which states 'Extensions should be subordinate in terms of scale to the main unit.'

6.2. Applicant Response

- The proposed development complies with local guidance and would have no impact on the protected structure or visual amenity of the area, while also retaining the character of the existing structure on the site. The response suggests that the Appellants opinion is subjective and that the design has had sensitive considerations to the context of the site.
- The proposed development would be an improvement to the current scenario which has a car park and access road abutting the rear elevation of the former church. It also highlights how the first-floor bedrooms and garden in the former church have been in use since prior to conversion of the church to a residence.
- There are no specified minimum separation distances between opposing habitable rooms at ground floor and it is considered that the design is sufficient to prevent overlooking.
- The proposed landscaping, particularly the proposed pleached trees along the southern boundary of the open space/northern elevation of the church, will protect and retain residential amenity.

- Sunlight and daylight assessments do not typically take account of vegetation which could be removed or provided at any time. The response states that any tree removal would improve light levels entering the church. Further, it states that '*The Applicant is open to receiving a condition which specifies a specific tree species, if the Board are inclined.*'
- Suggests that the church and the site are separate structures, that the former is a protected structure while the latter is not subject to any such status and is also not situated within the curtilage of the protected structure.
- Any required underpinning or retaining walls will be designed at the construction stage.

6.3. **Planning Authority Response**

- Request to uphold the decision and in the event of a grant of permission, that Section 48 development contributions are applied.

6.4. **Observations**

6.4.1. 11 no. observations are received from the following:

1. An Taisce
2. The Irish Georgian Society
3. Annette Clancy
4. Angela Rolfe on behalf of Inchicore Road Residents Group
5. Trish Murphy on behalf of Rosemount Court Management Committee
6. Oliver Durrant
7. Ross Hamer
8. Rory Lonergan
9. Dermot Dix and Pamela Dix
10. Eilis O'Connor
11. Cora Carbajo and Ronan O'Connor

6.4.2. The observations oppose the proposed development for reasons summarised below. Some of the observations support and welcome the principle of renovating the existing dwelling but not with the extent of interventions currently proposed.

- Impact to the setting and character of the church and the historical character of the area. Potential impacts to the architectural, historical, cultural, scientific and social heritage aspects of the church.
- Lack of Architectural Heritage Impact Assessment.
- Impact to residential amenity by way of overlooking to the church property, resulting in devaluation.
- Impact to residential amenity in Rosemount Court apartments by way of loss of light and overshadowing and associated impacts to Occupants mental health.
- Scale of proposed extension is inappropriate and would dominate the existing dwelling. It is also out of proportion to the established pattern of development in the area.
- Impact to boundary walls and eastern elevation of church from driveway excavation.
- Impact to streetscape from alterations of vehicular entrance.
- Irresponsible previous removal of vegetation on the site.
- The proposed development would exacerbate existing traffic congestion and pose a risk to safety, particularly to cyclists.
- Intent to subdivide the site in future and concerns submitted regarding the justification for the development.
- Precedence of inappropriate development proposals set out in planning history.
- Inaccurate drawings and data.

7.0 Assessment

7.1. Introduction

7.1.1. The site is currently in residential use which would not change under the proposal development. It is also not proposed to increase the density or number of residential

units on the site, but simply to extend the existing dwelling, albeit with a large extension. The site is zoned Z1 for Sustainable Residential Neighbourhoods use where the objective is to protect, provide and improve residential amenities and in my opinion the principle of the proposed development meets this objective. A more in-depth analysis is made below of impacts on adjoining residential amenity however for the purposes of establishing the principle of development, I consider that the proposed development is acceptable and meets the requirements of the zoning objective.

7.1.2. Further to this, I note concerns raised in observations received to the appeal which question the justification or rationale for the proposed development and which also suggest that the property would be subdivided in the future. This appeal only assesses the proposal put forward by the Applicant and a justification is not required to extend an existing dwelling. Any later proposal to subdivide a dwelling into smaller units would require a separate grant of planning permission.

7.1.3. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal therefore are as follows:

- Alterations to dwelling
- Extension to dwelling
- Alterations to driveway
- Impact to architectural heritage
- Impact to residential amenity
- Archaeology

7.2. Alterations to dwelling

7.2.1. Permission is sought to carry out a number of alterations to the existing 1930s detached two-storey dwelling including removing 3no. chimney stacks, amalgamating two narrow windows on the front elevation into one larger window, providing a new central mini-gable on the front elevation, enlarging two narrow

windows on the side elevation, replacing all the fenestration with PVC or AluClad frames and providing external insulation to the entire building with a new layer of sand cement, replicating the existing quoins. A brick soldier course is also proposed externally to match that currently in place as the original would be obscured by the new external insulation.

- 7.2.2. Some changes were made following a further information request as concerns were raised by the Local Authority's Conservation Officer as well as third party submissions asserting that the proposed alterations would be detrimental to the character of the dwelling as well as to the historical character of the area. The changes include omitting the mini-gable and proposal to alter the narrow windows on the front elevation. Following this however the appeal and many of the observations still raise concerns that the proposed alterations are inappropriate and would detract from the original character of the dwelling. It is acknowledged that the dwelling is not protected or situated within a conservation area, however the southern side of the same street is located in a conservation area and there is also a protected structure situated adjacent to the site and which forms part of the boundary to the site. There is therefore a historical and attractive character to the site, street and area and the submissions contend that the works would detract from this.
- 7.2.3. I have also had regard to the second conservation officers report, prepared following receipt of the further information response, which again considers some of the proposed elements of works to be inappropriate.
- 7.2.4. I agree that removal of the chimneys is not acceptable and consider it would not be onerous to decommission them in order to improve the buildings energy rating while simultaneously retaining the stacks themselves to maintain the older character of the building. Similarly, I consider that the revised proposal outlined in the further information response to retain the narrow windows on the front elevation and to omit the mini-gable is appropriate. I have no objection to widening the two narrow windows on the western side elevation as they do not form the principle elevation and the scale and nature of the works would not detract from the character of the architecture.
- 7.2.5. With regard to finishes and materials, I agree with the Conservation Architect that timber frame windows would be most appropriate and that PVC would be

unacceptable. However, I consider that the Applicant's proposed solution of AluClad frames would be acceptable. I also do not object to the provision of external insulation subject to the same decorative finishes being applied again such as the moulded quoins and the brick banding. In my opinion a balance should be made between bringing the building back into use while retaining original features. In this case, as the dwelling is not subject to any architectural heritage designations, I consider that this proposed approach would still retain the character of the original dwelling and would not impact the surrounding more sensitive buildings and streetscape.

7.3. Extension to dwelling

- 7.3.1. It is proposed to extend the dwelling by 268.78m² in total with a two-storey flat roof extension to the rear and a single storey extension to the western side of that rear extension.
- 7.3.2. The Appellants and Observers contend that the extension is out of scale with development in the area. The appeal also refers to Section 16.10.12 of the Development Plan and contends that it states '*Extensions should be subordinate in terms of scale to the main unit*' however there is no such section in the Plan. Appendix 18 does provide guidance for extending dwellings and has a similar requirement for extensions not to have an adverse impact on the scale and character of the existing dwelling.
- 7.3.3. Following a slight re-design at further information stage, the two-storey extension would be situated entirely to the rear of the dwelling with no visibility from the front elevation. It would however be visible from the R148 to the rear and would obscure the rear elevation as far as the eaves. The majority of the single storey extension would not be visible from any aspect of the public realm due to its scale and location to the rear of the church however some of the upper reaches of the structure may be visible from the R148 impacting on views to the church. It would connect into the side of the proposed new two-storey element meaning the existing side elevation would remain entirely unobscured.
- 7.3.4. The layout provides a small, recessed area at the northwest corner of the dwelling between the existing and proposed works, clearly illustrating the location of the

original rear elevation and distinguishing it from the new works. I consider that this feature, together with the proposed flat roof, cumulatively serve to maintain the dominance of the original dwelling over the two-storey extension. I note that the extension would effectively obscure the entire rear elevation however I consider that it is still subordinate to the original dwelling which would remain legible.

- 7.3.5. I note concerns raised in third party observations about the impact to residential amenity in apartments in the Rosemount Court complex to the east. They contend that the two-storey extension would significantly overshadow and detract from existing light levels. I note however the conclusions drawn in the Applicant's Daylight and Sunlight Assessment which concludes that skylight and sunlight would comply with the BRE Guidelines in the 33 window locations assessed. Skylight, also referred to as VSC – visible sky component – would remain within 27% of its former value if the extension were constructed and sunlight levels would remain above 25% of annual probable sunlight hours. I accept the conclusions drawn in this assessment.
- 7.3.6. I note the assessment does not assess the impact of the extension on the open space to the north of the Rosemount Court complex however there are shadow models presented in Appendix F for three different representative times throughout the year. Having regard to the orientation of the space to the north of the three-storey building and the location of the proposed extension to the west, together with the scale and flat roof form of the extension, I do not consider any overshadowing effect on the adjoining open space is likely to occur.
- 7.3.7. Turning to the single storey extension, it would project 14m beyond the side of the dwelling with the new western elevation aligning with the building line set by the western elevation of the church. Its front elevation would also be set entirely behind the rear building line of the existing dwelling. The 3.71m high flat roof would maintain the primacy and dominance of the existing dwelling, particularly in the scenario where the chimneys are retained. I consider that the single storey extension is acceptable and would not detract from the character of the existing dwelling. I also note that, in the absence of screening from boundary vegetation, the line of sight between the church and the R148 to the north would be maintained following construction of the single storey extension. Part of the elevation of the church would be obscured from some perspectives which will be assessed later in this report

however in my opinion the layout and scale of the single storey extension is acceptable.

- 7.3.8. I note some of the observations consider the extension would be out of scale with the existing pattern of development in the area however I disagree and consider that there is capacity on the 0.1ha site for the principle of an extensive floorplate as proposed. This is particularly the case when regard is had to the scale of the adjacent structures such as the Rosemount Court apartment building to the east and the terrace of 5 dwellings on the adjacent Heuston Square site to the west. Regardless of the number of units, the scale of each of these structures are both much larger than the proposed works, which has the added benefit of a large site to accommodate the works. Both of those aforementioned buildings are two and three storeys in height with a larger footprint while the proposed development would be subservient with a massing broken into one and two storey blocks on a large site capable of landscaping to screen impacts.
- 7.3.9. In conclusion, I consider that the proposed extension is an acceptable scale, layout and design for the site and the existing dwelling. Its layout retains a large area of usable private open space for the enjoyment of future occupants while existing boundaries would remain unaltered, particularly that to the rear which is shared with the railway line.

7.4. Alterations to driveway

- 7.4.1. It is proposed to alter the vehicular entrance and roadside boundary by widening the entrance and providing a railing on a low wall in lieu of the taller walls currently in place. The roadside trees and lighting standard currently in situ will remain unaltered. I note a report from the Transport Department which does not object to the proposal however the Conservation Officer considers there is merit in retaining the wall to retain the historical setting of the area. I also note concerns in the appeal and observations that these works would alter the character of the area.
- 7.4.2. In my opinion, the proposal to widen the entrance by relocating the eastern pillar is a minor alteration which would be acceptable and which would not negatively impact traffic safety. I also consider that the scale of the overall proposal to maintain one

dwelling on the site, albeit with two additional bedrooms, is not likely to impact traffic safety, particularly as only two parking spaces are proposed.

- 7.4.3. I agree with concerns that the existing wall forms part of the streetscape and should therefore be retained as it contributes positively to the character of the area. I recommend a condition is attached accordingly.
- 7.4.4. It is also proposed to excavate and widen the driveway to provide parking for 2no. vehicles, a turning area, a bicycle parking stand and a bin store. To accommodate these works excavation/removal of soil either side of the driveway is proposed as far as both boundary walls, effectively removing deep flowerbeds currently situated on either side of the driveway and exposing both boundary walls.
- 7.4.5. Concerns are raised in the appeal and observations as to the structural integrity of such works due to potential impacts to the walls. The Applicant responded to this, via a response to the appeal, by stating that any such underpinning etc to those boundary walls would be designed at a later stage to ensure no impact would occur.
- 7.4.6. I have had regard to the photomontage images and drawings received with the application, as well as the presence of the flowerbed/soft landscaped areas currently in situ as noted during the site inspection and consider there are two issues to assess: the impact to the streetscape and the impact to boundary walls.
- 7.4.7. In the first instance, I consider that the proposal to widen the driveway and provide car parking in this location is inappropriate and would detract from the streetscape.
- 7.4.8. I note there are existing car parking areas situated to the front and to the side of the dwelling, the latter of which is immediately to the rear of the northeast corner of the church. The Applicant submits that removing this would improve the setting of the church. I consider however that providing car parking, bicycle parking and a bin store adjacent to the streetscape would serve to detract from the setting of the church and the general historical setting of the area when viewed from the public domain, particularly if the proposed railings were permitted.
- 7.4.9. In light of my earlier recommendation to retain the roadside boundary walls which are approximately 1.8m in height, the remaining opening would be 3m in width. It is proposed to provide a gate at this location and details of same are not submitted. I

note however the decorative ironwork of the current gates and consider a similar style of gate should be provided which retains a degree of transparency into the site.

- 7.4.10. In this context, I consider that the landscaped driveway should be retained in a similar character to its current layout with deep landscaped beds either side of the driveway. In my opinion there is sufficient hard surfacing currently in place to park two vehicles, distanced from the public road. There is also sufficient open space available to the side of the dwelling to provide two parking spaces and a turning area which would not, in my opinion, impact the setting or amenity of either the dwelling or the church as parking is proposed for two vehicles only.
- 7.4.11. This revised layout would also address the second issue of physical impacts to the boundary walls. It would remove any requirement for excavations which may impact the structural integrity of the party walls.
- 7.4.12. I have no objection to providing the bin store and bicycle parking in the southeast of the site, to the west of the entrance and close to the southern boundary walls as these would be largely screened from public view if the tall walls were retained.
- 7.4.13. I recommend a condition is attached which omits the proposed 2no. parking spaces and the turning space and which retains the soil and landscaped features currently in place adjacent the boundary walls. A revised landscaping layout will be required in this regard to illustrate the location of car parking and to be agreed with the Planning Authority in advance of the commencement of works.

7.5. Impact to Architectural Heritage

- 7.5.1. I note the lack of an Architectural Heritage Impact Assessment (AHIA) which I consider would have been a useful aid to the Applicant to navigate and clearly quantify or mitigate against potential impacts. I also note that the Local Authority's Conservation Officer was critical of the lack of any conservation input into the application but did not request such an assessment. Lastly, I note the arguments put forward by different parties submitting that the site forms part of the curtilage of the site or not.
- 7.5.2. In the absence of an AHIA it is difficult to unequivocally demonstrate the curtilage of the protected structure. However, I consider the facts of the case are that the site comprises an 1930s built dwelling, which was constructed within the grounds of the

adjacent protected structure and therefore was once within the curtilage of the church. The property has however long been subdivided with clear boundaries present to both properties. On balance therefore, I consider that the subject site likely formed part of the attendant grounds of the church and therefore does form part of the setting of the protected structure.

- 7.5.3. Having regard to the information submitted on the application, the appeal and the observations, together with the Local Authority reports and lack of a conservation area zoning on this side of the street which I note is present on the southern side, I consider that there is sufficient information present to make a determination of the impact of the development on the architectural heritage of the area.
- 7.5.4. As outlined above, the proposed extension will not be visible from the roadside and therefore the southern, western and eastern elevations of the church will not be impacted. Further, if the front boundary wall and existing flowerbeds are retained as I have recommended, this would omit any potential visual impacts on the setting and character of both the church and historical streetscape when viewed from the south.
- 7.5.5. Retaining the driveway and southern roadside boundary walls also omits any question regarding potential impacts on the structural integrity of existing historical structures.
- 7.5.6. Therefore, the only remaining potential external impact is to the rear elevation of the church by imposing the presence of the single storey extension and thereby removing a green open space from the setting and attendant grounds of the church. A landscaped 14.5m separation would remain which I consider is sufficient to conclude that the proposed single storey, flat roof extension is not likely to impact the setting of the church. I note some views of the rear elevation of the church would be obscured when viewed from the R148 however the rooftop and upper reaches of the rear façade would still remain visible. I further note the achievable views are from footpaths and the carriageway of the R148 which are not an amenity area but a thoroughfare with only glimpse and transitory views achievable across the railway track.
- 7.5.7. I also consider that the 14.5m separation is sufficient to mitigate against significant impacts on views and the outward aspect from the church over the open space to the north. This view, as currently experienced from floor levels within the building,

would change as a result of the introduction of a new structure into the view. This view forms part of the setting of the church and as noted previously was likely once part of the attendant grounds of the church.

- 7.5.8. In my opinion, the single storey, flat roof, 3.71m high extension, situated 14.5m from the rear elevation of the church, would not be an imposing structure and would not significantly detract from the view or aspect from the windows. I consider this to be the case based particularly in the context of the urban environment in which the site is situated, with the existing proximity of the Kedleston dwelling situated close to the rear elevation of the church as well as the adjacent late 20th century Heuston Square and Rosemount Court residential buildings situated to the west and east respectively. I do not consider that constructing the proposed extension would materially impact on views from the church or on the setting of the protected structure.
- 7.5.9. The appeal also submits that pleached trees, proposed to be positioned between the rear elevation of the church and the proposed single storey extension to reduce intervisibility and overlooking, would significantly impact the degree of light entering the church. It further submits that this would alter the internal character of the church which was designed according to puritanical and reformist principles. That is, that the interior of the original building was intentionally very plain and that natural daylight was important to light the internal spaces.
- 7.5.10. It is submitted that the pleached trees would affect daylight in three rooms with windows on that north facing elevation and I note that two of those rooms are double aspect. The church was previously refurbished and converted to a dwelling and the appeal includes drawings of its internal layout. The western half of the building is one large dual aspect kitchen/dining/living space however the eastern half has been radically altered into two floors.
- 7.5.11. I consider that both internal light levels and the very character and nature of the space in the eastern two storey element has already been altered so much, with windows subdivided laterally across two floors, that any potential reduction of daylight, by the planting of trees on an adjacent property, would not significantly impact the remaining architectural heritage or plain character of the building. With regard to the western living space, I note this large and voluminous room is currently

served by 4 of the generous round-headed windows on the north and south elevations. As the trees would only affect the northern elevation, I consider that remaining internal daylight levels would not be so reduced as to cause a significant or indeed perceptible impact to the architectural heritage of the structure.

- 7.5.12. I therefore conclude that the proposed development would not impact the adjacent protected structure, its setting or internal setting. I also consider that the development complies with Policy BHA2 of the Dublin City Development Plan 2022-2028 as the proposed works are sensitively sited and designed and are considered appropriate in terms of the scale, mass, height and layout.

7.6. Impact to Residential Amenity

- 7.6.1. The appeal considers that there would be significant overlooking afforded to habitable rooms in the church as a result of the 14.5m separation distance, which it suggests is substandard and does not comply with SPPR1 of the Compact Settlement Guidelines. The guidelines however only specify a 16m separation for habitable rooms above first floor level. The proposed extension is ground floor/single storey only and therefore I consider that SPPR1 is not relevant in this instance. Further, I consider that the line of pleached trees and landscaping, as proposed in the further information response would be sufficient to ameliorate any deterioration of residential amenity in the church property, which would not be significant in the first instance in my opinion.
- 7.6.2. The appeal goes on to contend that the pleached trees are an inappropriate design solution as they would impact the view and aspect from the church over the adjoining property and would also negatively impact the internal light levels. I note that planting a tree does not comprise development or works and therefore the landowner is entitled to plant such trees today, without any requirement for planning permission. As the landscaping is proposed as part of this development however, I will assess the impact of the trees on the residential amenity of the church in terms of the visual impact from the loss of aspect and the reduction in light levels.
- 7.6.3. Having determined previously that the architectural heritage of the church would not be significantly affected by the proposed development, I further conclude that any

loss of view or aspect from the northern elevation windows would also not significantly affect the residential amenity of the building.

- 7.6.4. Drawings and photographs are received with the appeal which illustrate the current internal layout. The main living/dining/kitchen space is double aspect and therefore would still retain a high degree of amenity with external views still achievable to the south. Similarly, a first-floor double aspect bedroom facing north and east would also retain an external view as well as light from two different directions and therefore unlikely to experience any significant reduction in light.
- 7.6.5. There is a discrepancy over the use of one last ground floor room served by the northern elevation windows. One set of drawings appended to the appeal suggests it is a utility room which in my opinion is not a habitable room however I note on Fig. 09 of the appeal that a different layout is portrayed which suggests the room is a bedroom. The layout also suggests that it is a single aspect, north facing only room. Photographs and photomontages are submitted with the appeal from within each of the former two north facing rooms but not this one and therefore its use and nature is unknown. Therefore, a worst-case scenario is taken in this assessment and an assumption made that it is a single aspect habitable room facing north.
- 7.6.6. The appeal submits a high-level calculation of vertical sky component (VSC) stated to be in accordance with BRE guidance and which has regard to the proposed trees as the detailed assessment received with the application does not account for the trees. The Applicant states this complies with the BRE Guidelines and is also due to the fact that trees are essentially removable and not permanent fixtures.
- 7.6.7. The non-statutory BRE Guidelines: 'Site Layout Planning for Daylight and Sunlight (2022)' and also referred to as 'BR 209' are an updated version of the same guidelines published in 2011. They advise on site layout planning to achieve good sun lighting and daylighting, both within buildings and in the open spaces between them. It contains guidance on site layout to provide good natural lighting within a new development; safeguarding of daylight and sunlight within existing buildings nearby; and the protection of daylighting of adjoining land for future development. The appendices contain methods to quantify access to sunlight and daylight within a layout. It also states however that '*Although it gives numerical guidelines, these*

should be interpreted flexibly since natural lighting is only one of many factors in site layout design and that the calculation methods are *'entirely flexible'*.

- 7.6.8. I note Appendix 16 of the Development Plan sets out guidance in relation to carrying out such assessments. The Plan dates from 2022-2028 and Appendix 16 states:

'Until such time when BR 209 is updated and all relevant and required information is included (i.e. removal of reference to BS 8206-2 and inclusion of metrics within BS EN 17037), the planning authority will request metrics from both BS 8206-2 and BS EN 17037.'

- 7.6.9. As BR 209 has since been updated, I consider that the carrying out of assessments in compliance with those guidelines is the correct approach.

- 7.6.10. The appeal states that 3.45m high, dense and evergreen trees would be required to provide an adequate degree of privacy and screening between the church and the single storey extension. It states that such trees would reduce the VSC at each of the northern windows of the church to under 27%. They would also reduce light to less than 0.80 of the current levels. It refers to section 2.2.7 of the BRE Guidelines which states that in such scenarios, occupants of such rooms are likely to notice the reduction in sunlight and require electric lighting to be on more often. This assessment however does not appear to have regard to the dual aspect nature of two of the three affected rooms. While light entering the north facing windows may be reduced, there is still adequate and unobstructed light entering the kitchen/living/dining area and the first-floor bedroom from the other windows in those rooms. It is also unclear if the appellants assessment has had regard to the the generous size of the windows in question which are much larger and situated higher in the wall plate than any standard residential glazing.

- 7.6.11. I note section 2.2.8 of the BRE Guidelines recommends that in rooms longer than 5m in length, windows on opposing sides of the room should remain independent as if in separate rooms as they light different parts of the room. The opposing windows in the kitchen/living/dining room are 8m apart, however the windows are also significantly larger and set up higher in the wall plate than a standard house, providing for higher internal light levels. I conclude that the proposed pleached trees would not, in my opinion, significantly reduce the internal light levels of the kitchen/living/dining area or the first-floor bedroom.

- 7.6.12. The remaining ground floor utility or bedroom is a north facing single aspect room and therefore light levels would likely be reduced and perceptibly so by the trees. However, I again refer to the BRE guidelines which state that numerical values should be viewed flexibly and I also note section 2.2.3 which recommends that regard should be had to the position and relationship of the existing building to its boundaries. In this case, the rear elevation of the church building is the property boundary. There is a hedgerow situated north of that again, on the subject site which will be retained and therefore maintain the current privacy screen in situ.
- 7.6.13. In the current circumstances where only one room of the entire church building would experience a perceptible reduction in sunlight, where the open space to the rear of that church building is in the ownership of the Applicant, where a setback is proposed by the Applicant and where the obstruction in this case would be trees and not a structure, I consider that the proposed pleached tree screen is acceptable.
- 7.6.14. It is my view therefore that the proposed trees would likely change the view from the windows on the northern elevation, but that this would not significantly affect the visual amenity of the occupants of those rooms or the internal light levels experienced in each relevant room.
- 7.6.15. On a similar note, the proposed single storey extension is situated further away from the windows and would have a lower height than the trees, albeit at an overall larger scale of structure in the landscape than the tree. I come to the same conclusion that the proposed extension would change the view and aspect from the northern windows, but not materially due to the scale, separation distance and urban context in which the site is situated.

7.7. Other Matters

- 7.7.1. I note the site is situated within a Zone of Archaeological Constraint for the Recorded Monument DU018-020 (Historic City), which is listed on the Record of Monuments and Places (RMP) as well as a Zone of Archaeological Interest in the Dublin City Development Plan. An Archaeological Impact Assessment was sought in the further information but not provided by the Applicant and a condition was subsequently applied requiring preparation of the assessment and its submission for agreement with the Planning Authority prior to the commencement of development.

- 7.7.2. Having regard to the setting of the site and location of excavations, in such close proximity to a former church, I consider it appropriate to include that condition to ensure appropriate archaeological testing takes place so no archaeological heritage is lost.
- 7.7.3. Lastly, I note a submission is received from Iarnród Éireann setting out requirements regarding works close to a railway track. I note a condition was included by the Planning Authority to comply with these requirements and I consider it appropriate to include that condition in the recommendation to grant permission in order to retain and maintain the operational capacity of the strategic railway line.

8.0 AA Screening

- 8.1. I have considered the proposed development in light of the requirements S177U of the Planning and Development Act 2000 as amended.
- 8.2. The site is situated 6.6km west of South Dublin Bay Special Area of Conservation and South Dublin Bay and River Tolka Estuary Special Protection Area.
- 8.3. The proposed development comprises alterations and extensions to an existing detached two storey dwelling, alterations to the vehicular entrance and landscaping, and all associated site development works.
- 8.4. No nature conservation concerns were raised in the planning appeal.
- 8.5. Having considered the nature, scale and location of the project, I am satisfied that it can be eliminated from further assessment because there is no conceivable risk to any European Site. The reason for this conclusion is as follows:
- 8.6. The small scale and residential nature of the works in a serviced urban area and on zoned residential lands,
- 8.7. The distance from the nearest European site and lack of connections, and
- 8.8. Taking into account the screening reports/determinations by Dublin City Council,
- 8.9. I conclude that on the basis of objective information, that the proposed development would not have a likely significant effect on any European Site either alone or in combination with other plans or projects.

- 8.10. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) (under Section 177V of the Planning and Development Act 2000) is not required.

9.0 Recommendation

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

10.0 Reasons and Considerations

Having regard to the location and character of the site and surrounding area in a serviced urban area, the design, scale and materials of the proposed development, the context of the site and proximity of the adjacent protected structure together with the provisions of the Dublin City Development Plan 2022-2028 including the 'Z1' zoning objective for the area, Policy BHA 2 and Appendix 18, it is considered that, subject to compliance with the conditions set out below, the scale and nature of the development is acceptable. The development would not seriously injure the visual or residential amenity or the built heritage of the area. The development is, therefore, in accordance with the proper planning and sustainable development of the area.

11.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 06th day of September 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.</p> <p>Reason: In the interest of clarity.</p>
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2.	<p>The external materials and finishes of the proposed development shall include the following:</p> <ul style="list-style-type: none"> (a) The chimney stacks shall be retained in situ on the existing dwelling. (b) The windows shall be finished with an AluClad material. No PVC shall be utilised for external windows or doors. (c) The external insulation shall be finished with a smooth render, quoins and brick banding replicating the current finish on the dwelling. <p>Prior to the commencement of development, the developer shall submit revised plans and particulars detailing specifications of all external materials and finishes for the written agreement of the Planning Authority.</p> <p>Reason: In the interest of architectural conservation and visual amenity.</p>
3.	<p>The developer shall engage a suitably qualified (license eligible) archaeologist to carry out an Archaeological Impact Assessment (AIA) in advance of any site preparation works and groundworks, including site investigation works/topsoil stripping/site clearance/dredging and/or construction works. The AIA shall involve an examination of all development layout/design drawings, completion of documentary/cartographic/ photographic research and fieldwork, the latter to include, where applicable following consultation with the City Archaeologist of Dublin City Council and the National Monuments Service, - geophysical survey, metal detection survey and archaeological testing (consent/licensed as required under the National Monuments Acts). The archaeologist shall prepare a comprehensive report, including an archaeological impact statement and mitigation strategy, to be submitted for the written agreement of the City Archaeologist of Dublin City Council in advance of any site preparation works, groundworks and/or construction works. Where archaeological remains are shown to be</p>

	<p>present, preservation in-situ, establishment of 'buffer zones', preservation by record (archaeological excavation) or archaeological monitoring may be required and mitigatory measures to ensure the preservation and/or recording of archaeological remains shall be included in the AIA. Any further archaeological mitigation requirements specified by the Local Authority Archaeologist, following consultation with the National Monuments Service, shall be complied with by the developer. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.</p> <p>Reason: To ensure the continued preservation [either in situ or by record] of places, caves, sites, features or other objects of archaeological interest.</p>
4.	<p>Prior to the commencement of development the Developer shall submit a revised site layout and landscaping drawings which incorporate the following alterations to the open space at the front of the dwelling:</p> <ul style="list-style-type: none"> - Roadside boundary walls shall be retained in situ and no railing shall be erected. The eastern pillar shall be dismantled and rebuilt further east to provide a maximum vehicular entrance of 3m in width. A new gate of open decorative ironwork, similar in style to that currently in place shall be provided. Prior to the commencement of development, a conservation specification and methodology for all works relating to the boundary walls shall be submitted for the written agreement of the Planning Authority.

	<ul style="list-style-type: none"> - The existing soft landscaping areas to the east and west of the driveway shall be retained and no excavation works shall occur adjacent to the east or western boundary walls. Widening of the driveway to provide parking and a turning space shall not occur. The revised layout shall provide for car and bicycle parking in a location closer to the dwelling, in a layout similar as that currently provided for on the site. - The bin store/shed as illustrated shall be positioned west of the entrance as per the drawings received and shall be no taller than the existing southern boundary wall. <p>Reason: In the interest of architectural conservation and visual amenity.</p>
5.	<p>The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This scheme shall include the following:</p> <p>(a) A plan to scale of not less than [1:500] showing –</p> <ul style="list-style-type: none"> (i) Existing trees, hedgerows [shrubs] [rock outcroppings] [stone walls], specifying which are proposed for retention as features of the site landscaping (ii) The measures to be put in place for the protection of these landscape features during the construction period (iii) The species, variety, number, size and locations of all proposed trees and shrubs [which shall comprise predominantly native species such as mountain ash, birch, willow, sycamore, pine, oak, hawthorn, holly, hazel, beech or alder] [which shall not include prunus species] (iv) Details of screen planting [which shall not include cupressocyparis x leylandii]

	<p>(v) Details of roadside/street planting [which shall not include prunus species]</p> <p>(vi) Hard landscaping works, specifying surfacing materials, furniture and finished levels.</p> <p>(b) Specifications for mounding, levelling, cultivation and other operations associated with plant and grass establishment</p> <p>(c) A timescale for implementation [including details of phasing]</p> <p>(d) The scheme shall have regard to the landscaping requirements specified by Iarnród Éireann including that no deciduous trees are planted along the railway boundary.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of [five] years from the completion of the development [or until the development is taken in charge by the local authority, whichever is the sooner], shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p> <p>Reason: In the interest of residential and visual amenity.</p>
6.	<p>The existing boundary between the site and the railway corridor shall remain in situ and shall not be altered without prior consent from Iarnród Éireann. No development shall occur within 4m of the boundary with the railway line.</p> <p>Reason: In the interest of public safety and to maintain the operational capacity of the railway line.</p>
7.	<p>The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services. Prior to the commencement of development, the developer shall submit details for the disposal of surface water from the site for the written agreement of the planning authority.</p>

	Reason: In the interest of public health.
8.	<p>The developer shall comply with the requirements of the planning authority for works and development in respect of alterations to the vehicular entrance.</p> <p>Reason: In the interest of traffic safety.</p>
9.	<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, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.</p> <p>Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.</p>

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

Sarah O'Mahony
Planning Inspector

25th February 2025

Form 1

EIA Pre-Screening

An Bord Pleanála Case Reference	321149-24		
Proposed Development Summary	Renovation and extension of dwelling with all ancillary works including alterations to the vehicular entrance and landscaping.		
Development Address	Kedleston, 60 Inchicore Road, Kilmainham, Dublin 8		
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			
No	X		Tick if relevant. No further action required
3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?			
Yes	N/A		
No	N/A		

4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?			
Yes	N/A		

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: _____